years, with a more comprehensive summary at regular intervals, perhaps with cumulative totals and percentages.

The crime-credibility gap could thus be closed by a responsible mass news media thinking in terms of the psychological impact of its reporting on those who would try for easy money and on those who would be reassured that convictions are in fact being handed down by the courts.

Sincerely yours,

MRS. BARBARA B. CUMMINGS.

HOUSE OF REPRESENTATIVES—*Tuesday, March 18, 1969*

The House met at 12 o'clock noon.

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

They that wait upon the Lord shall renew their strength; they shall walk and not faint.—Isaiah 40: 31.

Eternal God and Father of us all, as we live through the hours of this day may we be humble in spirit, helpful in attitude, faithful in service, and fruitful in all good works.

Deliver us from worries that wear us out, from resentments that tear us down, and from frustrations that weaken our morale. Help us to realize that though life may have for us many difficulties and some disagreements, we must not allow difficulties to become too discouraging, nor permit disagreements to make us too disagreeable, and certainly never allow them to weaken our faith or lower our ideals.

Grant wisdom and courage to our President, our Speaker, all Members of Congress, and those who work diligently with them as they set themselves to solve the problems that confront our Nation in these trying times.

Together may all of us walk in Thy way and not faint.

In the Master's name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 408. An act to modify eligibility requirements governing the grant of assistance in acquiring specially adapted housing to include loss or loss of use of a lower extremity and other service-connected neurological or orthopedic disability which impairs locomotion to the extent that a wheelchair is regularly required; and

S. 1130. An act to provide for the striking of medals in commemoration of the 100th anniversary of the founding of the American Fisheries Society.

The message also announced that the Presiding Officer of the Senate, pursuant to Public Law 115, 78th Congress, entitled "An act to provide for the disposal of certain records of the U.S. Government," appointed Mr. McGEE and Mr. FONG members of the Joint Select Committee on the part of the Senate for the Disposition of Executive Papers referred to in the report of the Archivist of the United States numbered 69–4.

LOGJAM ON FLOOD CONTROL PROJECTS SHOULD BE BROKEN

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

Mr. EDMONDSON. Mr. Speaker, this morning Members of the Oklahoma delegation, through arrangements by our distinguished majority leader, met with some of the soil conservation leaders of our State who are seriously concerned about the continued logjam that exists on small projects.

Thousands of Oklahomans have been deeply distressed by this longstanding logjam that arises through a disagreement between several committees of the Congress and the Congress itself on the one hand and the previous administration on the other. Continuation of this disagreement delays some of the most vitally needed flood control work in the United States. Some of our most serious flood damage is suffered upstream and on these watersheds.

I hope we can have speedy attention to this problem in the new administration and a breaking of this logjam that is affecting adversely so many communities and areas of the country.

Mr. GERALD R. FORD. Mr. Speaker, will the distinguished gentleman yield?

Mr. EDMONDSON. I am glad to yield to the distinguished minority leader.

Mr. GERALD R. FORD. Mr. Speaker, I think it is regrettable that we have had this dispute. I do not challenge the good faith of either the previous administration or the respective committees in the House and Senate. It was a legitimate, honest difference of opinion. However, I hope for the benefit of the country the new administration and the respective committees can find an answer so that we can proceed with this highly important watershed program.

Mr. EDMONDSON. I thank the gentleman very much.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. EDMONDSON. I am glad to yield to the distinguishd majority leader.

Mr. ALBERT. Mr. Speaker, I associate myself with the remarks of my colleague. He has performed a service to the country in bringing this matter to the attention of the House.

Mr. EDMONDSON. I thank the gentleman from Oklahoma.

H.R. 8699, FOR BENEFIT OF AIR FORCE OFFICERS WHO FOR TECHNICAL REASONS WERE UNJUSTLY DENIED PROMOTIONS WHEN RECALLED TO ACTIVE DUTY

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

Mr. FISHER. Mr. Speaker, on March 11, I introduced H.R. 8699, a private bill, on behalf of 25 Air Force Reserve officers, to correct an obvious injustice to them for having been denied promotions because of being recalled to active duty in January of last year.

Solely because of an archaic quirk in the statutes governing the promotion of Reserve officers, these men—fully qualified and duly recommended for promotion—were denied their promotions because they belonged to units mobilized for the *Pueblo* crisis. On the other hand, their contemporaries who were not recalled, did receive the same promotions the recalled men would have received had they not been recalled.

This bill, if enacted, will empower and enjoin the Secretary of the Air Force to grant these men the promotions they justly deserve.

The measure will benefit a number of my constituents. Other deserving officers have, at the request of their respective Representatives in the House, been included. Except for the House rule which does not permit cosponsorship of private bills, these Members would be listed as coauthors.

These Members who in behalf of their officer constituents have joined me in sponsoring this legislation are as follows: Representatives ADAMS, DON H. CLAUSEN, COHELAN, DAVIS of Georgia, GUBSER, HANSEN of Washington, MAILLIARD, McCLOSKEY, McKNEALLY, MOSS, and WALDIE.

Incidentally, I have also introduced a bill (H.R. 8650) which would amend the present law and prevent a recurrence of these unfortunate injustices in the future.

INCREASED FEDERAL INCOME TAX EXEMPTION

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

Mr. STEED. Mr. Speaker, I am today introducing a bill that would increase the personal Federal income tax exemption from $600 to $1,200.

This figure has remained unchanged since 1948, for 21 years. During that period inflation and rising costs have reduced it to only token relief for the taxpayer. Even before World War II, with the cost of living many times less than now, the figure was $750.

The bill would apply to exemptions for the taxpayer, spouse, and dependents, as well as the additional exemptions for old age and blindness.

Chairman MILLS and the Ways and Means Committee are conducting an intensive review of the entire tax structure, and I hope that this will result in substantial improvements. I believe that a realistic increase in the personal exemption should be included in any tax reform measure eventually enacted.

Loss of revenue to the Government would be relatively small and can be recouped by economy and by revisions to correct other inequities in the tax structure.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

The average small- and middle-income taxpayer is bearing more than his share of the burden. This is one of a number of changes needed to remedy this situation.

BILLS TO NAME THE MISSISSIPPI RIVER BRIDGE AT DYERSBURG IN HONOR OF THE LATE REPRESENTATIVE EVERETT OF TENNESSEE

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

Mr. KUYKENDALL. Mr. Speaker, immediately upon the death of Congressman Robert A. Everett, Senator HOWARD BAKER introduced a bill in the Senate and I introduced a bill in the House to name the Mississippi River bridge at Dyersburg for Congressman Everett.

The bill introduced by Senator BAKER was passed almost immediately by a unanimous voice vote. But for reasons unknown to me the bill is having some difficulty passing the House of Representatives even though both the majority and the minority leaders of the Public Works Committee are openly dedicated to its passage.

Many people for many years took an active part in promoting and working for this bridge, but it all came to naught until the effective work of Congressman Everett—almost singlehandedly—persuaded enough people to support the effort to make it a reality.

Mr. Speaker, I sincerely hope the Public Works Committee will soon report out Senate bill 769 to name the Mississippi River bridge after our beloved friend, Fats Everett. The reason for passing the Senate bill is that in the interest of having this much deserved honor given to Fats Everett's memory as soon as possible, I shall ask that my bill be vacated and that the bill that has already passed the Senate be reported out.

SMALL BUSINESS ADMINISTRATION LOAN TO PROMINENT NEW YORK AREA LOAN SHARK AND MEMBER OF MAFIA'S COSA NOSTRA

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

Mr. GROSS. Mr. Speaker, the Small Business Administration has not exactly been noted in the past few years for caution when it comes to handing out the public's money, but a case has now come to light which boggles the mind.

I am referring to the loan of nearly a half million dollars to companies controlled by a man who is identified as a prominent New York area loan shark and a member of the Mafia's Cosa Nostra.

I am told that this man—John Masiello—is so well known as a member of the underworld that he has been under the closest scrutiny of the Justice Department. He has been, I am informed, convicted of smuggling.

What have we come to when an agency of the Federal Government is spewing out the taxpayers' hard-earned money to a smuggler and a loan shark?

What possible excuse can there be for this type of behavior by the high public officials who approved the loan of this money?

I am today asking Attorney General Mitchell to conduct a full and complete investigation of this unbelievable case.

I have watched for far too long the Small Business Administration throwing money down the drain without the slightest concern from whence it came or to whom it belonged. It has got to stop and right now, and I intend to do everything in my power to see that it does stop.

DISPENSING WITH PRIVATE CALENDAR TODAY

The SPEAKER. This is the call of the Private Calendar.

The Chair now recognizes the gentleman from Massachusetts (Mr. BOLAND).

Mr. BOLAND. Mr. Speaker, since today is the first day that bills on the Private Calendar have been eligible for consideration, I take this time to advise Members of the policy agreed upon by both the majority and the minority official objectors for the Private Calendar with respect to the consideration of bills on the Private Calendar. The official objectors have agreed that during the 91st Congress they will consider only those bills which have been on the Private Calendar for a period of 7 calendar days, excluding the day the bills are reported and the day the calendar is called. This reaffirms a policy initially adopted by the official objectors on June 3, 1958. The policy will be strictly observed except during the closing days of each session when House rules are suspended.

Mr. Speaker, in light of this agreement I ask unanimous consent that the call of the Private Calendar in order today be dispensed with.

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

There was no objection.

EXTENSION OF EXECUTIVE REORGANIZATION AUTHORITY

Mr. BLATNIK. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1058) to extend the period within which the President may transmit to the Congress plans for reorganization of agencies of the executive branch of the Government.

The Clerk read as follows:

S. 1058

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 905(b), title 5, United States Code, is amended by striking out "December 31, 1968", and inserting in lieu thereof "April 1, 1971".

The SPEAKER. Is a second demanded?

Mr. ERLENBORN. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

CALL OF THE HOUSE

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

The SPEAKER. The gentleman from Missouri makes the point of order that a quorum is not present, and evidently a quorum is not present.

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

A call of the House was ordered.

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

[Roll No. 22]

Annunzio	Hansen, Idaho	Patman
Arends	Harsha	Powell
Bates	Hays	Riegle
Belcher	Hébert	Rivers
Bell, Calif.	Hungate	Ronan
Blackburn	Jacobs	Rooney, N.Y.
Brock	Kyl	Ruppe
Brown, Mich.	Leggett	St. Onge
Carey	Lloyd	Sandman
Clark	Long, La.	Scheuer
Colmer	Long, Md.	Scott
Davis, Ga.	Lowenstein	Slack
Eckhardt	Lukens	Smith, Iowa
Edwards, La.	McEwen	Stephens
Fallon	McFall	Stuckey
Flynt	McKneally	Teague, Calif.
Ford,	Mathias	Teague, Tex.
William D.	Morse	Tunney
Gallagher	Murphy, N.Y.	Vander Jagt
Giaimo	O'Konski	Widnall
Gray	O'Neal, Ga.	Williams
Griffiths	O'Neill, Mass.	
Hanna	Ottinger	

The SPEAKER pro tempore. (Mr. ALBERT). On this rollcall 364 Members have answered to their names, a quorum.

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

PERMISSION FOR COMMITTEE ON RULES TO FILE CERTAIN REPORTS

Mr. COLMER. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain privileged reports.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

THE LATE HONORABLE HENRY O. TALLE

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

Mr. CULVER. Mr. Speaker, I rise to join my colleagues in the House in paying tribute to the gentleman who, for 20 years, represented the Second Congressional District of Iowa, Congressman Henry O. Talle.

In addition to his service to the country as ranking minority member of the House Banking and Currency Committee, the House District Committee, the Joint Economic Committee, and the Joint Committee on Defense Production, the people of northeast Iowa will remember him for his work for the district, and particularly his leadership in establishing Effigy Mounds National Monument and rerouting the Upper Iowa River to lessen flood dangers.

During the time he served on the faculty of Luther College in Decorah, and later as a Member of Congress, Henry O. Talle had an important impact on maintaining and strengthening higher education in northeast Iowa.

Mr. Talle has set a high standard of service and commitment for those who

have succeeded him, and all of us in northeast Iowa are indebted to him for his contributions as our representative.

Mrs. Culver and I extend our deepest sympathy to Mrs. Talle and the members of the family.

COMMENDATION ON THE ABM PROGRAM

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

Mr. WAGGONNER. Mr. Speaker, I would like to commend the President for taking steps in providing for the defense of the United States with an anti-ballistic-missile program. My only reservation is that I wish he had asked for a larger or "thicker" system, but I do not, of course, have access to the facts and the figures which are available to him which guided his decision.

I do not doubt the sincerity of the President's statement that he regards the security of the Nation to be the gravest responsibility which he bears. Nothing could surpass that duty in my mind. And to those in this or the other body who, for one reason or another, oppose this thin ABM system or advocate that we have no defense at all, I can only say they are taking upon themselves a burden I would not want on my shoulders. If they are right and we never have a need for this defense system, perhaps time will hold them guiltless. But if the dread day ever comes when millions of lives could have been saved but for their opposition to this system, the judgment upon them will be more than anyone could bear.

If any error is to be committed, pray God we err on the side of more protection for the Nation than we might need, rather than too little.

TRANSFER OF SPECIAL ORDER

Mr. BIAGGI. Mr. Speaker, I ask unanimous consent that the special order granted to the gentleman from New York (Mr. LOWENSTEIN) for 1 hour on March 26 be transferred to March 25.

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the request of the gentleman from New York?

There was no objection.

EXTENSION OF EXECUTIVE REORGANIZATION AUTHORITY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Minnesota (Mr. BLATNIK).

Mr. BLATNIK. Mr. Speaker, S. 1058 will extend the authority granted the President under the Reorganization Act of 1949 to submit reorganization plans to the Congress. Such plans go into effect within 60 days unless either the House or the Senate passes a resolution of disapproval. This authority, in one form or another, has been given to Presidents since 1932. The 1949 act, which expired on December 31, 1968, was recommended to Congress by the first Hoover Commission on Organization of the Executive Branch. The premise underlying this act seems to be based on the historical fact that Congress has had great difficulty in reaching agreement on forms of organization for the executive branch and its many departments and agencies under the normal legislative procedures. The President, therefore, was given the right to develop reorganization plans designed to produce greater efficiency and more effective administration and submit those plans to Congress. The Congress had the affirmative responsibility of accepting or rejecting these proposals.

Under the rules of the House, reorganization plans are referred to the Committee on Government Operations for study and recommendation to the House. If a disapproval resolution is filed, that committee is given 10 days in which to act upon the resolution and return it to the House or be subject to a motion to discharge. As a longtime member of that committee and now chairman of the subcommittee which considers reorganization plans, I think I can fairly say that under the leadership of the chairman and ranking majority member, Mr. HOLIFIELD, the committee has fully met its responsibilities in handling these plans. We not only make a careful scrutiny of each plan, including hearings in which all sides may present their opinions, but we have made a special point of soliciting the views of the chairmen and members of the great standing committees of this House when departments and agencies under their jurisdiction may be affected. Since 1949, 85 reorganization plans have been transmitted to the Congress; 65 of these became effective. Congress exercised its prerogative on the other 20 to disapprove them.

In 1968, on the express recommendation of President Johnson, we approved an extension of the act for 2 years but the Senate did not act. On January 30 of this year, President Nixon, in a special message to Congress, asked that the law be extended. The Senate acted first and our committee now recommends that the House concur and provide to President Nixon the same authority which his predecessors, Presidents Truman, Eisenhower, Kennedy, and Johnson have had.

The measure before you extends the law for only 2 years, until April 1, 1971. During that period we can evaluate the proposals made by the President and determine if the act should be further extended.

It is often said that somehow Congress is giving up legislative power to the Executive under the Reorganization Act. I disagree. Congress is merely placing upon the Executive the responsibility for taking the initiative in proposing to Congress improvements in organizational arrangements that will help our Government to work better for all of the people. If Congress favors the proposal, it will permit it to go into effect. If Congress does not approve the proposal, it may defeat it by voting on a disapproval resolution.

The safeguards involved are powerful. A reorganization plan can be defeated by a simple majority vote of either House. A disapproval resolution cannot be bottled up in committee because the rules of the House provide for a vote to discharge the committee after 10 days as a highly privileged matter. I have no fear that the Members of this body will fail to be alert when reorganizations of a controversial nature come before us.

I am sure that the Members of this House will overwhelmingly pass this bill so that effective organization and reorganization of the executive branch can be obtained.

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

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

Mr. GROSS. I thank the gentleman for yielding. I am curious to know why a reorganization recommendation from the executive branch of the Government should carry a 60-day effective clause when the unconscionable Pay Act, which was also a delegation of congressional authority—and illegal in my opinion—contained a provision for only 30 days. Why 60 days in this instance and 30 days in the other instance, if I may ask the gentleman?

Mr. BLATNIK. I am not in a position to answer that question as to why 30 days was sufficient or insufficient in the other instance. But in this instance, 60 days has been the time provided from the very beginning of this procedure, certainly since 1949—in the past 20 years—and it has proven to be an ample length of time. There has been no request either to shorten or extend that time. So for that reason we are continuing the same period of time—60 days.

Mr. GROSS. If the gentleman will yield further, I should like to ask the gentleman if in 1949 there was a 90-day provision?

Mr. BLATNIK. I should like to call upon the gentleman from California to explain that. I do not recall under what circumstances it was reduced to 60 days. Would the gentleman from California be able to shed some light on that point?

Mr. HOLIFIELD. I am sorry. I did not hear the statement of the gentleman from Iowa.

Mr. GROSS. I was inquiring as to why there is a 60-day effective provision in the bill we are considering when the unconscionable pay bill contained a 30-day provision?

Mr. HOLIFIELD. The gentleman brings in a different piece of legislation, which, of course, this committee has no control over. The time traditionally has been 60 days, and I believe that is ample time to give the committee and the Congress opportunity to study these bills. On a number of occasions a group of reorganization plans has been sent to the Congress by the executive branch within the period of just a few days. I have tried to discourage that practice so that we could have more time to consider the plans. I have been partly successful in that endeavor. However, I do think that 60 days is a reasonable time for a plan to arrive before the Congress and give all the committees that are involved and the individual Members of Congress a chance to study it. I see no reason to change the time to 30 days or to 90 days.

Mr. GROSS. Of course, the original promoters of this delegation of power idea specified 90 days.

Mr. HOLIFIELD. The gentleman from

Iowa must be going back a long way to find 90 days.

Mr. GROSS. It was 1949, I am told.

Mr. HOLIFIELD. My memory does not serve me in just that way in that respect. My memory is it was, in 1949, 60 days.

Mr. GROSS. I am told it was 90 days at that time.

Mr. HALL. Mr. Speaker, will the gentleman yield?

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

Mr. HALL. Mr. Speaker, I appreciate the statement of the gentleman in the well, and the chairman of the Subcommittee on Government Operations that handles the reorganization plans.

I view this additional request with mixed emotions as a Member who, for the past 3 years, has served with five other Members of this body on the Joint Committee on the Reorganization of the Congress and the related agencies, and that would certainly include the executive branch. I can well realize that a new administration would need this authority to correct some errors or deviations from its way of thinking as to the administration of the executive branch, and certainly I would want my President to have that.

I am concerned, however, particularly about the delegation of congressional and legislative authority to the executive branch. I think the argument that we are having more and more agencies formed in the administration, is proof positive that we of the legislative branch need to exercise more and more control.

But, be that as it may, I want again to compliment the gentleman in the well for the committee and subcommittee report, particularly for including the action of the House committee in the past 8 years in chart form on pages 3 and 4.

It is hereby that my question for information derives. I notice that in the early years the House's actions are accounted for, action was taken on almost every reorganization plan that was submitted to the Congress, either positively or by indirect action. I appreciated the statement that the gentleman made about the function of his subcommittee and the days allotted by the parent committee for action on the reorganization plan; but, going into 1965, according to the chart of the gentleman's own committee, through 1968, as I interpret it, no action was taken in the great majority of reorganization plans. Indeed, the last three reorganization plans out of four, in 1968 had no action taken, thereby allowing the reorganization plan to go into effect without a report, without a study, and without debate, either under the suspension of the rules or any other way.

Would the gentleman in his experience and wisdom say that having relegated our authority to the executive branch to reorganize itself—and I know the backing of the Hoover Commission, and so forth—there is more of a threat to let this reorganization of the executive branch occur as a matter of comity to the coequal branch, without us taking necessary action or debating it either pro or con on the floor of the House?

Mr. BLATNIK. There is nothing that prevents any Member from introducing, and any Member has the right to introduce a resolution of disapproval which automatically requires action within 10 days.

Any person will have full opportunity to be heard before the committee, and there can be full debate in the House.

Mr. HALL. Mr. Speaker, if the gentleman will yield further, I agree with the gentleman, and I know the rules of procedure of this body well enough to understand—in fact, I have introduced such resolutions. But the fact remains that if the committee in its wisdom, as a subdelegated part of this body as a whole, deems not to bring it back on this floor, or if, indeed, the leadership, with a positive report of the committee, deems it advisable not to schedule the matter then the Congress as a collection of 435 individually elected legislators has delegated to the committee or subcommittee this prerogative, which, in turn, can delegate the power of the Congress to the executive branch. Is that not true?

Mr. BLATNIK. No, that is not true.

We do not regard this as delegating any powers of this body of the Government to the executive branch.

So a failure to act is a decision by this body and it thereby permits the reorganization plan to go into effect automatically at the end of 60 days. We do not either willfully, or through inadvertence, transfer any of our authority or responsibilities at all. The power either to act or not to act is within our rights, prerogatives, and privileges.

Mr. HALL. I appreciate the gentleman's statement. I believe the committee actually functions in this manner, particularly the gentleman's subcommittee. However, I would like to ask the mirror-image question or corollary question: Could any one elected representative bring such action in defiance of an executive reorganization against the will of the subcommittee or the leadership?

Mr. BLATNIK. Yes. My understanding is that any Member can call the matter to the floor, so it is a matter of the highest privilege. There are no parliamentary rules or rules of order against it or any impediments or obstacles whatsoever. One individual, be he the sole objector, still has the right to call the matter up before the full body of the House.

Mr. HALL. I thank the gentleman for the legislative record and his explanation.

Mr. BLATNIK. Mr. Speaker, I urge the adoption of this measure.

Mr. ERLENBORN. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, I rise in support of S. 1058, the bill to extend the executive reorganization authority. I think the gentleman from Minnesota (Mr. BLATNIK), the chairman of my subcommittee, has ably explained this bill and some of its history.

As he mentioned, in the last Congress the House did act to pass a bill to extend the reorganization authority before it expired. Due to inaction, that legislation died in the other body. Contrary to the inaction of the last session of Congress, the other body has acted promptly this year and has passed the bill now before us.

In the bill that was passed last year by this House there were two amendments incorporated which were offered by me in the subcommittee. Again, in legislation I introduced this year, I offered the same amendments. I have been convinced from our hearings and representations made to me by the Bureau of the Budget that the substance of the amendments I had offered will be incorporated in messages from the President transmitting reorganization plans in the future. There will be some arguments made here today, I know, as they were made in our full committee, that there should be additional limitations placed on the President's power to reorganize and to exempt independent regulatory agencies from this reorganization power. In anticipation of these arguments, I would like to point out that since 1949 when the basic legislation we are now extending was adopted, there has been no such limitation on the President's authority. As a matter of fact, in the 1949 legislation, when it was being debated and before it was adopted, this question was very thoroughly debated. The Hoover Commission and Mr. Hoover himself, both of them, made it very clear that they did not think it would be advisable to exclude regulatory agencies from the President's reorganization powers. So we have a clear legislative history opposed to the type of amendment that the opponents of this bill would like to offer to this bill.

I would also suggest that since 1949, as far as I can find from my research, no one has offered such amendments. This authority has been extended every 2 years and sometimes for a period of 3 years since 1949 without this sort of limitation being suggested.

Mr. Speaker, at the present time the President does not have authority to transmit plans. The basic legislation is still on the books. The President still has the obligation under this legislation to make studies and to make with recommendations. But his authority to transmit plans has expired. This legislation would accomplish the extension once again of the President's authority to transmit plans.

The gentleman from Missouri (Mr. HALL) raised some questions about whether individuals could bring objections to these plans out onto the floor.

I would point out to the distinguished gentleman from Missouri (Mr. HALL), as the gentleman may know, but I would point out to the gentleman the fact that whether or not a resolution of disapproval is filed, it has been and will continue to be the policy of our subcommittee and the policy of our full Committee on Government Operations to hold thorough hearings on the President's reorganization plans. We have done this in the past, even though a resolution of disapproval had not been offered, and these plans do get attention even though a resolution of disapproval has not been offered to the plan. Likewise, a resolution of disapproval can be brought out onto the floor and as was appropriately answered by the gentleman from Minnesota (Mr. BLATNIK), if any individual wants to file a resolution of

disapproval, and appear before our subcommittee then we shall always see to it that the resolution of disapproval is brought out onto the floor.

But, even if we did not act, the individual who has filed a resolution of disapproval has the absolute right to have his resolution brought out as a matter of the highest priority here onto the floor of the House even though he could not get a hearing before our subcommittee or before the full committee, although I am confident such hearing would be granted upon request.

Mr. Speaker, several basic changes have been made in our Reorganization Act since 1949, some to liberalize the procedures whereby a plan of reorganization may be disapproved.

The SPEAKER pro tempore (Mr. MILLS). The time of the gentleman from Illinois has expired.

Mr. ERLENBORN. Mr. Speaker, I yield myself 1 additional minute.

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

Mr. ERLENBORN. I am glad to yield to the gentleman from Iowa.

Mr. GROSS. I thank the gentleman from Illinois for yielding.

The gentleman gives us the assurance that these reorganization plans and recommendations will come to the floor of the House for consideration. We had that assurance in 1967 when the delegation of power went to the President of the United States to recommend salaries for Members of Congress, and the House finally brought that procedure. We were assured then that the House would have an opportunity to work its will. It did not have such opportunity.

I hope the gentleman's assurance in this instance means more than it did in that instance.

Mr. ERLENBORN. I thank the gentleman from Iowa for his remarks. I take no credit or blame for what the gentleman talks about, but I will say that since I have been a Member of this body and so long as I continue to be a member of the Committee on Government Operations, we have fulfilled and I am confident will continue to fulfill our full obligation to hold hearings on every plan which is offered whether a resolution of disapproval has been introduced or not. Every Member has a right to introduce such a resolution. This is a matter of substantive law and it is a matter of record that our committee has fulfilled its obligations in all instances in this regard.

The SPEAKER pro tempore. The time of the gentleman from Illinois has again expired.

Mr. BLATNIK. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. Moss).

Mr. ERLENBORN. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. Moss).

Mr. MOSS. Mr. Speaker, I step into this well today exactly even for the first time in 16 years because in 16 years the strongest argument I have heard advanced for the granting of reorganization authority was that the previous administration had it. So, I have now voted 8 years to give it to Republican Presidents and 8 years to give it to Democratic Presidents. So, while I am even, I want to urge the House to recapture its role as a positive force in legislating.

I believe this is what we are sent here to do, and I believe honestly that we have the capacity to do that job if we but have the will to try.

Reorganization plans in the early days of the Hoover Commission were well conceived following very careful study, and the overwhelming majority of them had my enthusiastic support, but far too many of them in recent years have not been well conceived, and have not had that same degree of impartial study.

I believe the Congress needs to learn how to do the job of studying impartially the function of the executive branches of the Government, and to be able to modify the proposals which are sent down in Presidential messages, but a reorganization plan once submitted cannot be changed; it must be voted up or down. Remember that all we retain for ourselves as Members of Congress is a veto power. That is not the role envisioned for the legislative body of this Nation. That is not the responsibility we seek from our voters when we come here to Washington, and it is not the responsibility we represent ourselves as having when we sit on committees to hear testimony. There is a flexibility in bona fide legislating. There is a point of proper consensus where the possible can be done, and usually that consensus represents the degree of compromise which has been the characteristic strain of strength in this democracy of ours.

I have voted in the past for this procedure, and I have not done so in a partisan sense, but I emphasize again that I did it for the best argument that I ever heard, that someone else had had the authority and only now, 16 years later, can I step into this well and say to all of you that I have been totally impartial, I have given 8 years to the Republicans, and I have given 8 years to the Democrats, and I have regretted in each instance doing so.

Now, I do not want to have this legislative authority left in the hands of the Executive, and I do not want a dilution of our responsibilities. I would like to see us embark on the road of recapturing the dignity and the stature which we as Members of the principal legislative body of this Nation are supposed to possess.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. ERLENBORN. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, the gentleman from California (Mr. Moss) just made an impassioned plea outlining how he feels about this legislation. For the benefit of the gentleman from California, and other Members in the Chamber, I would like to read an excerpt from the CONGRESSIONAL RECORD of 1963 of statements made by the same gentleman from California. He said:

> Mr. Chairman, I voted for the extension of this authority in 1953, 1955, 1957, and 1961. I did not support its extension in 1959.

Then after some other intervening comments, he continued:

> I watched rather carefully the way the Congress handled the controversial reorganization plans sent it in 1961. I saw no evidence there of abandonment of our responsibility in the field of legislation. I saw no power given the President which restricted our right or our opportunity to act and act decisively. We rejected plans, we permitted some to become operative and in at least one notable instance we substituted amendment of statute for the adoption of the plan itself. I think it demonstrated that the dangers, the fears many of us envisioned as flowing from this authority were mere bogeymen, that we did not have to be frightened of any usurpation on the part of the Executive of the prerogatives of the Congress.

The SPEAKER. The time of the gentleman from Illinois (Mr. ERLENBORN) has expired.

Mr. MOSS. Mr. Speaker, in view of the fact the gentleman from Illinois has mentioned the gentleman from California, will he yield me one-half minute?

Mr. ERLENBORN. Mr. Speaker, I yield myself 1 additional minute and now yield to the gentleman from California (Mr. Moss).

Mr. MOSS. Mr. Speaker, let me say that consistency is certainly the pride of very small minds. I am not at all embarrassed in saying that studying the reorganization plans of the last few years has reinforced the position I took in 1959. I do not think we have accepted the affirmative role of the legislative body and I think a recitation of the number that became effective without any action at all is perhaps the strongest argument in support of that contention.

Mr. ERLENBORN. Mr. Speaker, in the time remaining of my 1 minute, let me point out here that what the gentleman from California has said about there not being any action at all is incorrect because we have always held hearings on these plans.

Now, Mr. Speaker, I yield 5 minutes to the gentleman from Michigan (Mr. DINGELL).

Mr. DINGELL. Mr. Speaker, I would like to thank my good friend for his gracious courtesy in yielding to me at this time.

Mr. Speaker, I rise with some regret. I have before me here a document, "The Elephant's Roar." Its editor or publisher is Mr. John F. Saterlee. The address of this publication is 836 National Press Building, Washington, D.C.

It is entitled "A Gazette for Republican Leaders." In that a very prominent Republican lady, Mrs. Phyllis Schlafly writes on pages 2 and 3 a very lengthy statement and the title is "Patronage Is the Name of the Game."

While my colleagues have traditionally supported the idea that the President should be allowed to reorganize the Government agencies within certain limitation and within controls imposed by the Congress. But I think this is a most interesting document and I believe it sets out the understanding of some knowledgeable and authoritative and influential members of the Republican Party as to the purposes behind this reorganization.

The opening portion of this is a very lengthy complaint about the very great shortage of patronage jobs that exist.

Prominent among those complaints is the statement:

President Nixon can fill only 1,500 to 3,000 Federal jobs—the rest of the Federal employees are locked in by the Civil Service.

I do not want my colleagues at the end of the 2 years, when the expiration of this program is at an end, to say that they were not fully warned. This is, according to Mrs. Schlafly's understanding, the basis for a great Republican patronage grab.

I believe there is abundant warning here for all who will heed. I believe those who are interested in the civil service and interested in the integrity of the civil service should feel great concern from this publication.

I will now quote directly from the article—and I say that at the appropriate time, I will ask unanimous consent to insert the whole of this remarkable document into the RECORD so that the Federal service and the people of this Nation can understand some of the warnings that have been placed before us by Mrs. Schlafly.

Use the technique called "reorganization" in order to bring Republicans into the Federal Government at every echelon. This is perfectly legal and ethical administrative device for outmaneuvering Civil Service in order to fire Democrats and hire Republicans. The President can abolish agencies, bureaus, divisions and job—and then create new ones. He can make up different titles for the same old jobs so they are available for new personnel.

After all, isn't that what the American people voted for last November 5? Civil Service should *not*—

And the word "not" is italicized to make it clear that this is one of the major points with which Mrs. Schlafly is concerned—and the article continues:

should not be permitted to stand in a way of the policy changes for which we voted so decisively.

The technique of "reorganization"—

And the word "reorganization" is in quotes—

requires a few smart and skillful lower-echelon employees to do the necessary detail work. If the Kennedy and Johnson administrations could find such employees, there is no reason why the Nixon administration cannot do it, too. It is simply a matter of having the will to do it.

The Democrats used this political tool with consummate skill in order to pack the government with liberal Democrats. If the Republicans fail to use this tool, no one will thank them for their gentlemanliness.

A word to the wise should be sufficient. The article referred to follows:

PATRONAGE IS THE NAME OF THE GAME

(By Phyllis Schlafly)

Ever since Richard Nixon won the Presidency in November 1968, the press has been filled with variations on this principal theme: *President Nixon can fill only 1,500 to 3,000 Federal jobs—the rest of the Federal employees are locked in by Civil Service.*

This claim is preposterous, and Republicans at every level should call the bluff of the Democrats and the liberals who are trying to put it over. The American people voted for a change in November 1968. There is no way that the wishes of the majority of Americans can be fulfilled if President Nixon can replace only 3,000 employees out of 3,000,000—leaving 2,997,000 holdovers from previous administration.

On Inauguration Day, *The New York Times* stated on the front page: "Mr. Nixon will be leading barely 100 associates into top jobs in a Government of more than three million employees. They will be guided for months by Democratic holdovers, even in policy posts, and they will have to master a bureaucracy that has been trained and nourished by Democrats in all but eight of the last 36 years."

Republicans should not permit the Nixon Administration to be straitjacketed by the retention of 99.9% holdovers from the LBJ Administration.

It is wishful thinking to hope that the election of a new President and his appointment of an outstanding Cabinet will in itself bring about the change in policies which the voters want. Policies are made by the thousands of middle-echelon bureaucrats who give the advice, determine what information is sent to their superiors, draft the "working" papers, prepare the "options," "interpret" the regulations, and summarize the "intelligence."

Immediately after the Nixon victory, the Federal payrollers began building bureaucratic barricades to perpetuate themselves in power. They moved into high gear to hire Democrats for every available position. Jobs which had been vacant for months or even years were hurriedly filled in the weeks between the election and the Inauguration in order to blanket additional Democrats into Civil Service. Many others were transferred from political jobs to permanent jobs just prior to January 20.

Meanwhile, the Federal bureaucrats are adopting the attitude that four years of Nixon are merely an interlude to be endured. The word is being spread in Washington that nothing should be done to reinstate Otto Otepka to his post in the State Department because this would be "bad public relations" for the Nixon Administration. This is untrue. Everyone who knows anything about the case knows that Otepka was framed. Unless justice is given to Otepka, morale among the many good Federal employees will disintegrate.

THE DEMOCRAT RECORD

The Democrats have never permitted Civil Service to impede their political objectives. Presidents Roosevelt, Truman, Kennedy and Johnson ruthlessly got rid of Republican holdovers—Civil Service to the contrary notwithstanding—and used every possible tactic to put Democrats on the payroll and keep them there. No holds were barred in their purge of Republicans and payroll padding with Democrats.

Franklin Roosevelt set the precedent in the Commerce Department in the early days of the New Deal. Under "emergency" powers, he fired several hundred holdovers from the Hoover Administration and put a freeze on all new hirings. Then he established the NRA in the same buidling—with all new personnel. Where did the new employees come from? They were hired through the employment office of the Democratic National Committee—*not* transferred from the Commerce Department or other Federal bureaus. Two years later when the NRA was declared unconstitutional, all the NRA employees were hired directly into the Commerce Department and blanketed into Civil Service.

When President Truman wanted to load his friends in the Pendergast machine onto the Federal payroll, he peremptorily closed some agency offices and then reopened them in Kansas City. This shook many employees off the Federal payroll, and opened up plenty of Government jobs to take care of the politicians who elected him.

After Kennedy became President, he abolished the entire Federal agency dispensing foreign aid, thus eliminating all the Eisenhower appointees. Kennedy then immediately created a new foreign aid agency under a new name—and hired a new staff of all Kennedy supporters.

These are just samples of the way Roosevelt, Truman, Kennedy and Johnson used the tool of Federal patronage skillfully and ruthlessly in order (1) to carry out the liberal policies of the New Deal, Fair Deal, New Frontier, and Great Society, (2) to build a political machine in order to reelect themselves, and (3) to enjoy the power of spending Federal billions down to the letting of the last small contract.

THE EISENHOWER MISTAKE

Now let us contrast the patronage policy of the Eisenhower Administration. If the election of Dwight Eisenhower in 1952 meant anything at all, it meant a mandate to clean out the State Department. The State Department was the focal point of the entire campaign: all Republican orators inveighed against the stalemate war in Korea, Communists in Government, and the State Department sellout of China. The 1952 Republican Party Platform promised:

"We shall eliminate from the State Department and from every Federal office, all, wherever they may be found, who share responsibility for the needless predicaments and perils in which we find ourselves. We shall also sever from the public payroll the hoards of loafers, incompetents and unnecessary employees who clutter the administration of our foreign affairs."

It is a blot on the Republican record that this promise was never kept. Only a handful of top jobs were changed. The State Department which lost China, and announced that South Korea was outside the U.S. "defense perimeter," remained virtually intact.

The few Republicans who did receive high appointments were told they could not even hire a secretary of their own choosing, but had to continue with the holdover from the Truman Administration. As the Republican Party faithful became impatient with the lack of available patronage and with the lack of meaningful policy changes, they were forever frustrated by this stock reply from Republican Senators, Congressmen, and other high officials:

"Nearly all Federal jobs are under Civil Service and President Eisenhower can appoint only a few thousand jobs at the top. There is nothing we can legally do to dismiss Democrats and hire Republicans." Apparently Eisenhower and most top Republican officials believed this because it was the policy of the Eisenhower Administration.

This policy was wrong because it meant that the Eisenhower Administration could not give the American people the policy changes they voted for in 1952. With the same crew manning the Eisenhower ship, as the French say, "the more things change, the more they remain the same." The American people were entitled to receive the change for which they voted. Civil Service has some merit, but it should not be allowed to frustrate the constitutional wishes of the American people.

The bitter harvest of this failure to clean out the State Department was Castro. Our Ambassador appointed by Eisenhower, Earl E. T. Smith, was never deceived by Castro. Ambassador Smith sent back accurate reports that Castro was a Communist and should not be aided by the United States. But these reports came into the hands of a Truman holdover named William Wieland who pigeonholed them. Wieland knew that Castro was a Communist but never passed this information to his superiors.

The assistance that the State Department gave to Castro is the worst blot on the hundred-year record of the Republican Party—and it could have been so easily avoided if the Eisenhower Administration had used Federal patronage with the same skill displayed by Roosevelt, Truman, Kennedy and Johnson.

This failure to use Federal patronage is also probably the principal reason why, in every subsequent year of the Eisenhower

Administration, the Republican Party steadily lost ground and more of its candidates were defeated.

DOING THE "IMPOSSIBLE"

Unfortunately, there is now a defeatist attitude among many Republican Congressmen and Party officials about large-scale patronage to be dispensed by the Nixon Administration. Whereas Democratic Congressmen are consistently vocal and aggressive in putting their constituents on the Federal payroll, Republican Congressmen are often reticent and resigned to refusal.

This is wrong. There should be thousands of Republicans flooding into Federal office from every State in the Union—especially from the states which contributed substantially to Nixon's victory. This is the only way we can secure the change for which the American people voted.

Don't let your Senator or Congressman tell you that it can't be done—tell him to find a way to do it. The great Seabee slogan of World War II was: "The difficult we do immediately, the impossible takes a little longer." Roosevelt, Truman, Kennedy and Johnson did it. Patronage is the name of the game and, if Republicans do not use it skillfully as the Democrats do, Republicans are not going to win future elections.

Here are three principal ways that the new Republican Administration can proceed in order to bring about the change the people voted for.

1. Abolish the unnecessary jobs and cull out the employees who are not doing anything. Under Kennedy and Johnson, 619,397 civilian employees were added to the Federal payroll—most of them unnecessary.

The Federal Government is loaded with thousands of extra employees who walk up and down corridors with little to do. They fill the cafeterias for coffee breaks at 10, 11, 3 and 4 o'clock. There are so many of these political hangers-on in nearly every agency that they are known in Washington as the "corridor corps." They write memos to one another and do "busy" work in order to camouflage the fact that they are really just holding political jobs—playing a cat and mouse game to see if the new Republican Administration has the nerve to fire them.

The elimination of this payroll padding would be a fulfillment of Republican campaign promises and a service to the overburdened American taxpayers. The financial saving would be the least important benefit. Far more significant would be the substantive changes from the disastrous LBJ policies and the improved morale of the many dedicated employees who work hard and really earn their salaries.

2. Use the technique called "reorganization" in order to bring Republicans into the Federal Government at every echelon. This is a perfectly legal and ethical administrative device for outmaneuvering Civil Service in order to fire Democrats and hire Republicans. The President can abolish agencies, bureaus, divisions and job—and then create new ones. He can make up different titles for the same old jobs so they are available for new personnel.

After all, isn't that what the American people voted for *last November 5?* Civil Service should *not* be permitted to stand in the way of the policy changes for which we voted so decisively.

The technique of "reorganization" requires a few smart and skillful lower-echelon employees to do the necessary detail work. If the Kennedy and Johnson Administrations could find such employees, there is no reason why the Nixon Administration cannot do it, *too*. It is simply a matter of having the will to do it.

The Democrats used this political tool with consummate skill in order to pack the Government with liberal Democrats. If Republicans fail to use this tool, no one will thank them for their gentlemanliness. The verdict at the polls will be that Republicans just don't know how to run with the ball after it is handed to them.

3. Eliminate all the "consultants" on the Government payrolls. There are thousands of so-called "consultants" who work varying amounts of time for various Federal agencies at a *per diem* of $75 to $100. One of Kennedy's first acts after becoming President was to send all the consultants then on the payroll a cordial soft-soap letter thanking them profusely for all their past services, and informing them that the new Administration was eliminating all consultants and therefore would have no further need of their services. A couple of months later, Kennedy hired all new consultants of his own choosing.

The new Republican Administration not only *can*—but *should*—do likewise if we are to have real policy changes in Government.

YOUR PART IN THE TASK

Every Republican Governor, Senator, Congressman, National Committeeman, National Committeewoman, State Chairman should already be pushing hard to get his or her Republican constituents on the Federal payroll. They should reject the nonsense that there are only some 3,000 Federal jobs to be filled. There are hundreds of thousands of jobs which must be turned over to Republicans if we are to accomplish policy changes.

The new Republican Administration is already feeling the pressure from the holdovers who want to remain. We must see to it that the new Republican Administration feels a greater pressure from Republicans for patronage so that it will be compelled to find the skillful experts in "reorganization" who can do the "impossible."

Some 30,000 Republicans jammed into Washington to celebrate President Nixon's Inauguration. If every one of these people were hired to replace Democrats, this would be only one percent of the three million Federal employees. This would only be a healthy start on the turning over of Federal jobs.

Every State should keep a scorecard on Federal appointments. Make sure that conservatives get their fair share of appointments. Make sure that women get their fair share of appointments. Above all, make sure that Republicans are appointed. Until every State has received appointments in the thousands, it is not possible to have any significant change in policies. Just as precinct workers often rate their county chairman by the number of jobs he can get for his county. State Party officials can also be rated on how many Federal jobs they secure for their constituents.

Among the most active of Republican workers are the volunteers who labor—not for a job or political favor—but simply because they want their children to grow up in a free and independent America. These volunteers must realize the importance of patronage to the achievement of their idealistic objectives. It is the lifeblood of politics because it means money, power, influence, and votes. If patronage is not properly used for the objectives of good government, it will surely be used very powerfully against us. President Nixon must have the help of employees who believe in good government—*not* be handcuffed by the architects of the mess we are in.

Mr. ERLENBORN. Mr. Speaker, I yield 1 minute to the gentlewoman from New Jersey (Mrs. DWYER).

Mrs. DWYER. Mr. Speaker, I rise in support of the pending legislation. The legislation, S. 1058, which we are considering today is identical to my bill H.R. 6963 which was introduced on the same day and would extend the reorganization provisions of title 5, United States Code, until April 1, 1971.

I support this legislation because it is directed at what I consider the most demanding of the multitude of domestic problems facing the President and the Congress—the need for efficient and effective organization and administration of the Federal Government.

Government is close to becoming unmanageable and unless we take action, is in serious danger of bogging down, just from the sheer number, weight, and complexity of its activities, and this at the very time when there are numerous needs to be met.

The provisions of the Reorganization Act of 1949, now codified in title 5, United States Code, sections 901–913, have been used to good effect by Presidents Truman, Eisenhower, Kennedy, and Johnson. But no President has needed it more than President Nixon—both to give direction to the biggest, most sprawling bureaucracy in history and to implement plans to which he has already given closer study than any incoming President. The fact that his first legislative request to Congress was for extension of the authority to submit reorganization plans indicates the importance he attaches to the structure and organization of Federal departments and agencies as a factor in getting first-class performance from Government.

This reorganization authority is a procedural tool that must be accompanied by a comprehensive review of the executive branch—a review of the type accomplished by the first and second Hoover Commissions. There is a need for a complete—not just piecemeal—overhaul of the Government's organization to cope with the vast changes in problems and programs. Many of us have introduced legislation to accomplish this—in this Congress, in the 90th, and the 89th. Now, at long last, we may soon begin hearings on this matter. But, comprehensive review and reorganization of the executive branch is only one point in the legislative program that I have frequently urged upon this body.

The program which I have sometimes called my "More for Your Money" program, also includes use of up-to-date systems management techniques, a continuing system of Federal program evaluation, legislation to permit Congress to shift funds from low-priority to high-priority programs, and legislation to enable the President to coordinate the far-flung bureaucracies handling urban programs and to establish consistent and effective policy direction.

Immediate attention must be given to the unwieldy and inefficient structure and procedures of Government. There must be a hard concerted effort—and not only to gain economy and efficiency but to give Government the ability to meet priority needs and thus restore the quality of urban life.

At this point, Mr. Speaker, I would like to include, as a part of my remarks, an excerpt from a front-page editorial by Donald Canty, editor of that excellent bimonthly, City, published by Urban America.

[Excerpt from front-page editorial, City, February 1969, vol. 3, No. 1]

The twisted pipeline that carries federal money from Washington to the cities is, by

all indications, receiving major early attention from the new Administration. The catch-phrase is the "delivery system"; the goal, as Secretary Finch puts it elsewhere in this issue, to deliver "more bang for the buck" through systemic reform. It is a praiseworthy goal, just so it is defined in terms of results as well as efficiency. The delivery system has been clogged by waste and red tape, but its major failing has been unresponsiveness to program objectives, particularly as they involve the urban poor and minorities. There has developed "a steadily widening gap between accepted public purposes or goals and the operational capabilities of public agencies," that unusual California businessman Victor Palmieri wrote after summer of 1967. "It is one thing to certify a few city blocks for demolition and rebuilding. It is quite another to merge physical and human renewal—through specialized education, job training, health services, counseling, and recreation—and to attempt to regenerate not simply a place, but a community. . . . Our new aspirations carry with them a demand for competence—for institutional copesmanship, if you will—that is greater in orders of magnitude than we now command."

Mr. ERLENBORN. Mr. Speaker, I yield 1 minute to the gentleman from Ohio (Mr. BROWN).

Mr. BROWN of Ohio. Mr. Speaker, as the original introducer of H.R. 407 on the first day of the 91st Congress, the legislation we are discussing today, I rise in support of this bill. After 8 years of the administration of the executive branch of the Government by one party, it seems to me only appropriate and desirable that a new President representing a different party have the opportunity and the power to initiate the organization plans for the executive branch of the Government. The 2-year extension of this power, which I think it should be limited to whenever it is granted to the president, is appropriate because this is the length of time for which the American people elect a Congress. While this legislation does represent some change of the traditional balances between the legislative and the executive branches of the Government with reference to the organization of legislation, in the executive reorganization authority the prerogatives of the Congress are protected because the Congress maintains a veto power over the Presidential authority thus granted. And the built-in limitation of a 2-year authority for this reverse legislative procedure enables the Congress to review its judgment in this matter in a relatively short time—a time during which the people can also review the Congress for taking this action.

Mr. ERLENBORN. Mr. Speaker, I yield such time as he may consume to the gentleman from California.

The SPEAKER. The gentleman from Illinois has 4 minutes remaining.

Mr. HOLIFIELD. Mr. Speaker, the question before this House today, I think, is a question of equity and fairness. I am not going to take up the time of the House by answering the arguments that have been put forth in the well of the House against this plan. I am just going to say this, that under five Presidents—and I hope under six—I have supported the reorganization plans. During the regime of President Roosevelt they were sent up under the War Powers Act, and I believe from President Truman on until the end of President Johnson's term they were sent up under the Reorganization Act. We have given all of these Presidents the right to reorganize the departments of the Government within certain bounds.

They are sharply circumscribed, as we may see if we look at the printing of the bill itself in the back of the report. It can only come up under certain conditions and can only do certain things.

The housekeeping function of the executive branch is a very complicated matter. The people in charge of those departments really know whether they need to change things around or not.

But there is one thing I want to make very clear. In voting for the various extensions of the Reorganization Act, I have maintained my independence to vote for or against the plans that come up to the Congress. I have voted against plans and I have voted for plans. I intend to keep that same objectivity as far as I am concerned in regard to the plans that will come up. I intend to look at them on their own merits. If I decide that they are not meritorious, then I intend to oppose them. If I decide they are meritorious and along the lines of increasing economy and efficiency of the Government, I will support them in the future as I have in the past, regardless of the person occuping the Presidency.

This is a matter of judgment. Other Members will have their own evaluation and they can do likewise.

But this much I also want to say, that as a matter of policy this committee has held hearings on every plan and made the reports available to the Members of Congress. We have rigorously followed the rules of the Reorganization Act.

At any time that we do not voluntarily hold these hearings, any individual Member can introduce a resolution of disapproval, and it is mandatory that we hold hearings within 10 days and either report the disapproving resolution favorably or unfavorably to the House.

If the committee does not do that, any Member of this House can rightly, under a point of high privilege, demand immediate consideration of the disapproving resolution.

So the function of the Congress is adequately protected in every way by the Reorganization Act. It will be so in this instance. We will look at the plans sent up, but we will exercise in our committee the collective judgment as to whether they are good or bad. We will bring them to the floor of the House at the proper time, and every Member of the House can either verify the recommendation of the committee or reject the recommendation of the committee.

I say that is retaining in the Congress the right to legislate. The only thing we give to the President under this Reorganization Act is the right to send up a plan and the right to be assured that it will be heard by the committee and will be reported to the Congress and will be acted upon by the House in the manner the House desires. That is the difference between a plan and the ordinary legislative process. We retain the power to disapprove or to approve Presidential reorganization plans.

The SPEAKER. All the time of the gentleman from Illinois has expired.

The gentleman from Minnesota has 3 minutes remaining.

Mr. BLATNIK. Mr. Speaker, I yield 3 additional minutes to the gentleman from California.

The SPEAKER. The Chair recognizes the gentleman from California (Mr. HOLIFIELD).

Mr. HALL. Mr. Speaker, will the gentleman yield?

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

Mr. HALL. Mr. Speaker, I appreciate the gentleman from California yielding. I just want to make a point of legislative record.

In the report it says:

> The Congress, of course, has made and will make selected changes in the organization of the executive branch; . . .

Is there anything in section 905(b), title 5, United States Code, or in this amendment we have before us, that would preclude this body or the Congress from making additional changes in the organization of the executive branch?

Mr. HOLIFIELD. There is no impingement upon the jurisdictional prerogatives of any committee in the House. Any plan that is accepted in this House can be nullified by the congressional committee of jurisdiction which has legislative oversight over the particular matter in that plan. So the right of the committees of jurisdictional legislation is retained. They can come forward and nullify if they do not like that and if the Congress so wills. So we are not impinging upon the right of regular form of legislation of any committee in the House.

Mr. HALL. Mr. Speaker, I think the gentleman has answered my question, but could he say affirmatively or negatively that the Congress still can work its will in regard to executive changes, over and above that which is now in the statute or the bill which we are acting on today?

Mr. HOLIFIELD. My answer is in the affirmative. I think I understand the gentleman.

Mr. Speaker, I ask that the House support this Reorganization Act and give to our present President the same prerogatives, privileges, and powers that we have given to previous Presidents.

Mr. BROYHILL of Virginia. Mr. Speaker, I rise in opposition to S. 1058. I do so not because I oppose any reorganizational proposals this administration may be contemplating. On the contrary, I am anxious to see the executive branch of our Government streamlined and the many overlapping functions of the various departments and agencies consolidated for more efficient and economical operation.

However, the question before us today is not whether or not the executive branch should be organized. It is whether or not the Congress should continue to abdicate the authority vested in it by article I of the Constitution of the United States because we are too busy to do the job entrusted to us.

Mr. Speaker, a reorganization plan when presented under this act must be voted either up or down. We have no opportunity to amend or alter it. We must,

in order to approve it, merely do nothing; in order to disapprove it, vote a disapproval resolution thus defeating the entire plan. We must act or not act, without open hearings at which proponents and opponents of various parts of the plan can be heard; we must act, or not act, without benefit of open debate and without benefit of the advice of our colleagues who, by their assignment to the committee which would normally handle the affairs of a given department or agency, have become something of authorities on those agencies. We must act, in effect, in a vacuum, or we must abdicate our right to act to a group of planners within the executive branch far removed from the American people. This is not the way to legislate, Mr. Speaker. This is not what the American people elected us to do. We fail to fulfill our obligation to them if we do not, after due deliberation, hearings, and consideration, act to effect any necessary changes in the functions and responsibilities of their Government.

Mr. Speaker, the most recent striking example of the irreparable damage which can be done to a branch of the Government under this act was the reorganization plan 2 years ago which replaced a three-man commissioner system of government, which unquestionably did need some streamlining, with a single Commissioner, called "the Mayor" just as soon as the disapproval resolution failed in the House, and a nine-member City Council.

The result has been chaos. For more than a year now the so-called Mayor and Council have fought over jurisdictional authority and have failed miserably to either effectively reorganize the District or, for that matter, to maintain law and order in the city. The government created under that reorganization plan has proven utterly incapable of administering an effective police force; permits itself to be constantly harassed and obviously intimidated by a rising chorus of voices from the city's lunatic fringe; and is unable to guarantee protection for life or property of decent, law-abiding citizens and visitors to the Nation's Capital.

Mr. Speaker, the large majority of District of Columbia Committee members, who by virtue of serving on the committee had become familiar with the District Code and the organizational structure and problems in the District, tried to point out the flaws in the plan which we knew then would lead inevitably to the chaos which has resulted. We had a plan under consideration in the District Committee, formulated after a lengthy study of the District government by an expert on governmental organization. But our protests against the administration's package plan were shouted down by those who charged us with obstructionism and delay. The plan went into effect in 1967, and as we are debating here today we are being threatened with a repetition of the April 1968 riots unless businesses in the District of Columbia close to commemorate the death of Dr. Martin Luther King.

Again I say, Mr. Speaker, I do not oppose any efforts to streamline the functions of the executive branch. I believe consolidation and reorganization are essential to economy in government and must be a major consideration of this Congress. But I am convinced that Congress, not the executive branch, should do the job. We should receive and actively solicit suggestions from the executive branch. We should receive and actively solicit suggestions and advice from the American people who are served by the executive branch. Then we, the Congress, elected by the people, should consider the suggestions and advice we have received, should consider and deliberate the suggestions and advice we receive from those of our colleagues who are most familiar with the agency being reorganized, then act to effect the reorganization which in our considered opinion is best for the American people.

Mr. Speaker, we, not the executive branch, have been charged with this responsibility. We should act now to reassume it on behalf of the American people who elected us.

Mr. BINGHAM. Mr. Speaker, I shall vote "no" on the motion to suspend the rules and pass the bill, S. 1058. I shall do so in spite of the fact that I support the bill in general terms. Moreover, I have not taken a position for or against the amendment to the bill proposed by the gentleman from California (Mr. Moss) and supported by the gentleman from Massachusetts (Mr. MACDONALD) which would have excluded from the reorganization powers of the President the so-called independent regulatory agencies.

My negative vote reflects my view that, on a matter of this importance, it is a mistake not to give the House the opportunity to debate and vote up or down a major amendment suggested by two distinguished members of the committee. I believe this bill should have been brought to the floor under a rule which would have permitted adequate consideration of the amendment. Accordingly, my negative vote should be construed not as a vote against the bill as such, but as a vote against the motion to suspend the rules.

Mr. FASCELL. Mr. Speaker, I rise today as cosponsor of the bill now being considered, S. 1058, a proposal to extend for 2 years the authority of the President to reorganize the departments and agencies of the Federal Government.

President Nixon has asked Congress for power to manage his own executive household. This power was first granted by the Congress in 1932 to President Hoover, and has been granted to each succeeding President since that time. I believe our new President should not be denied full authority and responsibility for executive management and to further streamline the Government.

As the House Members know, the Reorganization Act of 1949 gives the President authority to submit plans to Congress to modernize our Government. The act and this proposal, were recommended by the Hoover Commission, appointed to study means of improving Government efficiency.

Under this act, the President is required periodically to examine the functions of all executive agencies to determine what changes are necessary. The plans for the changes are then submitted to Congress.

Reorganization plans submitted to the Congress automatically become effective in 60 days unless vetoed by either the House or the Senate. Since 1949 Congress has vetoed 22 of the 83 reorganization plans submitted.

This system has given the President the latitude to put his own house in order while at the same time retaining for the Congress an effective means to exercise its will on proposed reorganization.

The authority expired on December 31, 1968. The Senate has already acted to renew the Reorganization Act, and it is up to us to concur in this much-needed objective by approving legislation to extend the authority.

Mr. BLATNIK. Mr. Speaker, we have no further requests for time on this side.

The SPEAKER. The question is on the motion of the gentleman from Minnesota that the House suspend the rules and pass the bill S. 1058.

The question was taken; and the Speaker announced that two-thirds had voted in favor thereof.

Mr. MOSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 335, nays 44, not voting 51, as follows:

[Roll No. 23]

YEAS—335

Abbitt	Byrnes, Wis.	Edwards, La.
Adair	Cabell	Eilberg
Adams	Caffery	Erlenborn
Addabbo	Cahill	Esch
Albert	Camp	Eshleman
Alexander	Carter	Evans, Colo.
Anderson, Calif.	Casey	Fallon
Anderson, Ill.	Cederberg	Farbstein
Anderson, Tenn.	Celler	Fascell
Andrews, N. Dak.	Chamberlain	Feighan
Ashley	Clancy	Findley
Aspinall	Clark	Fish
Ayres	Clausen, Don H.	Fisher
Barrett	Clawson, Del	Flood
Beall, Md.	Cleveland	Foley
Belcher	Cohelan	Ford, Gerald R.
Bennett	Collier	Foreman
Berry	Collins	Fountain
Biaggi	Colmer	Fraser
Biester	Conable	Frelinghuysen
Blanton	Conte	Frey
Blatnik	Corbett	Friedel
Boggs	Coughlin	Fulton, Pa.
Boland	Cowger	Galifianakis
Bolling	Cramer	Gallagher
Bow	Culver	Garmatz
Brademas	Cunningham	Gaydos
Brasco	Daniels, N.J.	Gibbons
Bray	Davis, Wis.	Gilbert
Brock	Dawson	Gonzalez
Brooks	de la Garza	Goodling
Broomfield	Delaney	Green, Oreg.
Brotzman	Dellenback	Green, Pa.
Brown, Calif.	Denney	Grover
Brown, Ohio	Dennis	Gubser
Broyhill, N.C.	Dent	Gude
Buchanan	Derwinski	Halpern
Burke, Fla.	Devine	Hamilton
Burke, Mass.	Dickinson	Hammer-schmidt
Burleson, Tex.	Diggs	Hanley
Burlison, Mo.	Donohue	Hansen, Wash.
Burton, Calif.	Dorn	Harvey
Burton, Utah	Downing	Hastings
Bush	Dulski	Hathaway
Button	Duncan	Hawkins
Byrne, Pa.	Dwyer	Hechler, W. Va.
	Edmondson	Heckler, Mass.
	Edwards, Ala.	Helstoski

Henderson	Mills	Scherle
Hicks	Minish	Schneebeli
Hogan	Mink	Schwengel
Holifield	Minshall	Scott
Horton	Mize	Sebelius
Hosmer	Mizell	Shipley
Howard	Mollohan	Shriver
Hull	Monagan	Sikes
Hungate	Moorhead	Sisk
Hunt	Morgan	Skubitz
Hutchinson	Morton	Smith, Calif.
Ichord	Mosher	Smith, N.Y.
Jarman	Murphy, Ill.	Snyder
Joelson	Myers	Springer
Johnson, Calif.	Natcher	Stafford
Johnson, Pa.	Nedzi	Staggers
Jonas	Nelsen	Stanton
Jones, Ala.	O'Hara	Steed
Jones, N.C.	Patten	Steiger, Ariz.
Karth	Pelly	Steiger, Wis.
Kastenmeier	Pepper	Stratton
Kazen	Perkins	Stubblefield
Kee	Pettis	Sullivan
Keith	Philbin	Symington
King	Pickle	Taft
Kleppe	Pike	Talcott
Kluczynski	Pirnie	Taylor
Koch	Podell	Teague, Calif.
Kuykendall	Poff	Thompson, Ga.
Kyros	Pollock	Thompson, N.J.
Landgrebe	Preyer, N.C.	Thomson, Wis.
Landrum	Price, Ill.	Tiernan
Langen	Price, Tex.	Udall
Latta	Pryor, Ark.	Ullman
Leggett	Pucinski	Utt
Lennon	Purcell	Van Deerlin
Lipscomb	Quie	Vanik
Long, Md.	Quillen	Vigorito
Lujan	Railsback	Waggonner
McCarthy	Randall	Wampler
McClory	Rees	Watkins
McCloskey	Reid, Ill.	Watson
McClure	Reid, N.Y.	Watts
McCulloch	Reifel	Weicker
McDade	Reuss	Whalen
McDonald, Mich.	Rhodes	Whalley
McFall	Roberts	White
McMillan	Robison	Whitehurst
MacGregor	Rodino	Widnall
Madden	Rogers, Colo.	Wiggins
Mahon	Rogers, Fla.	Wilson, Bob
Mailliard	Rooney, N.Y.	Winn
Mann	Rooney, Pa.	Wold
Marsh	Rosenthal	Wright
Martin	Rostenkowski	Wyatt
Matsunaga	Roth	Wydler
May	Roudebush	Wylie
Mayne	Roybal	Wyman
Meeds	Rumsfeld	Yates
Meskill	Ruppe	Yatron
Michel	Ruth	Young
Mikva	St Germain	Zablocki
Miller, Calif.	Sandman	Zion
Miller, Ohio	Saylor	Zwach
	Schadeberg	

NAYS—44

Abernethy	Edwards, Calif.	Nichols
Andrews, Ala.	Flowers	Nix
Ashbrook	Ford, William D.	Olsen
Baring	Fuqua	Ottinger
Bevill	Gettys	Passman
Bingham	Griffin	Poage
Brinkley	Gross	Rarick
Broyhill, Va.	Hagan	Ryan
Chappell	Haley	Satterfield
Chisholm	Hall	Stokes
Clay	Hays	Waldie
Conyers	Macdonald, Mass.	Whitten
Daniel, Va.	Montgomery	Wilson, Charles H.
Davis, Ga.	Moss	Wolff
Dingell		
Dowdy		

NOT VOTING—51

Annunzio	Hanna	O'Neal, Ga.
Arends	Hansen, Idaho	O'Neill, Mass.
Bates	Harsha	Patman
Bell, Calif.	Hébert	Powell
Betts	Jacobs	Riegle
Blackburn	Kirwan	Rivers
Brown, Mich.	Kyl	Ronan
Carey	Lloyd	St. Onge
Corman	Long, La.	Scheuer
Daddario	Lowenstein	Slack
Eckhardt	Lukens	Smith, Iowa
Evins, Tenn.	McEwen	Stephens
Flynt	McKneally	Stuckey
Fulton, Tenn.	Mathias	Teague, Tex.
Giaimo	Morse	Tunney
Gray	Murphy, N.Y.	Vander Jagt
Griffiths	O'Konski	Williams

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The Clerk announced the following pairs:

Mr. Annunzio with Mr. Bell of California.
Mr. Hébert with Mr. Arends.
Mr. O'Neill of Massachusetts with Mr. Bates.
Mr. Carey with Mr. Betts.
Mr. Scheuer with Mr. Riegle.
Mr. Gray with Mr. Williams.
Mr. Giaimo with Mr. McEwen.
Mr. Evins of Tennessee with Mr. Harsha.
Mr. Daddario with Mr. Brown of Michigan.
Mr. Kirwan with Mr. McKneally.
Mr. Teague of Texas with Mr. Kyl.
Mr. Lowenstein with Mr. O'Konski.
Mr. Murphy of New York with Mr. Mathias.
Mr. O'Neal of Georgia with Mr. Vander Jagt.
Mr. Ronan with Mr. Hansen of Idaho.
Mr. St. Onge with Mr. Lloyd.
Mr. Rivers with Mr. Lukens.
Mr. Stephens with Mr. Blackburn.
Mrs. Griffiths with Mr. Morse.
Mr. Fulton of Tennessee with Mr. Hanna.
Mr. Slack with Mr. Stuckey.
Mr. Eckhardt with Mr. Jacobs.
Mr. Long of Louisiana with Mr. Flynt.
Mr. Tunney with Mr. Powell.

Mr. MATSUNAGA changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. FASCELL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just passed.

The SPEAKER pro tempore (Mr. MILLS). Is there objection to the request of the gentleman from Florida?

There was no objection.

SALARY ADJUSTMENT FOR VICE PRESIDENT AND CERTAIN OFFICERS OF CONGRESS

Mr. DULSKI. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 7206) to adjust the salaries of the Vice President of the United States and certain officers of the Congress.

The Clerk read as follows:

H.R. 7206

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 104 of title 3, United States Code, relating to the per annum rate of salary of the Vice President of the United States, is amended to read as follows:

"§ 104. Salary of the Vice President

"The per annum rate of salary of the Vice President of the United States shall be $62,500, to be paid monthly.".

SEC. 2. (a) The second sentence of section 601(a) of the Legislative Reorganization Act of 1946, as amended (2 U.S.C. 31), relating to the compensation of the Speaker of the House of Representatives, is amended by striking out "$43,000" and inserting in lieu thereof "$62,500".

(b) The third sentence of section 601(a) of the Legislative Reorganization Act of 1946, as amended (2 U.S.C. 31), relating to the compensation of the majority leader and the minority leader of the Senate and the majority leader and the minority leader of the House of Representatives, is amended—

(1) by striking out "$35,000" and inserting in lieu thereof "$55,000";

(2) by inserting "the President pro tempore of the Senate," immediately following "compensation of"; and

(3) by inserting a comma immediately following "minority leader of the Senate".

SEC. 3. The amendments made by this Act shall become effective on March 1, 1969.

The SPEAKER pro tempore. Is a second demanded?

Mr. GROSS. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The gentleman from New York (Mr. DULSKI) will be recognized.

Mr. DULSKI. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the purpose of H.R. 7206 is to reestablish proper relationships between the salary rates of the Vice President and the leadership of the two Houses of Congress, on both sides of the aisle, and the salary rates of Federal judges and executives.

The salary rates for the Vice President and the Speaker of the House were fixed at $43,000 per annum by Public Law 88–426. That act set the salary of the Chief Justice of the Supreme Court at $40,000, compared to $43,000 which had been approved by the House but was reduced by the other body.

The salary rates for the majority and minority leaders of the House and the Senate were equated, at $35,000 per annum, to the salary rates for Cabinet officers by Public Law 89–301.

Section 225 of Public Law 90–206 created the Commission on Executive, Legislative, and Judicial Salaries, to review salary rates for top officials in all three branches of the Government once every fourth year and propose needed adjustments in such salaries to the President.

However, there is no provision, in Public Law 90–206 or any other statute, for similar adjustments in the salary rates of the Vice President and members of the leadership of the Senate and the House of Representatives.

Thus, the seven officials whose rates are adjusted by H.R. 7206 were not included in the Presidential recommendations for adjustments in the salaries of all other top officials in all three branches of the Government.

Accordingly, positive legislative action by the Congress is necessary to adjust the salary rates of these officials in proper relationship to the salaries of the judicial and executive branch officials whose salary rates were adjusted March 1, 1969, pursuant to section 225 of Public Law 90–206.

The salary rate for the Chief Justice of the Supreme Court was increased to $62,500 under Public Law 206. Comparable adjustments—to $62,500 per annum—are necessary in the salary rates of the Vice President and the Speaker of the House of Representatives, and will be made by H.R. 7206.

The salary rates for Cabinet officers were increased March 1, 1969, from $35,000 to $60,000. Upward adjustments to $55,000 are made by H.R. 7206 in the

salary rates of the majority and minority leaders of both the Senate and the House, in a modification of the congressional policy embodied in Public Law 89–301.

This bill also places the salary rate of the President pro tempore of the Senate at $55,000 per annum, consistent with the rates provided for the majority and minority leaders of both Houses.

It is to be noted that the salary rates provided by H.R. 7206 were specifically recommended to the Congress in a special message, submitted by the Chairman of the Civil Service Commission on January 17, 1969, at the direction of former President Johnson.

These salary rates also are strongly endorsed by the present administration as "consistent with its objectives," in a letter to the Committee on Post Office and Civil Service from the Bureau of the Budget dated February 24, 1969.

Suitable budgetary provisions have been made for the cost of the proposed salary adjustments.

Mr. Speaker, prompt enactment of this bill is essential to the maintenance of a proper relationship between the salaries of congressional officials and the salaries of executives and judges for whom adjustments have already become effective.

I strongly recommend approval of H.R. 7206.

Mr. GROSS. Mr. Speaker, in order to give the proponents of this legislation their day in the sun, I yield now 5 minutes to the gentleman from Illinois (Mr. DERWINSKI).

Mr. DERWINSKI. Mr. Speaker, I appreciate the distinguished gentleman from Iowa (Mr. GROSS) giving me the time to speak for a position that he opposes. Understand further that the gentleman from Arizona (Mr. UDALL) will also speak in favor of this bill. He is the logical spokesman for the measure, being the author of the section in the 1967 legislation through which President Johnson made his recommendations for the congressional salary increase.

Let me underscore the fact that this is a bipartisan measure having been advocated by the Johnson administration and endorsed by the Nixon administration.

Mr. Speaker, the legislation under consideration, H.R. 7206, is necessary to maintain the traditional relationship between the salaries for the officers covered in this bill and those for whom adjustments were made in the President's budget. The procedures of the Federal Salary Act of 1967 authorizing adjustments for the rates of pay for Members of Congress and the top officers of the executive and judicial branches of the Government do not apply to the seven officers covered in this bill. Therefore, it is necessary for Congress to take positive action to adjust these salaries.

The officers to which this legislation applies are the Vice President, the Speaker of the House, the majority and minority leaders of the House and Senate and the President pro tempore of the Senate. Since the beginning of our Government the Speaker of the House has traditionally and deservedly received a compensation above that set for Members of Congress. The salary proposed in H.R. 7206 of $62,500 per annum maintains the relationship which has existed in recognition of the duties of this office.

The pay of the Vice President traditionally has been equal to that of the Speaker of the House and the legislation which we have under consideration would carry forth that tradition.

The pay of the majority and minority leaders of the two Houses was increased by a separate statute in 1965 and this legislation maintains the relationship between the salaries of these officers and other Members of the Congress which has existed since that time.

The Bureau of the Budget under the present administration recommends favorable consideration of this legislation which in its words "would be consistent with the administration's objectives."

Mr. Speaker, I urge the prompt approval of this legislation which will place in balance the rates of compensation of these seven officers commensurate with the increases for Members of Congress and top executive and judicial branch officers which became effective March 1, 1969.

Mr. Speaker, we recall that the gentleman from Arizona (Mr. UDALL) just several weeks ago aspired to the position of Speaker but ran into difficulty and was somewhat frustrated politically. However, the gentleman very properly appears on the floor of the House today to ask that the Speaker be properly compensated.

It is my belief that party leaders in both the House and the Senate deserve the same consideration.

Mr. UDALL. Mr. Speaker, will the gentleman yield?

Mr. DERWINSKI. I yield to the gentleman from Arizona.

Mr. UDALL. Will the gentleman halt these personal references to me until I have an opportunity to be heard? It does please me that the noble and learned gentleman from Illinois has seen fit to come down in support of this badly needed and responsible legislation. I am proud that the gentleman has done this. I just hope he will not reopen any of these old wounds because it hurts me.

Mr. DERWINSKI. I believe, though, in the interest of our understanding the background of this bill, that this point was necessary. We are aware of the fact that unless this bill is passed the Justices of the Supreme Court will receive more compensation than the seven legislative leaders covered by this bill. Certainly that would be inconsistent with the importance of the legislative branch of the Government.

But also having studied this bill carefully in committee, and it did pass by a vote of 21 to 3, if I recall correctly, I believe it shows an awareness on the part of all of the Members of the necessary practicality of this bill.

I do believe that the report by our chairman and the other arguments that will be made in favor of the bill clearly point out the validity of this measure. I hope the House will in calm, sober, objective judgment give this measure the two-thirds vote of approval.

Mr. Speaker, I yield back the balance of my time.

Mr. GROSS. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, my young friend, the gentleman from Illinois (Mr. DERWINSKI), said he had a chance to study this bill carefully in committee. If he did, he is the only one in the committee who did have such an opportunity, on the minority side, at least.

Does the gentleman from Illinois wish me to yield?

Mr. DERWINSKI. Yes, I do wish the gentleman would yield at that point.

Mr. GROSS. Very well. I yield to the gentleman from Illinois.

Mr. DERWINSKI. Mr. Speaker, in reply to the inquiry of the gentleman from Iowa, I would say that I thought we had a full session. The gentleman from Iowa knows that some bills were even zoomed through faster than this one, so I thought this was fair enough time.

Mr. GROSS. I do not remember any bills that have rolled through faster than this did, or had any less discussion on the part of the committee.

As a matter of fact, the membership should know that there was never a hearing by the Committee on Post Office and Civil Service on the Presidential recommendation for the outrageous salary increases for Members of Congress, the judiciary, and executive officials, that was slipped through the back door as a Valentine's Day greeting for those who were on vacation. There never were any hearings to establish justification, if any, for that outlay of $25,000,000 for increased salaries for those in the top brackets and no justification has been established for the pay increases provided in this bill. It went in and out of the committee in nothing flat.

Careful consideration? What kind of careful consideration?

This, I say to you, will be the only opportunity you will have to vote on the record on the unconscionable pay increase that was bestowed upon you by the President, the pay increase that was greased and slipped through the back door. I emphasize that this will be your only opportunity to vote on this whole ball of wax and I trust you will go on the record.

What is proposed in this bill? It increases the Vice President's and the Speaker's pay from $43,000 a year to $62,500 a year; the majority and minority leaders of the other body by $20,000 each per year, the minority and majority leaders of the House by $20,000.

Not bad. Not bad at all. Incidentally, $20,000 will buy a lot of beans for the leader who said he needed an increase to buy them.

In addition, the majority and minority leaders of the House and Senate already have annual expense allowances of $3,000 each—unless it has been increased, when I was looking the other way. The Speaker of the House, as I understand it, has a $10,000-a-year expense allowance—and all of them have Government-supplied Cadillacs and drivers to go with them.

I do not have anything against the leaders, but the Kappel Commission recommended that the historical differential between the Members and the leadership should be $5,000. For some reason the

lately departed-to-Texas President of the United States, Lyndon Johnson, recommended $20,000 for them—or a $12,500 differential.

Have the Members on both sides of the aisle—the common garden variety, everyday Members—become so recalcitrant that the leaders need or feel they deserve a $12,500 differential to lead them?

We were never permitted in the committee to go into any of these questions. We could hold no hearings or summon any witnesses from the Kappel Commission or from the executive branch of Government to tell us just how they arrived at their conclusions as our presidentially anointed benefactors.

I voted against the preceding reorganization bill. I am sick and tired of turning over to the executive branch of Government the responsibilities that Members ought to assume and that you were elected to discharge in the House of Representatives.

It is another and unholy delegation of power to the executive branch of the Government to fix congressional salaries, and I can tell you that the taxpayers of this country are vitally interested in what goes on here today.

Let me warn you here and now that a continuation of this sort of operation, coupled with a continuation of borrowing, spending, and inflation, will promote a taxpayers' revolt one of these days. For it was said in the scriptures:

And the tax collectors of Pharaoh overrun the land like lice.

Yes, it was a sad precedent that was set in the first instance when it was delegated to the executive branch of the Government to fix congressional and other salaries, and then when it was slipped through the House of Representatives while the Members were on vacation.

Mr. Speaker, it is time for an accounting to the people.

We ought to have something better to offer them and ourselves than a bill that was passed out of the committee without any hearings and without any justification on the part of anyone.

I ask you today to vote against the approval of this bill.

Mr. DULSKI. Mr. Speaker, I yield 5 minutes to the gentleman from Arizona (Mr. UDALL).

Mr. HAYS. Mr. Speaker, will the gentleman yield?

Mr. UDALL. I yield to the gentleman from Ohio.

Mr. HAYS. Mr. Speaker, I listened with a great deal of interest to the speech of the gentleman from Iowa. I got a few letters about the pay increase generated by some publicity that the gentleman got and some letters quoting him. I called up my good friend, the gentleman from Iowa (Mr. GROSS) and asked him if he was going to, in view of the uproar he made about the pay increase—if he was going to take it and he assured me that he was. I told him then and I will repeat it here that he reminds me a little of what Frederick the Great said about Maria Teresa of Austria, during the partition of Poland—"She weeps, but she takes her share."

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

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

Mr. GROSS. Was that one of the queens the gentleman met on one of his numerous foreign junkets?

Mr. HAYS. Mr. Speaker, will the gentleman from Arizona yield further?

Mr. UDALL. I yield further to the gentleman from Ohio for a friendly response.

Mr. HAYS. The gentleman from Iowa told me the other day, much to my surprise, that he was in Europe some years ago, and I think she died about the time he was over there.

Mr. UDALL. Mr. Speaker, I have enjoyed this friendly colloquy and I hope the Members will forgive me while I would like to make a few remarks about this legislation before us. The total cost of the package of legislation before us today is $144,000. That is the total cost of the increases that are involved. I would suspect that with typical tax brackets, 40 percent of that amount will be turned back in additional income taxes, so we are talking about a real expenditure here today, and a great drain on the taxpayers of some perhaps $90,000 a year.

Let me get clear a couple of things that this legislation does not do, a couple of things that have nothing to do with it. This legislation has nothing whatever to do with the Doorkeeper, the Sergeant at Arms, or the Clerk of the House. It involves only seven officials: the Vice President, the Speaker, the majority leaders of the House and Senate, the minority leaders of the House and the Senate, and the President pro tempore of the Senate. These are the only officials that are involved. It would raise the salary of the Vice President from $43,000 to $62,500, and the same for the Speaker. The majority and minority leaders would be raised from $35,000 in each instance to $55,000. The President pro tempore would be raised to the same figure of $55,000.

If you vote against this bill, you do not cast any protest against the fixing of salaries by Commission, to which the gentleman from Iowa referred. You do not cast any protest or vote against the new salary of Congressmen. These are established and are now in effect. You do not protest the salaries of the Chief Justice or the members of the Cabinet. You are voting specifically on seven salaries. The fact is that the report of the Commission has taken effect. The new salaries are in effect, and the one question posed by this legislation is whether you want to penalize, to single out of the whole top echelon of the Federal Establishment a few people in the House and the Senate leaderships and say they will not get the comparable increases that other people have received. You are going to single out and demean our own branch of the Government. By voting "no" you vote that it is proper for the Chief Justice, a man that the gentleman from Iowa praises so frequently, to have $62,500, but we are not going to let the Speaker of the House of Representatives in our own branch of the Government have any increase. That is what you say when you vote "No." You are saying, when you vote "No," it is fine for the Speaker of the House to get $17,000 less than some of these Justices that the gentleman refers to that climb mountains and have 5 months off a year. You will say, "It is fine for the Vice President of the United States or the Speaker of the House to get $17,000 less than the Justices of the Supreme Court." And that is what would happen if you should defeat this bill.

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

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

Mr. GROSS. Would it not be a wise course to pursue, in view of the fact that some legislation can be whipped through committee and through the House in a matter of hours—would it not be well to start in right now by voting this bill down, rescind the Pay Act, and start all over again by providing the Members of the Congress and the executive branch of the Government something approaching a cost-of-living increase? Would not that be the decent thing to do in behalf of the taxpayers of this country?

Mr. UDALL. I will tell you in all frankness that I recommended to our former President before he departed for Johnson City, Tex., a couple of months ago, a sum less than $42,500, the increase that finally came out. It was just a little higher than I would like to have seen it. But the fact is that these new raises are in effect, and I do not think the gentleman can really tell me that there is any real hope that they are going to be rescinded. If a majority of the House and Senate want to rescind them, want to pass legislation to do so, let us pass it, and in the same legislation we can undo the increases given in this legislation to the Speaker of the House, the President pro tempore of the Senate, and the top officers of the legislative branch of the Government.

The SPEAKER pro tempore (Mr. MILLS). The time of the gentleman from Arizona has expired.

Mr. DULSKI. Mr. Speaker, I yield the the gentleman from Arizona 3 additional minutes.

The SPEAKER pro tempore. The gentleman from Arizona is recognized.

Mr. UDALL. Mr. Speaker, until such time as we do rescind these other raises for judges and Cabinet members and others members of the upper echelon of the Government, I believe it would be demeaning to the legislative branch to say our top officials, who have such heavy responsibility, should not share in the general overall increase.

Mr. PASSMAN. Mr. Speaker, will the gentleman yield for a question, maybe I should say for clarification on one point of the bill before the committee:

Mr. UDALL. I yield to the gentleman from Louisiana.

Mr. PASSMAN. Mr. Speaker, the bill under consideration includes an increase for the majority and minority leaders of the House. The pay increase for Members that became effective March 1, only 18 days ago, increased the salaries of the majority and minority leaders of the House by $12,500 annually. Now, under this bill, we are increasing the salaries of the majority and minority leaders of the

House by an additional $7,500 annually even before they receive their first check on the $12,500 increase of 18 days ago. Is that no correct?

Mr. UDALL. They now receive $35,000 based on a 1965 act of Congress.

Mr. PASSMAN. Then, of course, this is another salary increase before they started receiving checks for their last salary increase 18 days ago. Is that not correct?

Mr. UDALL. If the gentleman wants to look at it in that way.

Mr. PASSMAN. It is a fact they received an increase then, and now they will be receiving this increase.

Mr. UDALL. The majority and minority leaders of this House as such have had no increase at all.

Mr. PASSMAN. I believe I have stated the facts as they are.

Mr. UDALL. As Members of Congress.

Mr. PASSMAN. They would have to be Members of Congress to get the increase, so it is really two increases in 1 month, which amounts to a $20,000 annual increase. I am very fond of both of these distinguished Members, but there is such a thing as carrying salary increases too far, and we may have already passed that point. We will not know for sure until next year. At least, I have made my position known.

Mr. UDALL. I do not look at it in that way. I can understand how the gentleman can, if he wishes to.

Mr. HALL. Mr. Speaker, will the gentleman yield?

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

Mr. HALL. Mr. Speaker, would the gentleman say that the proper way would be to rescind this raise for Members of Congress?

Mr. UDALL. Yes.

Mr. HALL. Mr. Speaker, does the gentleman think there is any possibility of such action in view of the will of the House at this time?

Mr. UDALL. Mr. Speaker, I just told the gentleman from Iowa I do not think it is likely. If you see the sun coming up in the west tomorrow morning, you might rush down here and try to undo these raises. But I think it is not likely, and in view of that, it would be unfair to the leaders of the legislative branch and would downgrade our own House not to pass this.

Mr. HALL. Mr. Speaker, if the gentleman will yield further, I am especially glad the gentleman from Arizona used the parable of the sun rising in the west. Does the gentleman not think it likely as a follow-on or fall-out of our pay raise, that there will be pay increases for House employees who were not included in this bill, such as the Doorkeeper and the Postmaster, for example? Does the gentleman not think that also is just about as inevitable as the sun rising in the east in the morning, as a follow-on?

Mr. UDALL. No, indeed. I happen to feel as an individual—and I had nothing to do with this—that the raises for some of the officers of the House were a little higher than they should have been. They used to be $2,000 behind the Congressmen when we were at $22,500, and because of the compression at that point, somebody got the idea they should be still $2,000 behind when we got a more adequate salary for Members of Congress. I would like to see them at a lower figure than the $40,000 that was fixed. But the act has already been done.

Mr. HALL. Mr. Speaker, as a guardian and architect of the pay raises, the gentleman's statement is appreciated.

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

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

Mr. GROSS. Mr. Speaker, I voted against delegating power to the executive branch of the Government to fix salaries of Members of Congress. With the gentleman's not inconsiderable talents, would the gentleman not agree a bill could be brought out to take care of that situation immediately?

Mr. UDALL. I can tell the gentleman I detect very little enthusiasm among my beloved colleagues for legislation to undo these recently enacted pay raises. If I felt it were the will of the majority of our colleagues—and I always follow the wishes of my colleagues—I would move to do it forthwith. However, I have to tell the gentleman I detect very little enthusiasm for action to undo what has been done.

The SPEAKER pro tempore. Does the gentleman from Iowa desire to use additional time?

Mr. GROSS. Not at this time, Mr. Speaker.

The SPEAKER pro tempore. Does the gentleman from New York desire to use additional time?

Mr. DULSKI. Not at this particular time, Mr. Speaker.

Mr. ZWACH. Mr. Speaker, there can be no doubt in anyone's mind of the increased responsibilities and workload on our leadership on both sides of the aisle. There is no doubt that we benefit as well as the Nation from the manner and ability that these gentlemen exercise in the leadership roles that they occupy in our legislative functions. However, I cannot support any salary increase proposal that is tied to the first horrendous mistake that this body made in raising congressional salaries by 41 percent earlier this year.

Never have I seen such a disservice to the very base or function of the task to which we were elected, that of representing the interests and needs of those citizens who elected us to this position. For every one person who will agree to increasing the daily cost of being represented in the greatest spending organization in the world by an additional 3 cents per year, I have over a hundred who resent it, or who are now demanding equal adjustments in their benefits. I would have much preferred that this salary situation had been referred back to committee and that a much more sane, reasonable recommendation could then be presented to us. As that alternative seems to be impossible, I am therefore compelled to oppose H.R. 7206.

While there is no question in my mind that Members are worth their salaries, I do question any salary increases until we get our house in order. We should set a good example, not a bad one.

Mr. DELLENBACK. Mr. Speaker, I am deeply disturbed that the leadership of this House has to date refused to permit a record vote on the question of the propriety and timeliness of a substantial salary increase for Members of the Congress. I have felt and continue to feel that the recent very substantial increase in our salaries was neither proper nor timely. At the very least, we should have been permitted to face the issue directly in open recorded vote. Had we been, I would have voted "No."

I supported the recent salary increase for the President of the United States. If the issue of the proposed salary increase for the Vice President of the United States were before us today by itself, I would support it. But it is not before us as a separate issue. It is unfortunately intertwined with proposed increases in the salaries of our legislative leaders.

Until we have had the opportunity to settle in open recorded vote the issue of any salary increase at this time for the full membership of the Congress, we should not approve this proposed increase in salaries for our legislative leaders. High as in my personal regard and respect for the abilities and merit of each of the legislative leaders who would be affected by this proposed increase, the issue is not really one of their ability or merit. The issue is one of principle as to the propriety and timeliness of any further increase whatsoever in legislative salaries.

On that issue, in full consistency with my expressed prior stand in this field, I shall vote "No."

Mr. BENNETT. Mr. Speaker, Congress should use the bill before us today to reject congressional salary raises and other raises for the higher paid positions in Government this year. In my opinion amendment of the bill before us would be a logical method of accomplishing that objective. In view of the heavy taxes that the people of this country are being required to pay and the urgent needs of the Government at this time I feel that all such raises underway for this year should be rejected.

Mr. CONABLE. Mr. Speaker, in voting against this bill for leadership pay increases, I want to make it clear that I do not do so out of lack of respect—even admiration—for the persons who will be benefited by the bill. My opposition to the earlier bill for other high Government officials, including Congressmen, led me to urge in every way possible that we should have the opportunity to vote on that pattern-setting measure. If that opportunity had not been frustrated by the leadership, the consistency of my action today would be apparent and this statement would not be necessary. Our respect for the leaders of Congress of both parties should not be permitted to negate our responsibiilty to set a national salary pattern that will be in the national interest. We are not committed by our earlier mistakes or the general excellence of our leadership to compound the weakness of Congress's hand in dealing with the runaway inflation that is now one of our gravest national problems.

Mr. FISHER. Mr. Speaker, it is a bit embarrassing to oppose a raise in the salaries of the Speaker of the House, the Vice President, along with the majority

leader and the minority leader of this body. My opposition is certainly unrelated to the quality and capacity of these distinguished officials.

As I see it, the Congress should set an example of restraint and moderation in the expenditure of Federal funds at a time when we are faced with another of a long series of annual deficits in the operation of the Government. While the total cost of these increases is hardly discernible in terms of the total budget, I fear the psychological effect throughout the Government and in the private sector cannot be discounted.

Already there has been a substantial increase in salaries for Members of the Congress, the Supreme Court, and others—which I opposed—and these examples have already stimulated demands for wage increases in and out of the Government, according to press reports.

It is true, of course, that much of these increases will be returned to the Government in increased taxes caused by the increases. But that fact does not diminish the psychological effect.

It would seem to me that pay increases, if any, should take into account the budget deficit problem with which the Congress is confronted.

CALL OF THE HOUSE

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

The SPEAKER pro tempore. Evidently a quorum is not present.

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

A call of the House was ordered.

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

[Roll No. 24]

Anderson, Tenn.	Hanna	Pike
Annunzio	Hansen, Idaho	Powell
Arends	Harsha	Purcell
Baring	Hawkins	Riegle
Bates	Hébert	Rivers
Bell, Calif.	Kyl	Ronan
Blackburn	Lloyd	Rooney, Pa.
Brown, Mich.	Long, La.	Rosenthal
Chisholm	Lowenstein	St. Onge
Clay	Lukens	Scheuer
Conyers	McClory	Slack
Culver	McEwen	Smith, Iowa
Daddario	McKneally	Springer
Diggs	Mathias	Steed
Eckhardt	Miller, Calif.	Stephens
Evins, Tenn.	Morse	Stokes
Flynt	Murphy, N.Y.	Stuckey
Foley	Nix	Teague, Tex.
Giaimo	O'Konski	Tunney
Gray	O'Neal, Ga.	Vander Jagt
Griffiths	Ottinger	Whitten
	Patman	Williams

The SPEAKER pro tempore. On this rollcall 365 Members have answered to their names, a quorum.

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

SALARY ADJUSTMENT FOR VICE PRESIDENT AND CERTAIN OTHER OFFICERS OF CONGRESS

The SPEAKER pro tempore. The question is on the motion of the gentleman from New York (Mr. DULSKI) that the House suspend the rules and pass the bill H.R. 7206.

The question was taken; and on a division (demanded by Mr. GROSS) there were—ayes 181, noes 64.

Mr. GROSS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were refused.

So (two-thirds having voted in favor thereof), the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. DULSKI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER pro tempore. (Mr. MILLS). Is there objection to the request of the gentleman from New York?

There was no objection.

AMENDING SECTION 213(a) OF THE WAR CLAIMS ACT OF 1948 WITH RESPECT TO CLAIMS OF NONPROFIT ORGANIZATIONS AND OF INDIVIDUALS

Mr. STAGGERS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2669) to amend section 213(a) of the War Claims Act of 1948 with respect to claims of certain nonprofit organizations, as amended.

The Clerk read as follows:

H.R. 2669

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 213(a) of the War Claims Act of 1948 (50 App. U.S.C. 20171(a)) is amended as follows:

(1) Paragraph (1) is amended to read as follows:

"(1) Payment in full of awards made pursuant to section 202(d)(1) and (2), and thereafter of any award made pursuant to section 202(a) to any claimant (A) certified to the Commission by the Small Business Administration as having been, on the date of loss, damage, or destruction, a small business concern within the meaning now set forth in the Small Business Act, as amended, or (B) determined by the Commission to have been, on the date of loss, damage, or destruction, a nonprofit organization operated exclusively for the promotion of social welfare, religious, charitable, or educational purposes.".

(2) Redesignate paragraph (3) as paragraph (4) and, immediately after paragraph (2), insert the following new paragraph:

"(3) Thereafter, payments from time to time on account of the other awards made to individuals pursuant to section 202 and not compensated in full under paragraph (1) or (2) of this subsection in an amount which shall be the same for each award or in the amount of the award, whichever is less.".

(b) The Foreign Claims Settlement Commission is authorized to recertify to the Secretary of the Treasury each award which has been certified before the date of enactment of this Act pursuant to title II of the War Claims Act of 1948, as added by the Act of October 22, 1962 (76 Stat. 1107), but which as of the date of enactment of this Act has not been paid in full, in such manner as it may determine to be required to give effect to the amendment is made by this Act to the same extent and with the same effect as if such amendments had taken effect on October 22, 1962.

The SPEAKER pro tempore. Is a second demanded?

Mr. GROSS. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

Mr. STAGGERS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this bill provides for readjustment of the priorities governing payments of war claims arising out of World War II, so as to provide first priority in payment out of funds hereafter available to nonprofit organizations operated exclusively for the promotion of social welfare, religious, charitable, or educational purposes; with second priority in payment of claims of individuals.

No appropriations are involved in this legislation, since all payments on account of war claims are made from the proceeds to the United States of German and Japanese properties in the United States which were vested by the Federal Government during World War II.

Approximately $62 million is presently being held by the Department of Justice as a reserve in case of adverse judgments against the United States in litigation involving properties vested during World War II. Upon the conclusion of that litigation, whatever sums are not necessary to satisfy judgments will be turned over to the war claims fund for distribution to claimants who have already received awards which have not as yet been paid in full. Although no one is certain how much will be transferred to the war claims fund out of this $62 million, it has been estimated that as much as $26 million may be transferred in the future, and possibly more, although conceivably it could be less. The claims involved in this bill total approximately $19 million. There are $9 million in unsatisfied awards of the nonprofit organizations which are given first priority under this legislation, and approximately $10 million is involved in claims of individuals.

Mr. Speaker, in the original War Claims Act of 1948, the Congress provided for payment in full of claims of religious organizations which suffered property damage in the Philippine Islands during World War II. When amendments were considered to this act in 1962, a number of additional categories of claims were authorized, in conformity generally with recommendations made by the administration. As passed by the House, the bill provided that in payment of these claims first priority would be given to claims for disability and death; second priority to claims allowed in the amount of $10,000 and below, and finally, all claims in amounts exceeding $10,000. The bill was amended by the other body to provide that claims of small business concerns would be granted the same priority in payment as was the case with respect to claims for disability or death.

This amendment was agreed to in conference, and at present all claims for disability or death, all claims of small businesses, and all claims allowed for

$10,000 or less have been paid in full. All other claims have been paid in the amount of $10,000 plus 61.3 percent of the amount awarded in excess of $10,000.

This bill provides for the nonprofit charitable and religious organizations the same priority in payments to be made out of funds hereafter available as was provided for small business concerns by the 1962 amendments. Second priority is provided for payment to individuals, with whatever remaining balances are turned over to the war claims fund being available for payment to corporations which have not heretofore received payment as small business concerns.

At the time the 1962 legislation was considered, it was anticipated that there would be sufficient funds available for the payment of all awards made under the legislation; therefore, the question of priorities was not considered as important as might otherwise have been the case. Subsequently it developed that there was not as large an amount realized from proceeds of the sale of vested assets as had been anticipated so that it has not proved possible for all claims allowed to be paid in full. It is now apparent that there will remain some portion of claims unpaid. Therefore, the question of priorities now assumes an importance which was not the case in 1962, so that the committee has agreed to move the nonprofit religious and educational organizations and individual claimants ahead of the large corporations. This approach is felt to be justified at this time, because in every instance the large corporations received tax benefits, either under domestic laws, or under foreign laws for the losses involved in this legislation.

Hearings were held before the Subcommittee on Commerce and Finance, and no witnesses appeared at the hearings in opposition to the legislation. The bill was considered by the full committee in executive sessions last week, and was reported to the House unanimously. We recommend its adoption by the House.

With this preliminary explanation, Mr. Speaker, I would call upon the subcommittee chairman, the gentleman from California (Mr. Moss), who held the hearings, to give further explanation of the bill and what it does at this time.

I will therefore yield the gentleman from California such time as he may consume.

Mr. MOSS. Mr. Speaker, I thank the gentleman for yielding.

The objective here is to treat with the greatest degree of equality the religious and nonprofit charity groups who sustained substantial losses as a result of World War II.

There has been accumulated in the Department of Justice approximately $62 million-odd as a contingency against any court awards on this fund. It is felt that there will be at least $20 million available for further distribution and the distribution envisioned here for the claims of religious and charitable groups would roughly approximate $9 million plus maybe $300,000 or $400,000. The balance would be available, then, to take care of further individual claims.

I might point out that during the course of the years intervening since the war that we have paid small business claims completely, and we have paid significantly on the large corporate claims, but the one group that has been denied what I regard as elementary justice is the group composed of the religious and the nonprofit organizations who suffered losses during the war.

These funds are not appropriated funds. They are funds accumulated as a result of the sale of assets seized by the United States, and retained as a result of the treaty agreements terminating hostilities at the end of World War II.

Mr. Speaker, I would strongly urge that the House adopt this legislation.

The SPEAKER pro tempore. The gentleman from Iowa (Mr. GROSS) is now recognized.

Mr. KEITH. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Massachusetts (Mr. KEITH).

Mr. KEITH. Mr. Speaker, I appreciate the gentleman from Iowa yielding.

The committee, both minority and majority in the hearings, felt that it was proven to us satisfactorily that the greatest equity could be done to all potential recipients of international war claims settlements by adopting the amendments contained in this act. The International War Claims Settlement Commission did object to the bill on the grounds that it would deny equal treatment to all recipients, or all potential recipients.

We felt that the corporations that were the ones which appeared to be treated less favorably than the others had been pretty well taken care of by reason of the tax writeoff they had for losers incurred and we thought, as was made clear by the majority subcommittee chairman, that in equity the religious organizations which stood to benefit here were entitled to the across-the-board equal treatment that the bill provides.

For this reason the minority joined with the majority in reporting this bill out unanimously.

Mr. GROSS. Mr. Speaker, I yield 5 minutes to the gentleman from Missouri (Mr. HALL).

Mr. HALL. Mr. Speaker, I appreciate the gentleman from Iowa yielding to me.

Mr. Speaker, I very well recall the 1962 amendments to the War Claims Commission.

I have some questions that I would like to ask of the authors or proponents of this bill.

First of all, is there any proposed list of the recipients of this largess that we propose to vote by amendment, and which will make an exception to do that which the War Claims Commission itself mitigates against and deposes against in the committee report?

I would like to hear some of the names of the nontaxpaying institutions or others that might be the recipients of this legislatively enforced special handling by the War Claims Commission.

Mr. STAGGERS. Mr. Speaker, will the gentleman yield?

Mr. HALL. I yield to the gentleman from West Virginia.

Mr. STAGGERS. I would like to reply to the gentleman from Missouri that in fact there is a list on page 35 of the hearings. There are 33 of them listed. Four of them have already been paid in full and it leaves 29 of these organizations to be paid.

Mr. HALL. Can the gentleman just give me a sample reading of his list there, for the benefit of the Members of the House, to determine the type of individuals or organizations that are involved?

Mr. STAGGERS. Yes, I will give them. But I might just say this first as to the history of the legislation—all of the religious organizations—the Jewish, the Catholic and Protestant groups came together in favor of the bill and asked for a hearing on this.

I will just name some—the Seventh-day Adventists, the Young Men's Christian Association, the Oriental Missionary Society, the United Board for Christian Higher Education in Asia, the Presbyterian Church in the United States, the Assembly of God, and others that are known throughout the United States.

Mr. HALL. Are they practically all religious organizations?

Mr. STAGGERS. Yes, they are.

Mr. HALL. Are there any Buddhists? Inasmuch as this is to be paid by the vested funds—of the orientals that were retained at the time of World War II—are there any claims by Buddhists or any other oriental or religious organizations?

Mr. STAGGERS. No—they are all Christian or Jewish.

Mr. HALL. I thank the gentleman. I think that makes that clear.

I would like to ask another question.

Mr. KEITH. Mr. Speaker, will the gentleman yield?

Mr. HALL. I am very glad to yield to my colleague, the gentleman from Massachusetts.

Mr. KEITH. Mr. Speaker, the chairman inadvertently overlooked the fact that even in the ecumenical society of today, the B'nai B'rith is not yet classified as Christian and they stand to gain here.

Mr. HALL. He said "Jewish."

Mr. KEITH. Oh, he did? I beg your pardon. I was involved in a discussion with counsel and I did not hear that.

Then there is also the Oriental Missionary Society.

Mr. HALL. What is the gentleman's concept of the Oriental Missionary Society? Were they missionaries from the Orient to us at the time these funds were vested? Or is it an organization within the United States that is going to evangelize the orientals?

Mr. MOSS. Mr. Speaker, will the gentleman yield?

Mr. HALL. I am glad to yield to the gentleman.

Mr. MOSS. I believe the Oriental Missionary Society was a group committed to the exploration of our religious ideals.

Mr. HALL. That is the Judaeo-Christian ideals—to other lands around the world?

Mr. MOSS. That is correct.

Mr. HALL. Maybe we have just learned that these nontaxpaying entities are out of date, as we have tried around the world to force our ideas of religion on other free and sovereign nations.

But I want to get on with my questioning, and I appreciate the gentleman

trying to help me. On page 3, paragraph 3, in parenthesis it says that—

(3) Thereafter, payments from time to time on account of the dollar awards made to individuals pursuant to section 202 and not compensated in full under paragraph (1) or (2) of this subsection in an amount which shall be the same for each award or in the amount of the award, whichever is—

What individuals might receive the benefit of this special handling of the War Claims Commission, and are they taxpaying individuals?

Mr. STAGGERS. There are 886 listed. To my knowledge, all of them would be taxpayers, and they are those whose property was destroyed who would come under this provision. I might add that a little over $10 million is involved in unpaid balances on these claims.

Mr. HALL. $10 million for individuals?

Mr. STAGGERS. That is correct.

Mr. HALL. In addition to the theological groups?

Mr. STAGGERS. There is $9 million in that category, making a total of $19 million.

Mr. HALL. This would still leave an adequate amount in trust with the Department of Justice to meet any future claims, including those of the U.S. Government, which has just been two-thirds paid, if I understand the committee report correctly?

Mr. STAGGERS. $62 million is being held out by the Department of Justice, and they anticipate that as much as $26 million could be paid into this fund to help pay the claims. That is more or less. It could be more than that in time to come.

Mr. HALL. I thank the gentleman. Now, just why should organizations or individuals who do not pay taxes, have preferential treatment under the War Claims Act, in the opinion of the distinguished gentleman from West Virginia, or anyone who would like to answer the question?

Mr. STAGGERS. We would be doing only what has been done in the United States through the years and is a matter of record. We have just followed past precedents in this case. All of these have to be nationals of the United States in order to receive the payment.

Mr. MOSS. Mr. Speaker, will the gentleman yield further?

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

Mr. MOSS. I believe a review of the act will show that we provided for a 100-percent payment to religious institutions in the Philippines that suffered comparable losses, and in extending this to other areas and utilizing the funds for the very diverse group of organizations listed on page 35 of the report, we are but extending the equity we gave in the instance of the Philippine claims.

My purpose is merely to point out that the precedent is very strong and very much in point that we have by prior action of the Congress favored a total reimbursement for damages in a specific part of the world. This bill applies to the general claims occurring throughout the entire area of hostilities during World War II.

Mr. HALL. I am conscious of that and, of course, I want it thoroughly understood that I am not against religion or its organizations, but chary with our funds, tax or vested; the gentleman means claims that were approved by the War Claims Commission and that were bona fide in their concept.

Mr. MOSS. That is correct, and the same test will be applied in relation to the claims that are listed on page 35 of the hearings.

Mr. HALL. I believe the gentleman did mean hearings instead of the report?

Mr. MOSS. That is correct.

Mr. HALL. Is it true or is it not true that this legislation, if passed here today, has by some prior arrangements, been well lubricated so it will pass through the other body and become in fact legislation forthwith?

Mr. STAGGERS. Speaking as chairman of the full committee, I have no knowledge of any contact having been made with the other body in any way. We have taken it up as a matter of course.

One of the reasons it was taken up this early was that last year I had assured these religious groups that if in the course of business we could get to this legislation, we would do it, but towards the end of the session there were so many other pieces of legislation that came up which took the attention of the committee, that we could not do it. So this year they asked us if we could take the bill up, and I said we would do it at the earliest possible time. That is the status of the matter. There has been no contact with the Senate in any way. We hope, if it passes here, it will merit the attention of the other body.

Mr. HALL. Mr. Speaker, I thank the gentleman from West Virginia for that very forthright statement.

May I ask, is there anything in this legislation or in the history that precedes it or in tradition, that would require the taxpayers to make up the funds now held in trust as a vested deposit with the Department of Justice at the time of the war?

Mr. STAGGERS. I can assure the gentleman from Missouri this is not so. There is no precedent for it whatever.

Mr. HALL. Mr. Speaker, I thank the gentleman from West Virginia.

The SPEAKER pro tempore. Does the gentleman from West Virginia desire to use additional time?

Mr. STAGGERS. No, Mr. Speaker.

The SPEAKER pro tempore. Does the gentleman from Iowa wish to use additional time?

Mr. GROSS. No, Mr. Speaker.

The SPEAKER pro tempore. The question is on the motion of the gentleman from West Virginia (Mr. STAGGERS) that the House suspend the rules and pass the bill H.R. 2669, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The title was amended so as to read: "A bill to amend section 213(a) of the War Claims Act of 1948 with respect to claims of certain nonprofit organizations and certain claims of individuals."

A motion to reconsider was laid on the table.

COMMISSION ON NATIONAL OBSERVANCES AND HOLIDAYS

Mr. ROGERS of Colorado. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2171) relating to national observances and holidays, and for other purposes.

The Clerk read as follows:

H.R. 2171

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) there is hereby established a Commission on National Observances and Holidays (hereinafter in this Act referred to as the "Commission") which shall be composed of the Archivist of the United States, the Librarian of Congress, and the Secretary of the Smithsonian Institution.

(b) The Archivist of the United States shall serve as the first Chairman of the Commission for a period of one year beginning on the date of the enactment of this Act, and at the completion of his term the chairmanship shall rotate annually in the following order: the Librarian of Congress, the Secretary of the Smithsonian Institution, and the Archivist of the United States. When the chairmanship becomes vacant the chairmanship shall rotate to the person next in line of succession, except that the successor shall serve his regular term after serving the remainder of the term of his predecessor. The members of the Commission shall receive no compensation for their services as such.

(c) Two members shall constitute a quorum. A vacancy in the Commission shall not impair the right of the remaining members to exercise all the powers of the Commission.

SEC. 2. Subject to the civil service laws and the Classification Act of 1949, the Commission is authorized to appoint and fix the compensation of not more than two employees of the Commission.

SEC. 3. (a) Any proposal calling for a national observance shall be submitted to the Commission, in such form and containing such information, as the Commission may prescribe. The Commission shall report to the President with respect to any proposal for a national observance which, in the opinion of the Commission, is of national significance. Such report shall include such recommendations as the Commission may deem appropriate and administrative actions as in its judgment are necessary to carry out its recommendations. The Commission shall not recommend any proposal for a national observance honoring a fraternal, political, or religious organization, or a commercial enterprise or product.

(b) In carrying out the purposes of this Act the Commission, or any member thereof, may hold such hearing and sit and act at such times and places, and take such testimony as the Commission or such member may deem advisable.

(c) The Commission is authorized to secure from any executive department, agency, or other instrumentality of the United States information and advice with respect to any proposal submitted to the Commission under subsection (a); and such department, agency, or instrumentality is authorized and directed to furnish such advice and information directly to the Commission, upon request made by the Chairman.

SEC. 4. The Commission is authorized to prescribe such rules and regulations as it shall deem necessary to carry out the provisions of this Act.

SEC. 5. There are hereby authorized to be appropriated such sums as are necessary to carry out the provisions of this Act.

The SPEAKER pro tempore. Is a second demanded?

Mr. WIGGINS. Mr. Speaker, I demand a second.

Mr. HALL. Mr. Speaker, a parliamentary inquiry. Is the gentleman opposed to the bill?

Mr. WIGGINS. Mr. Speaker, I withdraw my demand for a second.

Mr. HALL. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The gentleman from Colorado (Mr. ROGERS) will be recognized for 20 minutes, and the gentleman from Missouri (Mr. HALL) will be recognized for 20 minutes.

The Chair recognizes the gentleman from Colorado (Mr. ROGERS).

Mr. ROGERS of Colorado. Mr. Speaker, H.R. 2171 establishes a Commission on National Observances and Holidays. The primary duty of this Commission shall be to report and recommend to the President those observances which it finds to be of national significance and which, in its opinion, warrant Federal recognition.

The Commission would be composed of the Archivist of the United States, the Librarian of Congress, and the Secretary of the Smithsonian Institution. The members of the Commission would receive no compensation for their services, as such, and the Commission would be authorized to appoint no more than two employees. The Commission is expected to respond to requests by committees of Congress for its views on legislative proposals in this area.

Enactment of H.R. 2171, of course, will not preclude the Congress from subsequent enactment of legislation to commemorate national observances and holidays.

H.R. 2171 does not deal with the matter of legal public holidays which are established in title 5, United States Code, section 6103. Legal public holidays have a particular significance: Federal employees are paid for these holidays, and they are observed by banks, State governments, and also they are incorporated in various labor agreements. H.R. 2171 is concerned only with national observances that are proclaimed in honor of particular groups or events that are of national significance, such as Flag Day, Mother's Day, Law Day, Gold Star Mother's Day, et cetera.

H.R. 2171 specifically prohibits the Commission from recommending any proposal for a national observance which honors a fraternal, political, or religious organization, or commercial enterprise or product. These guidelines reflect the standards generally observed by the Committee on the Judiciary.

Legislative consideration of bills that authorize and request Presidential proclamations is not only a burden upon the Congress acting as a whole, but also a burden upon individual Congressmen. In the 88th Congress some 260 holiday and celebration bills were introduced in the House of Representatives. In the 89th Congress the number was approximately 445. In the 90th Congress, 502 such bills were introduced, 17 of which were enacted into law.

The printing of these bills upon introduction, the printing of the public law, if enacted, the time spent in their consideration in committee and on the floor of the House all lead to considerable cost to the Government. In addition to direct financial cost to the taxpayer, however, this legislation imposes additional pressures on Members of Congress since it is often difficult to justify enacting one bill calling for a Presidential proclamation and not taking favorable action on another.

The Bureau of the Budget has expressed its deep concern with the proliferation of statutory requests calling for the issuance of Presidential proclamations, recognizing particular events or holidays. A portion of a letter from the Bureau of the Budget to the chairman of the House Committee on the Judiciary, dated April 21, 1966, reads as follows:

> We are concerned about the proliferation of statutes which request the issuance of Presidential proclamations calling for the recognition of particular events or groups. At the present time, between 30 and 40 proclamations, some based on statutory authorizations and others on longstanding precedent, are issued annually to provide for special observances. In addition, about 10 events are observed annually by virtue of proclamations issued at some time in the past.
>
> We believe that the increasing number of such observances could detract from the desired effect of a Presidential proclamation, and we question whether the practice should be extended further. We believe it would be preferable to limit issuance of Presidential proclamations to observances which are clearly of major national importance.

The committee is persuaded that the establishment of a Commission on National Observances and Holidays composed of three officials whose area of expertise singularly qualifies them to assess the national significance and cultural importance of proposed Presidential proclamations represents an effective and appropriate response to a growing legislative burden. A measure identical to H.R. 2171 passed the House in the 89th Congress on October 3, 1966, and in the 90th Congress on March 20, 1967, by a vote of 313 ayes, 35 nays.

Mr. WAGGONNER. Mr. Speaker, will the gentleman yield?

Mr. ROGERS of Colorado. Yes, I yield to the gentleman from Louisiana.

Mr. WAGGONNER. As I understand the gentleman's explanation of the bill it provides for the establishment of a Commission which will have the authority to recommend to the President of the United States what it believes to be in the national interest in the way of national holidays or national observances; is that correct?

Mr. ROGERS of Colorado. That is correct; it does not cover the question of national legal public holidays. I believe we have, heretofore, enacted such legislation in the Congress of the United States.

There are two objectives of this bill. If as an individual one of your constituents should come to you and say that they want you to introduce a certain bill relating to an observance which may be peculiar to one part of the country and not applicable to the entire country, you would have the privilege of requiring this Commission to determine the merits of the resolution and whether or not they should recommend it to the President.

Further, I wish to point out the fact that the President has that authority at the present time. There are a number of permanent proclamations which he issues.

Mr. WAGGONNER. Let me ask the gentleman this question: Under the authority of this legislation could the President, on the recommendation of the Commission, by proclamation or by Executive order permanently designate a special observance which has to do with the remembrance of an individual's birthday?

Mr. ROGERS of Colorado. Well, the President can do that now.

Mr. WAGGONNER. The answer is either "Yes" or "No."

Mr. ROGERS of Colorado. Well, I direct the gentleman's attention to that provision in the bill.

Mr. WAGGONNER. In other words, the gentleman does not know?

Mr. ROGERS of Colorado. Wait a minute. Just wait until I answer the gentleman's question.

Mr. WAGGONNER. The answer is a simple "Yes" or "No."

Mr. ROGERS of Colorado. I direct your attention to page 3 of the report.

Mr. WAGGONNER. I have it in my hand.

Mr. ROGERS of Colorado. All right. There are the number of proclamations which are permanent special observances which the President has issued.

Mr. WAGGONNER. There appears Thomas Jefferson's birthday on the bottom of the list on April 13, the date of the observance of his birthday.

Mr. ROGERS of Colorado. Yes. That was by a joint resolution of the Congress. If he wants to do so, the President has a right to issue proclamations. Ordinarily, however, he restrains himself until he has an expression from the Congress in connection with them.

Mr. WAGGONNER. I thought that was the purpose of this legislation, to remove Congress itself from the picture and to give this responsibility to a commission.

Mr. ROGERS of Colorado. No. I think I did not make it clear to the gentleman.

Mr. WAGGONNER. The gentleman seldom does.

Mr. ROGERS of Colorado. This legislation does not take from Congress any authority it may have. It recognizes the possibility of cutting down expenses. If you have a special event or special proclamation that you feel should be enacted, as I pointed out a moment ago, this could be sent to the Commission without the necessity of your introducing a bill. But if you have introduced a bill, in the wisdom and judgment of the Committee on the Judiciary, we could then send it to the Commissioner to make a study and make a recommendation as to whether or not it should be sent to the President. Congress would still have the right to proceed with the introduction of a special resolution and to handle it independently.

Mr. WAGGONNER. If the gentleman will yield further——

Mr. ROGERS of Colorado. Yes, I yield further to the gentleman from Louisiana.

Mr. WAGGONNER. Whether Congress acts and makes a recomendation or not, is it not the prerogative of the President under the provisions of this proposal, if recommended by the Commission, to issue a national, a permanent proclamation in observance of let us say the remembrance of the birthday of a controversial person?

Mr. ROGERS of Colorado. The bill does not do that. The President has that power now.

Mr. WAGGONNER. Could it do that if enacted? Could it be done under the bill?

Mr. ROGERS of Colorado. It is not the objective and purpose of this legislation to do that.

Mr. WAGGONNER. The gentleman is saying it cannot be done?

Mr. ROGERS of Colorado. That is right. This bill does not do that.

Mr. WAGGONNER. I think the gentleman had better read his bill.

Mr. CELLER. Mr. Speaker, will the gentleman yield?

Mr. ROGERS of Colorado. I yield to the distinguished chairman of the full Committee on the Judiciary, the gentleman from New York (Mr. CELLER).

Mr. CELLER. I think the President could do that with or without this legislation. The President could do that even now. He could issue a proclamation without this legislation proclaiming a birthday whether it be the birthday of Thomas Jefferson, Booker T. Washington, or Martin Luther King.

Mr. WAGGONNER. If the gentleman will yield further, this will make it a little bit easier, will it not?

Mr. ROGERS of Colorado. I do not know that it would.

Mr. WAGGONNER. Well, the gentleman said that was the purpose of the bill.

Mr. CELLER. Mr. Speaker, will the gentleman yield further?

Mr. ROGERS of Colorado. I yield further to the gentleman from New York.

Mr. CELLER. This legislation is like what is now done with stamps. At the present time there is a Commission that determines what stamps shall be issued, whether a stamp shall be issued, to commemorate a certain event or whether a stamp shall be issued to memorialize a certain individual.

So what we have done with stamps we seek now to do with holidays and proclamations.

For example, we have so many of these bills coming before us. I, as chairman, have the job every single day to pass upon a multitude of these bills. I am in the way of being bewitched, bothered, and bewildered. I do not know what to do with them all: whether I should consider them, whether I should sit on them, whether I should refer them. I do not know how important they are. Sometimes I may be doing justice to the author of the bill and sometimes I may not be doing justice.

To give you an example of the range of these bills, here are some of the bills that have been offered before our committee:

Welling Water Week.
Traveler Day.
Tax Freedom Day.
Spring Garden Planting Week.
Ski Week.
Powder Puff Derby Day.
National Clown Week.
National Better Recordkeeping Week.
Municipal Clerk Week.
Gladiolus Month.
Firemen's Day.
Electric Car Day.
Coin Week.
Credit Week.
Coal Week.
Circle K. Week.
Choir recognition.
Bible Translation Day.
Armenian Martyrs Day.
Arthritis Week.
Arteriosclerosis Week.
Asthma Day.
American Indian Day.
The Airmail Golden Anniversary.
Adult Education Week.

Now, frankly, if you were in my position what would you do with all those bills? I do not know.

Mr. GROSS. If the gentleman will yield, Mr. Speaker, I would not waste 5 minutes on most of them.

Mr. CELLER. Yes, but I am afraid in that way you would incur the ill will and the enmity of a great many of the Members. You just cannot do this in this House of Representatives because there is an esprit de corps that you must recognize. You cannot trod roughshod on the sensibilities of other Members, and I will not do that.

Mr. GROSS. Is the gentleman going to report all of them out?

Mr. CELLER. I cannot report them all out. All I want to do, I want to separate the wheat from the chaff. I want to separate the curd from the cheese.

Mr. GROSS. In other words, pass the buck to somebody else?

Mr. CELLER. I want the Commission, the Archivist, the Librarian of Congress, and the Secretary of the Smithsonian on the Commission to tell us what we should do on these matters.

Mr. GROSS. In other words, pass the buck to somebody else, as they just did with the pay bill increase?

Mr. CELLER. It is not passing the buck at all, it is to get advice and counsel. It is what we do and have been doing for years and years with reference to stamps. We want that to be done with reference to these holidays. We do not abdicate anything. A Member can still offer a bill commemorating this man's birth by proclamation by the President. We do not give away any power. We do not abdicate anything. We simply set up this Commission so that it can be a great help to us. That is all we do in this bill.

Mr. WAGGONNER. Mr. Speaker, would the gentleman yield for one more question?

Mr. ROGERS of Colorado. Yes; I will yield to the gentleman from Louisiana.

Mr. WAGGONNER. Am I correct in assuming from the answers the gentleman from Colorado has given me, ambiguous as they are, that the President at the recommendation of the Commission can issue a proclamation to order the observance of almost anything they so desire?

Mr. ROGERS of Colorado. He can do that now.

The SPEAKER pro tempore. The gentleman from Missouri (Mr. HALL) is recognized.

Mr. HALL. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, I unintentionally assumed the second on this particular bill because I am opposed to the bill, and because I studied it on the Consent Calendar yesterday, where it was listed but not eligible. I am allergic to another commission which regulates the power of Congress, to a commission or to a study group, which delegates to the executive branch, as I would be allergic to celebrating asthma week, emphysema, or halitosis week.

I realize that in the past year we have celebrated some of "those weeks," although the bills themselves, acting under the full voice and cover of the Congress, turned out better than we had hoped.

I take the floor at this time to point out that there is a difference between the establishment of a memorial stamp and this commission that would or would not recommend certain days directly to the President and not make such recommendations back to the Congress—if I can read the language of the bill at all.

First of all, the establishment of stamps to commemorate any occasion, person, individual event or day work, within the executive branch of the Post Office Department and is duly set up and it has been long established. There is precedent, tradition, and historical concept for this.

The ulterior aim may be exactly the same; namely, to take the responsibility off the back of a collection of individuals. But I do believe that we are delegating our authority.

I would like to ask one particular question. We passed last year a uniform holiday law. What relation is there to that action and to the action that is proposed here on Union Calendar No. 19, H.R. 2171 today?

Mr. ROGERS of Colorado. Mr. Speaker, will the gentleman yield?

Mr. HALL. I am glad to yield to the gentleman, the proponent and floor manager of the bill.

Mr. ROGERS of Colorado. We passed the holiday bill last year, but what we are dealing with here is these memorials, and that is the distinction.

Mr. HALL. What does the gentleman say we are doing here?

Mr. ROGERS of Colorado. This is giving us an opportunity—at least we have a list here of 88 memorials of these things introduced in this Congress.

This would give us an opportunity to refer to this committee for them to make a study to determine whether or not any of them have any merit and to make their recommendation to the President and if we want to consider them in the future and pass them, we can do so.

Mr. HALL. Mr. Speaker, I appreciate the gentleman's answer and, in fact, I appreciate the way the bill is drawn and I compliment the gentleman and his subcommittee and the committee, on those whom they have chosen to serve on the committee, without additional

pay. But this is an open-ended bill and there is no estimate of the cost for the per diem, and so forth, allowed under the the civil service rule for the limited number of employees.

It does not take long to act on the gentleman's oft-proposed and separate resolutions. In fact, they are almost 100 percent accepted by unanimous consent. Others should never be considered. I think the gentleman would agree with me that most pass with a minimum of floor work, when he brings them out of his committee.

Obviously, the committee has hearings on these many and sometimes far-fetched requests. Is that not the duty of the gentleman's subcommittee and the elected legislators of the people under our representative system of government?

Mr. ROGERS of Colorado. Yes, it is, under the rules of the House and under the setup—we are authorized, when it is referred to the Committee on the Judiciary. The chairman may, in his wisdom, never assign it to my subcommittee—but again he may. But if he does—and as I outline here—I have 88 now in my hand and we figure if we got somebody who would kindly take a look at it, it would relieve our burden and we would not have to hire staff members.

Mr. HALL. Part of the authority of the Congress would be further diluted and passed on to the executive branch directly by the separate Commission?

Mr. ROGERS of Colorado. No, I disagree with the gentleman that it dilutes any authority of the Congress in any manner whatsoever.

Mr. HALL. The recommendations of this Commission, the gentleman will surely admit, would not come back to the Congress or be referred to the Speaker's desk and to the committee or a subcommittee thereof. The recommendations would go directly to the President and the President could then as now, introduce either a proclamation for a permanently designated special day of observation, or a proclamation to be issued annually by the President—if I interpret the gentleman's bill correctly. I thought the gentleman admitted in prior colloquy that it was a direct act or recommendation of the Commission; is that not so?

Mr. ROGERS of Colorado. The gentleman is correct, it would not come back to the Congress of the United States.

Mr. HALL. Then I certainly believe we are subdelegating our authority and, indeed, our responsibility.

Mr. PUCINSKI. Mr. Speaker, will the gentleman yield?

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

Mr. PUCINSKI. Much has been said about a private Commission on Stamps. The lack of aesthetic or artistic values in many of our stamps is a good example, and I think that is the best argument in the world for killing this bill.

Mr. PICKLE. Mr. Speaker, will the gentleman yield?

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

Mr. PICKLE. I appreciate the gentleman yielding. I wish to ask a question of a Member on either side of the aisle. When the bill was being considered in committee, was any distinction made in the discussion between that which is observance and that which is holiday?

Mr. ROGERS of Colorado. Of course, legal holidays are one thing. The others depend upon various things, such as the 88 analyzed or at least mentioned here. We were trying to limit it to proclamations and designations and not increase the number that are now authorized.

Mr. PICKLE. I notice in the report many observances are now listed, and also listed are the number and kind of requests that have already been made this year. I can understand that it might be the intent to set up a commission that would be able to give some consideration to the evaluation of the various types of observances. But when it gets to the establishment of a holiday, it seems to me that it would be well for the Congress to leave the clear intent that when it is a matter of establishing a national holiday, that would be something that would be presented to the Congress. It would be my feeling that if we would eliminate the words "and Holidays" in the present measure, this would come near expressing the intent of the Congress. We cannot amend the bill at the present time, but it might be well to consider not approving this bill at this time in order to provide an opportunity for the Members of the House, when the bill is not under suspension, at least to consider the elimination of the words "and Holidays." It seems to me that that would be the clear intent of what we are trying to establish.

Mr. ROGERS of Colorado. It takes an act of Congress, as I view it here, or a proclamation of the President to determine a holiday, and I do not think the Judiciary Committee is going to refer to the commission the question of the establishment of a holiday. We may say to them that they may make a study of it. But the question of the enactment comes back to the Congress.

Mr. HALL. Mr. Speaker, I urge that this bill, which cannot be amended under suspension of our Rules, be defeated out of hand today and thereby remanded to the Committee on the Judiciary.

Mr. Speaker, I yield 5 minutes to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, this proposed Commission is another chapter in the seemingly endless effort to pass the buck, create useless entities with high sounding names and worthless purposes and, in general, establish somebody else in a position where he or she can feed at the public trough.

One of the things wrong with this country today is the fantastic proliferation of boards, commissions, and committees whose chief purpose seems to be to provide a forum where members can gather, look at each other and discuss the weather.

I have here, Mr. Speaker, from the Library of Congress, a partial compilation of the boards, committees, commissions, councils and task forces created just since 1965 to advise the President, Congress, and executive agencies.

This volume is 218 pages long and was obsolete before it came off the press. And it is only a partial listing of existing advisory groups.

Let me cite some examples of what it contains.

Have you, for instance, ever heard of the vital services performed by the Advisory Commission on Parcel Distribution Services? It had five distinguished members—of course, all members of these outfits are always "distinguished"—but it never did a thing.

How about the Advisory Committee on Federal Buildings in the National Capital Region, established in 1966? This report says "no reports have been issued, nor are any anticipated." That is about par for the course.

Then there is the Advisory Committee on Library Research and Training Projects. It was formed in 1965 and has not issued a report. But, of course, it was not required to.

The Advisory Council on Quality Teacher Preparation was authorized in 1965, but failed to file a report.

The National Advisory Commission on Libraries was established in 1966 and was required to submit a report no later than 1 year after its first meeting. Two years later nobody had been able to find one.

The National Advisory Committee on International Studies was created in 1966 but 2 years later no members had been named.

The National Commission on Product Safety was authorized in 1967 but had neither staff or office as of last June.

The National Medical Review Committee was established in 1965, but never had any members.

The President's Advisory Council on Cost Reduction was established in 1967, but quite obviously never did anything.

Here is another library committee—the President's Committee on Libraries—which should not be confused with the Advisory Committee on Library Research and Training Projects, or the National Advisory Commission on Libraries. The President's Committee reportedly was holding up its report until it got a look at the National Commission's report. This is known as the Alphonse-Gaston syndrome.

There was something called the Task Force on Educational Television in the Less-Developed Countries, created by the President in 1966. The compiler of this report discovered that Leonard Marks, then director of the U.S. Information Agency, was to have been chairman and states that "repeated but unsuccessful attempts to obtain more information concerning the task force" were made.

There are many, many other boards, commissions, committees and task forces lying around, Mr. Speaker, that were not covered by this report.

For instance, it did not go into the vital work of the International Committee on International Athletics, or the Advisory Committee on the Arts, or the Tortugas Shrimp Commission, the Inter-American Tropical Tuna Commission, the International Pacific Halibut Commission, the International Boundary Commission, United States and Canada; or the California Debris Commission.

Now we have this proposed Commission on National Observances and Holidays.

The people of this country need an-

other advisory commission about as much as Members of Congress need another pay increase. And it might be well to remember that the pay increase was recommended by none other than the Commission on Executive, Legislative, and Judicial Salaries.

Incidentally, right here and now would be a good place to remind the gentleman from New York (Mr. CELLER) and the gentleman from Colorado (Mr. ROGERS) and others that they just got a nice fat pay increase, and yet they want to shift to somebody else their responsibilities and burdens. I say to them that under the circumstances it is time to accept the responsibilities.

Mr. HALEY. Mr. Speaker, will the gentleman yield?

Mr. GROSS. Mr. Speaker, I am pleased to yield to the gentleman from Florida.

Mr. HALEY. Mr. Speaker, I wonder if the distinguished gentleman from Iowa could tell us approximately what these so-called commissions and advisory groups, and so forth, have cost the American taxpayers?

Mr. GROSS. Mr. Speaker, I regret this volume from the Library of Congress does not show all the costs.

Mr. HALEY. It would run into thousands of dollars, would it not?

Mr. GROSS. Of course. Into the hundreds of thousands of dollars.

The SPEAKER pro tempore. The time of the gentleman from Iowa has expired.

Mr. HALL. Mr. Speaker, how much time have we remaining?

The SPEAKER pro tempore. The gentleman has 7 minutes.

Mr. HALL. Mr. Speaker, I yield 2 additional minutes to the gentleman from Iowa.

Mr. WATSON. Mr. Speaker, will the genteman yield?

Mr. GROSS. I yield to the gentleman from South Carolina.

Mr. WATSON. Mr. Speaker, I certainly appreciate the information which was given to us by the gentleman from Iowa. This is typical of the manner in which the gentleman does his homework.

I wonder if the gentleman would not agree that it might be advisable to establish one further advisory committee, and that is the advisory committee to advise the Congress as to which advisory committees are not advising.

Mr. GROSS. The gentleman from South Carolina makes an excellent suggestion.

Mr. HALL. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. WIGGINS).

Mr. WIGGINS. Mr. Speaker, I would like to advise Members particularly on this side of the aisle about the history of this bill. This has been before the Congress in prior years, in the 89th Congress and in the 90th Congress, and now we have it again. Last year the bill passed this body by a vote of 313 to 35. I wish to emphasize also that in committee this bill received, save one vote, the unanimous support of all Members on both sides of the aisle.

This has not been a controversial bill up to now.

Mr. Speaker, I would like to emphasize what this bill does do and what is does not do. First of all, it does not confer upon a commission any power at all other than to recommend. It does not detract one iota from the power of Congress. Nor does it detract one iota from the power of the President. The President has now, without any further legislation whatsoever, the power to issue proclamations, and he does so frequently. Then, of course, Congress has the power to pass resolutions proclaming commemorative days. This merely provides to the Congress and the President a source of information, much as the Bureau of the Budget, for example, submits a report on proposals for the purpose of advising the Congress. So this commission, too, is created for the purpose of advising the President on the propriety of the many proposals submitted to him.

I ask you all to distinguish this case from that of, let us say, the case of a reorganization plan submitted to Congress or the case of the salary commission. In each case, the recommendations of the commission have the force of law unless vetoed by the Congress. A proper argument of delegation of authority can be made in those cases, but no such argument can properly be made in this case, for the recommendations of the Commission have no authority whatsoever. They are merely recommendations. The President may adopt or reject the recommendations; or the Congress may choose to adopt the recommendation and pass a resolution.

Mr. HALL. Mr. Speaker, will the gentleman yield on that point?

Mr. WIGGINS. Yes. I will be pleased to yield.

Mr. HALL. Does the distinguished gentleman handling this for the subcommittee on the minority side intend to state forthrightly or even by inference to negate and gainsay the admission on the part of those handling the bill for the majority, that this Commission would make recommendations directly to the President and that they would not come back to the Congress or the subcommittee?

Mr. WIGGINS. I do not deny the accuracy of that statement. However, I am quite confident the report of the Commission would be available to the Congress upon request.

Mr. HALL. If the gentleman will yield further—and I will certainly see that he has all of the time he needs—I just want this clarified, because I do not see how we can stand up here and say we are not yielding the power and prerogatives and indeed the responsibility of the Congress on the one hand, and then turn around and say that the function of this advisory committee we are establishing will not even come back to the Congress but rather go directly to the Chief of the executive branch for implementation.

Mr. WIGGINS. I am sure the gentleman recognizes that Congress may, if it wishes, pass a resolution even though a report may be pending before this Commission and even though no report is ever submitted to it. We are not delegating one iota of our authority to the Commission. The authority remains with us. But what we are seeking is additional information to put the 500-odd requests in their proper perspective.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. HALL. Mr. Speaker, I yield the gentleman 2 additional minutes.

Mr. WIGGINS. Mr. Speaker, I would like to continue briefly on the subject of money.

It has been alleged that this Commission would add to the great burden of paying for other commissions in being. By the precise terms of this legislation, members of the Commission are not authorized to receive one penny of additional compensation. However, they are permitted to employ a staff of no more than two members, which provision is written into the legislation. They can employ two secretaries. I think that the observation in the report that the cost of this bill is minimal is very clear and should not be a matter for consideration here.

Finally, Mr. Speaker, some confusion has become apparent on the subject of holidays versus commemorative days. A holiday in the parlance of our committee is a day on which Federal employees are not required to work and a holiday is created by Federal statute. That will continue to be the law. The Monday holiday bill has nothing at all to do with this legislation. This bill deals only with commemorative days, not legal holidays on which employees of the Federal Government are permitted a day off.

Mr. Speaker, the cost of the legislation is minimal but the anticipated savings should be substantial and the proposed legislation is much needed.

The Commission would consider all proposals calling for national observances and holidays including those referred to it by committees of Congress and would recommend to the President those observances which it finds to be of national significance and which warrant Federal recognition. The Commission would be composed of the Archivist of the United States, the Librarian of Congress, and the Secretary of the Smithsonian Institution. The members of the Commission would receive no compensation for their services to the Commission, and the Commission would be authorized to appoint no more than two employees.

Consideration of bills that request Presidential proclamations regarding holidays is not only a burden upon the Congress but on individual Congressmen as well. In the 90th Congress, 502 holiday bills were introduced in the House, of which only 17 were enacted into law. The printing of these bills and the time spent in their consideration in committee and on the floor of the House resulted in considerable cost and tied down a considerable portion of the time of Congressmen which could have been better utilized in consideration of more substantive legislation. In addition, this legislation imposes pressures on Members of Congress since it is often difficult to justify enacting one bill calling for a Presidential proclamation and not taking favorable action on another.

There is the further problem that there have simply been too many proclamations in the past. I believe that it would be preferable to limit issuance of Pres-

idential proclamations to observances which are clearly of major national importance. The three members of the proposed Commission possess an expertise which makes them singularly qualified to assess the national significance and cultural importance of proposed Presidential proclamations.

Mr. Speaker, H.R. 2171 is an effective response to a growing legislative burden, and I therefore urge that it be enacted into law.

Mr. PEPPER. Mr. Speaker, will the gentleman yield?

Mr. ROGERS of Colorado. I yield to the gentleman from Florida for a question.

Mr. PEPPER. Mr. Speaker, I wish to thank the able gentleman from Colorado for yielding to me at this point. I want to ask one question for the purpose of clarifying the intent of the resolution. In a case where the Congress itself through legislative enactment has already provided for the observance nationally of a day or a week, would this proposed legislation, if enacted, carry the provision to change the date of a previously established holiday or day of observance under a previous act of Congress or would that same kind of proposal have to be referred to the Commission?

Mr. ROGERS of Colorado. No, it would not.

Mr. SISK. Mr. Speaker, will the gentleman yield?

Mr. ROGERS of Colorado. I yield to the gentleman from California.

Mr. SISK. Mr. Speaker, I regret that I did not hear the earlier discussion with reference to this and this matter may have already been discussed that I want to raise. But is it suggested or did the committee have in mind that this Commission would be hereby created to have anything to do with, for example, the planning for and recommendation for the planning for the 200th birthday of this Nation in 1976? Was this in anywise considered as part of the duties of this Commission?

Mr. ROGERS of Colorado. No, it was not. Of course, we could have them to make some investigation for us, but I understand we already have that event provided for.

Mr. SISK. Mr. Speaker, if the gentleman will yield further, the Commission has already been created to plan the 1976 observance?

Mr. ROGERS of Colorado. That is right.

Mr. SISK. I thank the gentleman.

The SPEAKER pro tempore (Mr. MILLS). The question is on the motion of the gentleman from Colorado (Mr. ROGERS) that the House suspend the rules and pass the bill H.R. 2171.

The question was taken and the Speaker pro tempore announced that the "noes" appeared to have it.

Mr. ROGERS of Colorado. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 164, nays 213, not voting 53, as follows:

[Roll No. 25]

YEAS—164

Addabbo
Albert
Anderson, Calif.
Ashley
Aspinall
Barrett
Biester
Bingham
Boland
Brademas
Brasco
Brock
Brooks
Broomfield
Burke, Mass.
Burton, Calif.
Bush
Button
Byrne, Pa.
Carey
Celler
Chamberlain
Clark
Clay
Cohelan
Conte
Conyers
Corbett
Corman
Coughlin
Culver
Daniels, N.J.
Dawson
Delaney
Dennis
Dent
Diggs
Donohue
Dowdy
Downing
Dulski
Edwards, Calif.
Eilberg
Evans, Colo.
Evins, Tenn.
Fallon
Farbstein
Fascell
Feighan
Fish
Flood
Ford, Gerald R.
Ford, William D.
Fraser
Frelinghuysen
Friedel
Gallagher
Garmatz
Gaydos
Gilbert
Gonzalez
Green, Pa.
Gude
Halpern
Hamilton
Hanley
Hansen, Wash.
Harvey
Hathaway
Hawkins
Heckler, Mass.
Hicks
Hollifield
Horton
Hosmer
Howard
Hungate
Jacobs
Jarman
Johnson, Calif.
Karth
Kastenmeier
Kee
Kluczynski
Koch
Kyros
Leggett
Lowenstein
Lujan
McCarthy
McClory
McCloskey
McCulloch
McDade
McDonald, Mich.
McFall
Macdonald, Mass.
MacGregor
Madden
Mailliard
Mann
Matsunaga
Meeds
Meskill
Michel
Mills
Minish
Mink
Monagan
Moorhead
Morgan
Morton
Murphy, Ill.
Nedzi
Nix
O'Hara
Olsen
O'Neill, Mass.
Ottinger
Patten
Pepper
Philbin
Pike
Podell
Preyer, N.C.
Price, Ill.
Pryor, Ark.
Rees
Reid, N.Y.
Reifel
Reuss
Robison
Rodino
Rogers, Colo.
Rooney, Pa.
Rosenthal
Rostenkowski
Rumsfeld
Ruppe
Ryan
St Germain
Schwengel
Shipley
Sisk
Smith, N.Y.
Stafford
Stokes
Stratton
Sullivan
Symington
Talcott
Thompson, N.J.
Tiernan
Udall
Ullman
Van Deerlin
Vanik
Waldie
Whalen
Wiggins
Wilson, Charles H.
Wold
Wolff
Yatron

NAYS—213

Abbitt
Abernethy
Adair
Adams
Alexander
Anderson, Ill.
Anderson, Tenn.
Andrews, Ala.
Andrews, N. Dak.
Ashbrook
Ayres
Baring
Beall, Md.
Belcher
Bennett
Berry
Betts
Bevill
Biaggi
Blanton
Blatnik
Bolling
Bow
Bray
Brinkley
Brotzman
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burleson, Tex.
Burlison, Mo.
Burton, Utah
Byrnes, Wis.
Cabell
Caffery
Cahill
Camp
Carter
Casey
Cederberg
Chappell
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Collins
Colmer
Cowger
Cramer
Cunningham
Daniel, Va.
Davis, Wis.
de la Garza
Dellenback
Denney
Derwinski
Devine
Dickinson
Dingell
Dorn
Duncan
Dwyer
Edmondson
Edwards, Ala.
Edwards, La.
Erlenborn
Esch
Eshleman
Findley
Fisher
Flowers
Foreman
Fountain
Frey
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Gettys
Gibbons
Goodling
Green, Oreg.
Griffin
Gross
Grover
Gubser
Hagan
Haley
Hall
Hammer-schmidt
Hastings
Hays
Hechler, W. Va.
Helstoski
Henderson
Hogan
Hull
Hunt
Hutchinson
Ichord
Joelson
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
Kazen
Keith
King
Kleppe
Kuykendall
Landgrebe
Landrum
Langen
Latta
Lennon
Lipscomb
Long, Md.
Lukens
McClure
McMillan
Mahon
Marsh
Martin
May
Mayne
Miller, Ohio
Minshall
Mize
Mizell
Mollohan
Montgomery
Mosher
Moss
Myers
Natcher
Nelsen
Nichols
Passman
Pelly
Perkins
Pettis
Pickle
Pirnie
Poage
Poff
Pollock
Price, Tex.
Pucinski
Purcell
Quie
Quillen
Railsback
Randall
Rarick
Reid, Ill.
Roberts
Rogers, Fla.
Rooney, N.Y.
Roth
Roudebush
Roybal
Ruth
Sandman
Satterfield
Saylor
Schadeberg
Scherle
Schneebeli
Scott
Sebelius
Shriver
Sikes
Skubitz
Smith, Calif.
Snyder
Springer
Staggers
Stanton
Steed
Steiger, Wis.
Stubblefield
Taft
Taylor
Teague, Calif.
Thompson, Ga.
Thomson, Wis.
Utt
Vigorito
Waggonner
Wampler
Watkins
Watson
Watts
Weicker
Whalley
White
Whitehurst
Whitten
Widnall
Wilson, Bob
Winn
Wright
Wyatt
Wydler
Wylie
Wyman
Yates
Young
Zablocki
Zion

NOT VOTING—53

Annunzio
Arends
Bates
Bell, Calif.
Blackburn
Boggs
Brown, Calif.
Brown, Mich.
Chisholm
Conable
Daddario
Davis, Ga.
Eckhardt
Flynt
Foley
Giaimo
Gray
Griffiths
Hanna
Hansen, Idaho
Harsha
Hébert
Kirwan
Kyl
Lloyd
Long, La.
McEwen
McKneally
Mathias
Mikva
Miller, Calif.
Morse
Murphy, N.Y.
O'Konski
O'Neal, Ga.
Patman
Powell
Rhodes
Riegle
Rivers
Ronan
St. Onge
Scheuer
Slack
Smith, Iowa
Steiger, Ariz.
Stephens
Stuckey
Teague, Tex.
Tunney
Vander Jagt
Williams
Zwach

So (two-thirds not having voted in favor thereof) the motion was rejected.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Williams.
Mr. Annunzio with Mr. Harsha.
Mr. Scheuer with Mr. Bell of California.
Mr. Gray with Mr. Kyl.
Mr. Murphy of New York with Mr. Conable.
Mr. Ronan with Mr. Lloyd.
Mr. Hanna with Mr. Morse.
Mr. Kirwan with Mr. Bates.
Mr. Daddario with Mr. Brown of Michigan.
Mr. Giaimo with Mr. Riegle.
Mr. St. Onge with Mr. Rhodes.
Mr. Rivers with Mr. McKneally.
Mr. O'Neal of Georgia with Mr. Blackburn.
Mr. Miller of California with Mr. Mathias.
Mr. Teague of Texas with Mr. McEwen.
Mr. Boggs with Mr. Arends.
Mr. Smith of Iowa with Mr. Hansen of Idaho.
Mr. Brown of California with Mr. O'Konski.
Mr. Flynt with Mr. Steiger of Arizona.
Mr. Foley with Mr. Vander Jagt.
Mr. Davis of Georgia with Mr. Zwach.
Mr. Stephens with Mr. Tunney.
Mrs. Griffiths with Mr. Stuckey.
Mr. Pittman with Mr. Eckhardt.
Mr. Mikva with Mr. Long of Louisiana.
Mr. Powell with Mrs. Chisholm.

Messrs. JOELSON, BENNETT, FULTON of Pennsylvania, BERRY, KEITH, and ANDREWS of North Dakota changed their vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. HALL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to extend their remarks on the bill (H.R. 2171) to establish the Commission on National Observances and Holidays.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

EXTENDING TIME FOR FILING FINAL REPORTS UNDER THE CORRECTIONAL REHABILITATION STUDY ACT OF 1965 UNTIL JULY 31, 1969

Mrs. GREEN of Oregon. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 8434) to extend the time for filing final reports under the Correctional Rehabilitation Study Act of 1965 until July 31, 1969.

The Clerk read as follows:

H.R. 8438

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the date by which the research and study initiated and the final report required by section 16(c) of the Vocational Rehabilitation Act (as in effect prior to July 7, 1968) must be completed shall be July 31, 1969.

The SPEAKER pro tempore (Mr. MILLS). Is a second demanded?

Mr. REID of New York. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Oregon (Mrs. GREEN).

Mrs. GREEN of Oregon. Mr. Speaker, it is the purpose of H.R. 8438 to extend for 4 months the time within which research and study initiated and the final report required by the Correctional Rehabilitation Study Act of 1965 must be completed. Under the 1965 act, the research and study was to be completed and the final report filed not later than 3 years after the date the study was inaugurated. The date for completion and filing of the report so set was March 31, 1969. H.R. 8438, reported from the Committee on Education and Labor, unanimously, proposes that the completion date be July 31, 1969.

The study called for by the Correctional Rehabilitation Study Act is being conducted by the Joint Commission on Correctional Manpower and Training, consisting of nearly a hundred national, international, and regional organizations and public agencies which have joined together to attack one of the serious social problems of our day: how to secure enough trained men and women to bring about the rehabilitation of offenders through our correctional systems and thus prevent further delinquency and crime.

During the past 3 years the Joint Commission has conducted extensive national surveys, sponsored a number of study seminars on problems deemed to be particularly pressing for correctional agencies and for the colleges and universities who prepare people for work in this field. It has also issued survey reports, consultants' papers, and seminar reports as they were completed. Over 60,000 copies of its publications were distributed in the period ending with December 31, 1968. Hundreds of requests for those publications are answered each week.

Information brought to the attention of the committee justifies in a number of ways the extension being proposed by H.R. 8438. A fire that destroyed Commission office files and working materials, and the death of a key employee of the Joint Commission are among a number of reasons why the additional 4-month period is needed to complete the study.

No additional funds are required by virtue of the proposed extension. Funds already appropriated and made available to the Joint Commission will be utilized to complete the final report during the additional 4-month period.

I hope the House will approve this request.

Mr. PERKINS. Mr. Speaker, H.R. 8438 comes before the House today with the unanimous approval of the Committee on Education and Labor. The gentlewoman from Oregon (Mrs. GREEN), original sponsor of the Correctional Rehabilitation Study Act of 1965, and principal sponsor of H.R. 8438, has commented in detail on the reasons and justifications for this noncontroversial piece of legislation. Therefore, I shall take only a few moments to indicate my support for the 4-month extension being proposed and my interest in the research and study supported by the 1965 act.

The testimony presented to the committee in 1965 showed that there was a consensus among the many organizations and persons active in the field of corrections that the first and most necessary step in a meaningful attack on crime and delinquency was a thorough and systematic survey and analysis of correctional manpower and training resources and needs. Recognizing the importance of such a step, Congress approved on a bipartisan basis the Correctional Rehabilitation Study Act which authorized the Vocational Rehabilitation Administration to make grants for a broad study of correctional manpower and training. The Joint Commission on Correctional Manpower and Training, incorporated in the District of Columbia, and composed of nearly a hundred national, international, and regional organizations and public agencies, is the sole grantee to carry out the research and study called for by the 1965 act. In addition to receiving Federal funds the Commission's work has also been supported through grants from private foundations, organizations, and individuals.

Since enactment of the 1965 act and funding of the Joint Commission, extensive national surveys and numerous study seminars have been sponsored, in addition to the ongoing research and study. A number of Joint Commission publications have already been made available, such as—

"Differences that Make the Difference," papers of a seminar on implications of cultural differences for corrections.

"Targets for Inservice Training," papers of a seminar on inservice training.

"Research in Correctional Rehabilitation," a report of a seminar on research in correctional rehabilitation.

"The Public Looks at Crime and Corrections," a report of a public opinion survey.

"The Future of the Juvenile Court: implications for Correctional Manpower and Training."

"Offenders as a Correctional Manpower Resource," papers of a seminar on the use of offenders in corrections.

"Criminology and Corrections Programs: A Study of the Issues."

Mr. Speaker, the 1965 act called for a final report 3 years after the research and study was undertaken—that is March 31, 1969. As the gentlewoman from Oregon (Mrs. GREEN) stated, the Joint Commission has been delayed in completing its work for very justifiable reasons. H.R. 8438 proposes that the Commission be allowed an additional 4 months to finish its work and make the final report. I wish to emphasize that no additional Federal funds are involved in this request. This proposal is without controversy, and I know of no objection to its enactment. I therefore recommend that the House take favorable action on H.R. 8438 today.

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. REID).

Mr. REID of New York. Mr. Speaker, the gentlewoman from Oregon has very correctly articulated the purpose of this bill. H.R. 8438 would extend the time for filing final reports under the Correctional Rehabilitation Study Act of 1965 until July 31 of this year.

It is very clear that this request for time is occasioned by the loss of key personnel and by fire destroying Commission files. The report itself certainly is a necessary study. I know of no objection on this side to the bill.

The SPEAKER pro tempore. The question is on the motion of the gentlewoman from Oregon (Mrs. GREEN) that the House suspend the rules and pass the bill H.R. 8438.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mrs. GREEN of Oregon. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

REPUBLICAN CONFERENCE

(Mr. GERALD R. FORD asked and was given permission to address the House for 1 minute.)

Mr. GERALD R. FORD. Mr. Speaker,

I wish to advise Members on our side of the aisle that the conference which was scheduled for this afternoon following adjournment, or 30 minutes following adjournment, has been called off and will be held tomorrow morning at 10 a.m. in the Cannon Building caucus room.

I hope each and every Republican Member will be present.

MEET THE MEMBER—HON. ARNOLD OLSEN

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

Mr. NIX. Mr. Speaker, one evening about a week ago I was listening to station WMAL here in the Nation's Capital and I heard a statement reviewing the fine work of our distinguished colleague from Montana, ARNOLD OLSEN. Representative OLSEN was being featured that evening on "Meet the Member," a WMAL program with commentator Joseph McCaffrey.

Mr. McCaffrey did an exemplary job of telling his listeners of the efforts ARNOLD OLSEN has put forward for the people of his First District of Montana and for people across the Nation. I asked Mr. McCaffrey for a copy of his script, and I include it at this time in the RECORD:

MEET THE MEMBER

(By Joseph McCaffrey, as broadcast over WMAL, Washington, March 6, 1969)

Because the Federal Government is the world's largest employer, the role of the House Post Office-Civil Service Committee is a highly important one. There are increasing problems involving government employees, not only those who work for the Post Office Department, but those who work for other departments and agencies. The Post Office Department itself is, and has been for a long time, a major problem.

The 91st Congress has before it a recommendation to turn the duties of the department over to a semi-autonomous body, much like the Tennessee Valley Authority. As a counter to this recommendation which was made by a presidential commission, the House committee has before it many other ideas for restructing the department.

As a member of the committee, and one of its most active members, Montana's Arnold Olsen will play a role in what decision is finally made in the effort to streamline the postal service.

Now serving his fifth term in the House, Olsen, an attorney, is regarded as an authority on federal employee affairs.

He has also made a study of what he has called "the paper jungle" of the Federal Government. The Olsen hearings into this man made jungle resulted in federal reorganization which saved the taxpayers millions of dollars.

As a member of the committee, Olsen has gone to bat frequently for both the Post Office and the federal employees. He has championed efforts to make the pay level of federal employees comparable with private industry. He favors legislation to establish a thirty-five hour work week, saying that the Federal Government should set an example as a progressive employer.

The son of pioneer immigrant Norwegian parents, Olsen began working at an early age in Butte as a newsboy and a grocery clerk. He worked his way through the Montana School of Mines in the machine shops and the compressor plants of the Butte copper mines.

After receiving his law degree from Montana State University in 1940, he set up his practice only to put aside the law books in 1942 for Navy duty. He served four years in the Navy, much of it in the Pacific, and when he left the service at the end of World War II, he held the rank of lieutenant.

Following the war he resumed his law practice and in 1948 he was elected Montana's youngest Attorney General at the age of 32. During the eight years he was in office he fought hard for new mine safety laws, improvements in the state custodial institutions and upgrading of standards and facilities in the state's educational system.

He won wide acclaim for his efforts to enforce Montana's gambling laws which resulted in the complete shut down of illicit gambling in the state. In 1956, after winning the Democratic nomination for governor, Olsen found himself up against the Eisenhower tide, although he lost the general election to the incumbent Republican governor, the margin was narrow.

In 1960 he was elected to the House of Representatives from Montana's First District. During the time he has been in Washington his watch word has been "progress", and his slogan has been, "Keep the First District First." In at least eight categories ranging from highway construction to Model Cities and airport construction, Olsen's district leads all other districts in the Continental United States.

Arnold Olsen produces as a Member of Congress.

CONGRESSMAN EVINS DESERVEDLY HONORED

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

Mr. FULTON of Tennessee. Mr. Speaker, last Thursday evening, March 13, the members of the Tennessee congressional delegation gave a reception in honor of our dean, one of the most outstanding, dedicated, and able Members of this or any Congress, the Honorable JOE L. EVINS.

In so doing we hoped that, in some small way, we could extend to JOE EVINS our great appreciation for the beneficial efforts which he has made in behalf of the people of his congressional district, the people of Tennessee, and the citizens of our Nation.

In his more than 22 years of service in the House of Representatives, he has justly earned the reputation of outstanding legislator and great American.

The occasion of last Thursday's event was noted editorially by both the Nashville Banner in an editorial entitled "Congratulations, Representative EVINS," and the Nashville Tennessean in an editorial entitled "Deserved Honor for Representative EVINS."

Mr. Speaker, I include these two editorials in the body of the RECORD at this point and commend them to the consideration of our colleagues:

[From the Nashville (Tenn.) Banner]

CONGRATULATIONS, REPRESENTATIVE EVINS

Led by the venerable and powerful Speaker of the House of Representatives, Rep. John McCormack of Massachusetts, Tennessee's congressional delegation and other prominent lawmakers and citizens turned out Thursday night to honor the dean of Tennessee congressmen, Rep. Joe L. Evins of Smithville.

Congressman Evins, who is celebrating his 23rd year as a member of the House, is chairman of the appropriations subcommittee that handles billions of dollars annually for independent federal agencies. His characteristically strong stewardship of that body was described by Rep. George Mahon of Texas as "spectacular."

Joining Speaker McCormack and Congressman Mahon in paying tribute to Tennessee's Fourth District representative were Secretary of Housing and Urban Development George Romney, Congressman and Mrs. Richard Fulton, House Majority Leader Carl Albert, House Majority Whip Hale Boggs, Senator and Mrs. Howard Baker, UT President Andrew Holt, and a number of representatives of veterans organizations and business leaders.

To that distinguished list of public servants and corporate officials must certainly be added the voice of Tennessee's gratified constituency. For 22 years, Congressman Evins has exemplified personal integrity and exhaustive analysis of crucial legislation. His quiet, unassuming attention to the nation's business has earned him the gratitude and praise of his colleagues and the admiration of his fellow Tennesseans.

The people of Tennessee join in congratulating Congressman Evins on a job well done.

[From the Nashville (Tenn.) Tennesseean]

DESERVED HONOR FOR REPRESENTATIVE EVINS

Congressman Joe L. Evins of Tennessee's Fourth District was honored as the dean of the Tennessee delegation at a reception at the International Club in Washington Thursday night. The reception was sponsored by members of the House from Tennessee.

Many top leaders in Congress and the administration turned out to pay their respects to the one-time lawyer from DeKalb County who has risen to become one of the nation's most powerful legislative leaders.

The guests included House Speaker John McCormack of Massachusetts, Secretary of Housing and Urban Development George Romney, Rep. Carl Albert of Oklahoma, House majority leader, many other political leaders, public officials and private citizens from Tennessee and other states.

Mr. Evins, who has served in the House since 1947, is a ranking member of the public works appropriations subcommittee which initiates money bills vital to Tennessee projects like TVA, the U.S. Engineers river developments, and others. He is also chairman of the House Small Business Committee, which is playing a growing role in this region's economic development.

His long seniority and the importance of the committees to which he has devoted his interest make Mr. Evins one of the most influential members of the Congress. The people of his district and the state join in paying the Congressman a deserved tribute.

ALLEVIATING PROBLEMS CAUSED BY RISING INFLATION

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

Mr. FRIEDEL. Mr. Speaker, we are all aware of the ever rising inflation in our country and perhaps no one is more aware of it than our fixed, low- and middle-income families who have seen the size of their grocery bags dwindle and dwindle and who have seen the cost for their clothing and other necessities spiral upward while their incomes have remained relatively static. Those of us who have families are all too well aware that it particularly hurts people with children whose growing appetites and constant need for new clothing are ever increasing

and those on fixed incomes such as retirees and the aged and infirmed who are in no position to increase their incomes to compensate for the inflation, but it really comes home to these people at income tax time when they see that their Government has graciously allowed them a $600 exemption for themselves and their dependents.

None of you, I am sure, will dispute me, when I say that this figure does not even approach reality when we try to compute the actual costs of feeding, clothing, housing, and educating our children. Nor is $600 any more realistic when applied in the cases of our aged and infirmed.

In a day when the poverty level has been more or less established at $3,000 in this country—another unrealistic figure by the way—a retiree with such an income would pay $213 and the 10-percent surcharge in Federal income taxes according to the 1968 tax tables. In order for him to pay no Federal taxes his gross income would have to be less than—imagine that—less than $1,600 per year. I ask you, could you live on less than $1,600 per year, pay rent, light, heat, and food bills, not to mention clothing, insurance, and other necessities.

Consequently, I have introduced three different pieces of legislation, and I have introduced these in preceding Congresses, to alleviate a bit of the hardships imposed upon a growing number of our citizens.

The bills are as follows:

H.R. 2759, to increase the personal tax exemptions of a taxpayer and dependents and the additional exemptions for old age and blindness from $600 to $1,000;

H.R. 6968, to amend title 11 of the Social Security Act to increase the amount of outside earnings to $2,400 permitted each year without any deductions from benefits; and

H.R. 6966, to amend the Railroad Retirement Act of 1937 to increase the amount of outside income which a survivor annuitant may earn without deductions from his or her annuity to $2,400 per year.

While I realize that this proposed legislation does not offer a final solution to the problems of our less affluent citizens it will grant them some small measure of relief until we, their Representatives, can find ways of dealing with the main problem of how to slow down and ultimately stop the spiraling inflation in our Nation which everyday eats into our bank accounts, insurance, and savings.

NEW AIR FORCE BOMBER

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

Mr. KLEPPE. Mr. Speaker, I enthusiastically support the decision of Defense Secretary Melvin R. Laird to move ahead on production of a new bomber for the Air Force. This will fill a serious gap in our total defense posture. I have in the past questioned the advisability of putting all of our eggs in one basket. A large number of ICBM's are in place in the State of North Dakota. Of three test launchings, there were three failures. I think that our missile system is more reliable than these tests would indicate, but I firmly believe that for the foreseeable future we need a modern bomber force backup.

Mr. Speaker, I include in my remarks the following news report from today's Washington Post:

LAIRD PLANS TO REVIVE AIR FORCE BOMBER

(By George C. Wilson)

Defense Secretary Melvin R. Laird is preparing to give the Air Force the new bomber it has wanted for years.

Pentagon sources said yesterday that only a last-minute hitch would keep the bomber—a stepchild in the McNamara era—from getting a big chunk of money in Laird's revision of the fiscal 1970 defense budget.

He is slated to detail those changes Wednesday in what Pentagon wags calls a "mini-posture" statement for Congress.

The idea is to go ahead full tilt with the bomber—known as advanced manned strategic aircraft, or AMSA—and make up for its cost elsewhere in the budget.

One program to be axed in this process is former Defense Secretary Robert S. McNamara's plane, the General Dynamics FB-111—the bomber version of the TFX.

From a policy standpoint, the imminent decision means that Laird believes the day of the manned strategic bomber is not over. McNamara's program called for making the B-52s last, using the bomber version of the TFX as a stop-gap and postponing any full-scale commitment to a new strategic bomber.

A lot of paper work has been done on AMSA, however. As now conceived, it would fly in at supersonic speeds at low altitudes to elude enemy defenses. Or it could launch missiles while far from the target.

Former Air Force Secretary Harold Brown had envisioned a gingerly approach to the new bomber—including an extraordinarily long competition between two airplane companies picked as finalists.

But Laird's plan accelerates the pace, calling for the bomber contract to be awadred before the end of the year. Almost $150 million is expected to be provided in the fiscal 1970 budget for the plane—compared to $77 million in new money in the inherited budget.

The plan to take money away from other programs to finance AMSA is further evidence that the Nixon Administration is trying to put its own mark on the 1970 military budget while asking for less than the $80 billion in new money requested by the Johnson Administration.

Cutting into the TFX program again may prompt Congress to go farther in this direction.

Aviation Week Magazine, which keeps tabs on the aerospace industry, said North American Rockwell, the firm which built the B-70, is a leading contender for the AMSA plum on the basis of designs submitted to the Air Force. Others in the race are a Boeing and General Dynamics.

JUSTICE DEPARTMENT REQUESTED TO MONITOR SPEECHES

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

Mr. THOMPSON of Georgia. Mr. Speaker, our colleague from the 18th District of New York with great fanfare has announced that he will be touring college campuses making a series of speeches which will apparently net him a very substantial sum of money. The announced purpose of the speeches, other than private personal monetary gain, is to promote student dissent and the candidacy of TED KENNEDY for President and Julian Bond for Vice President.

I do not know whether our colleague checked with Senator KENNEDY or Mr. Bond, but it may well be that they will prefer not to have the Congressman's support.

However, I am greatly concerned about the role the Congressman is attempting to play in attempting to promote student dissent, particularly in view of the fact that there is a thin line between student dissent and student riots which we have seen erupt on the college campuses. I would much rather see a colleague attempt to build trust and confidence in America than attempt to lead an effort which all objective reasoning leads one to believe is designed purely for disruptive purposes.

Because of my concern that this attempt to create dissent may actually provoke riots, I have today written the Attorney General and requested that the speeches of the Congressman from the 18th District of New York be monitored by the Justice Department, and if it develops that there is an overt attempt through these speaking engagements to promote actual rioting and rioting does occur and the Congressman is traveling in interstate commerce, then I would request, if the evidence warrants, that the Justice Department bring action under the antiriot section of the crime bill passed by the 90th Congress.

I should also like to point out that in the past the Congressman from the 18th District of New York has attempted to claim congressional immunity when confronted with lawsuits. Of course, no immunity would be provided should he actually engage in attempting to promote riots. However, should he attempt to assert immunity in the event that charges are brought because of his action, it will be my purpose to introduce a resolution in the House, calling for the expulsion of the Congressman from the 18th District of New York in order that there will be no question but what he is subject to the same laws as every other American citizen.

PENTAGON DISPENSES SOUTHERN COMFORT

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

Mr. HENDERSON. Mr. Speaker, last Thursday the Washington Post carried an editorial entitled "The Pentagon Dispenses Southern Comfort."

In it, the Post criticizes action by Defense Secretary David Parker awarding Defense contracts to three large textile firms. They are: J. P. Stevens, Burlington Industires, and Dan River Mills.

Characteristically, the Post did not question the record of any of these fine firms in past contract work with the Defense Department or other agencies of the Government; their capacity and ability to perform, or the quality of the

products they manufacture, or the likelihood that the Defense Department will get value received for each dollar spent.

Instead, the Post was highly critical of their employment policies and suggested that the contracts should have been withheld because "the employment policies of all three firms had been under investigation and review by the Pentagon and the Office of Federal Contract Compliance for over a year owing to well substantiated charges that they were racially discriminatory."

Two of these firms have plants in my district and one, the J. P. Stevens Co., has a plant in my hometown.

I have personal knowledge that the Stevens Co. has made immense strides in recent years, both in the percentage of Negroes employed and in the level of the jobs which they hold.

Burlington Industries has recently reported that in its southern plants Negro employment has increased from approximately 4 percent a few years ago to 14 percent and that in many plants it is substantially higher ranging from 20 percent to 50 percent.

The mere fact that these firms have most of their plants in the South, and that the South has a higher percentage of Negro population than the rest of the country would, in and of itself, make it likely that more charges of discrimination in employment would be made against their firms than would be the case of firms with plants in other areas of the Nation with a lower percentage of Negro population.

The Post obviously still supports the philosophy of the Reconstruction era—punish and penalize the South simply and solely because that is where most of the Negroes live. I would venture to say that these plants, in terms of gross numbers, employ far more Negroes than their counterparts located in other areas of the country, and the employee-management relationship between Negroes and whites is extremely good. The complaints referred to in the Washington Post editorial have arisen because certain persons who applied for nonexistent vacancies or for positions for which they obviously did not qualify have refused to accept the obvious and, egged on by militant "leaders" have charged discrimination which never existed.

It is, I think, highly significant that the Post editorial refers mainly to charges of discrimination; not to findings by any fair or impartial body or organization.

THE ODIOUS AFFAIR OF THE UNIVERSAL FIBERGLASS CORPORATION AND THE THREE-WHEEL MAIL TRUCKS

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

Mr. HALL. Mr. Speaker, I would like to call attention to a story in yesterday's edition of the Washington Daily News which puts the spotlight back on the odious affair of the Universal Fiberglass Corp. and its unfulfilled contract to produce three-wheeled mail trucks for the Post Office Department.

For nearly a year we waited in vain for some action—any action—on this matter from the former Attorney General, Ramsey Clark.

Since everyone was well aware of the close involvement in this case of several cronies of former Vice President Hubert H. Humphrey, it was not really any surprise that Clark put the matter in the deep freeze.

But now, according to this story, we may see due to the persistence of our colleague the gentleman from Iowa (Mr. GROSS), at long last, an investigation into this sordid mess. I hope so, especially since responsible postmasters tell me these "mailsters" are no good and dangerous.

I include the article for insertion in the RECORD at this point:

THOSE UNDELIVERED MAIL TRUCKS: PUSH H. H. H.-AIDES CASE

(By Dan Thomasson)

The Nixon administration has taken off the shelf an investigation of a Cleveland-owned Minnesota firm's handling of a $13.3 million Federal contract which two former aides to Hubert H. Humphrey allegedly helped arrange.

Rep. H. R. Gross, R-Iowa, said today he has been informed by Assistant Attorney General Will Wilson that the case involving the Universal Fiberglass Corp. of Two Harbors, Minn., a now defunct subsidiary of the Rand Development Corp. of Cleveland, is under "active investigation" by the FBI.

Mr. Wilson also said in a letter to Rep. Gross that a Federal grand jury has issued a subpoena ordering Universal Fiberglass to produce all of its records in connection with the contract. Under the contract, the Government made $2.1 million in progress payments for three-wheeled mail trucks that never were delivered.

In addition, Universal Fiberglass was the recipient of two Federal loans—from the Area Redevelopment Administration (ARA) and the Small Business Administration (SBA)—which helped it set up its plant in an abandoned railroad roundhouse in Two Harbors.

COMPANY INDICTED

The Rand Development Corp. was indicted last December on charges of stock manipulation and mail fraud in connection with development of a controversial cancer vaccine. It has pleaded not guilty in Federal court.

The decision to push the Universal Fiberglass investigation came late last month after Rep. Gross complained to Attorney General John Mitchell that the Johnson Administration had taken no action on a General Services Administration (GSA) report of a year ago citing evidence GSA said indicated possible criminal and civil fraud in the case.

The GSA report to the Justice Department was made by the agency's general counsel, Harry R. Van Cleve, last March 25—only two months after Rep. Gross attacked the contract on the House floor.

AIDED WITH CONTRACT

It was later disclosed that Neal D. Peterson, then an employe of the Senate Small Business Committee under Mr. Humphrey's sponsorship, helped Universal Fiberglass get a $400,000 ARA loan that led to the company's setting up shop in Minnesota.

Mr. Peterson is the brother of Roger Peterson, a Minneapolis attorney who was an attorney for Universal Fiberglass. Neal Peterson later left the Small Business Committee to join Mr. Humphrey's vice presidential staff.

The mail truck contract was awarded to Universal in 1965 after then-SBA Administrator Eugene B. Foley, also a protege and former aide to Mr. Humphrey, overrode objections from experts in his own agency and GSA and gave Universal a "certificate of competency."

In his report to the Justice Department last year, GSA counsel Van Cleve said his agency feels "that there is enough information available at present to form the basis of Federal investigation as to the matter."

"We are aware that the acts outlined herein may constitute criminal offenses as well as civil fraud," Mr. Van Cleve said.

GROSS' COMPLAINT

But Rep. Gross complained to Mr. Wilson that the department apparently felt it would be more prudent not to move against the Minnesota firm.

Mr. Van Cleve said GSA's investigation developed evidence of overcharging for materials, inclusion of ineligible overhead items in payment requests, and failure to carry out a guarantee on which an SBA loan was granted.

Mr. Van Cleve also informed Justice Department officials that the State of Minnesota had conducted its own investigation of the situation and collected information which "strongly supports" GSA's view of possible fraud.

SENTINEL OR SAFEGUARD: IT IS WRONG

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

Mr. KOCH. Mr. Speaker, President Nixon has made his first major decision and in an attempt to satisfy everyone, he has satisfied no one. Regardless of where the ABM system is deployed, the fact remains that according to leading scientists, the system simply does not work. A recent New York Times editorial has said the "project is as wasteful as the pyramids and not much more useful."

Unfortunately but true, the balance of terror remains the most effective defense for each of the countries armed with nuclear weapons. Each knows that any nuclear strike it triggers will bring immediate retaliation destroying its own land and people beyond repair. Regardless of the "defensive" nature of our ABM system, its construction will escalate the arms race with each nation being bent on ever increasing its offensive ballistic missile armory to overwhelm the defensive missiles. How alarming for the President to escalate the arms race on the very day that the Senate ratified the Nuclear Nonproliferation Treaty. Would it not have been more sensible for the President to withhold his decision on the ABM until there was some reasonable opportunity to see how the arms control talks were proceeding?

Now that our Nation recognizes on the front pages of its newspapers that millions of Americans go hungry every night and many of its children suffer from malnutrition, can we justify the initial expenditure of $7 billion—and ultimately many billions more dictated by rising costs and Pentagon practices—for an ineffective and provocative missile system. All this spending at a time when sufficient funds cannot be found to feed our hungry and save our cities from further decay is unconscionable.

It is not too late. Public pressure does count in this country. If the President were to receive millions of letters in opposition to his position and each Mem-

ber of Congress and the Senate were to receive letters opposing any appropriation for such a system, we can still stop the deployment of this absurd and wasteful system. We must free ourselves and this Nation from the shackles of a cold war psychology that equates national security with more and more arms. Our domestic crisis requires us to make such an effort now.

THE ANTI-BALLISTIC-MISSILE SYSTEM

(Mrs. MINK asked and was given permission to address the House for 1 minute, to revise and extend her remarks, and to include extraneous matter.)

Mrs. MINK. Mr. Speaker, I wish to place in the RECORD of today two resolutions that have been introduced in the Hawaii State Legislature which is now in session in the city of Honolulu; Senate Concurrent Resolution 16 and House Resolution 24, both expressing opposition to the deployment of the anti-ballistic-missile system.

The Senate concurrent resolution respectfully petitions the President and the Congress to reverse the decision to deploy the ABM system and to locate any ABM sites in the State of Hawaii. The House resolution requests the Congress to stop further funds for the construction and land acquisition of ABM sites.

I should like to point out, Mr. Speaker, that the Senate resolution was cosponsored by 40 percent of the Members of the Senate; and the House resolution was cosponsored by more than 65 percent of the Members of the House.

The resolutions follow:

SENATE CONCURRENT RESOLUTION 16

Concurrent resolution petitioning the President and the Congress of the United States to reconsider the deployment of antiballistic missiles and the location of an anti-ballistic-missile system in the State of Hawaii

Whereas, the United States is devoted to furthering world peace, and to decreasing the tensions of the world's arms race, and to preventing nuclear weapons proliferation; and

Whereas, eminent nuclear physicists, including Noble prize winners, science advisers to Presidents Eisenhower, Kennedy and Johnson, and scientists who have been active in developing the Nation's weapons system, as well as personnel of the Department of Defense have stated that no anti-ballistic missile system can adequately protect a country from sophisticated nuclear attack and that the present United States superiority is a deterrent to both sophisticated and simple offensive nuclear threats; and

Whereas, hunger and disease are as great a danger to peace and internal security as hostile arms, and huge military expenditures for quickly obsolete weapons systems prevent the use of funds to alleviate poverty, thereby increasing world insecurity; and

Whereas, the orderly development of the State of Hawaii lies in its potential to create and expand understanding and trade among diverse cultures and peoples rather than its being an armed outpost of American power: Now, therefore, be it

Resolved by the Senate of the Fifth Legislature of the State of Hawaii, Regular Session of 1969, the House of Representatives concurring, That the President and the Congress of the United States be, and they are, respectfully petitioned to reverse the decision to deploy an anti-ballistic missile system and to locate a part of the system in the State of Hawaii; and, be it further

Resolved, That the President and the Congress of the United States be, and they are, respectfully requested to explore actively all possibilities which would lead to reduction of both offensive and defensive nuclear missile systems among nations, a nuclear nonproliferation treaty and gradual multilateral disarmament, and expanded non-military efforts to alleviate poverty and hunger at home and abroad; and, be it further

Resolved, That duly certified copies of this Concurrent Resolution be transmitted to the President of the Untied States, the President of the United States Senate Pro Tempore, the Speaker of the United States House of Representatives, the Secretary of the United States Department of Defense, Senator Hiram L. Fong, Senator Daniel K. Inouye, Representative Spark M. Matsunaga, and Representative Patsy T. Mink.

(Offered by Duke T. Kawasaki, Donald D. H. Ching, Stanley I. Hara, Donald S. Nishimura, Nadao Yoshinaga, Larry N. Kuriyama, Mamoru Yamasaki, Percy K. Mirikitani, John T. Ushijima, John C. Lanham.)

HOUSE RESOLUTION 24

Resolution requesting the President of the United States, the Secretary of Defense, the Speaker of the U.S. House of Representatives, the President of the U.S. Senate and the Hawaii congressional delegation to stop construction and land acquisition of an antiballistic-missile site on Oahu.

Whereas, Oahu is one of the first twenty-five sites selected for future anti-ballistic missile sites; and

Whereas, the establishment of an anti-ballistic missile system does not assure defense against nuclear warfare and instead tends to escalate the arms race without affording secure advantages; and

Whereas, the costs of such a system would be poured into a military and industrial complex at the expense of major programs needed to solve the major social and economic ills of the country which deserve immediate attention and action; and

Whereas, numerous scientists, legislators, and leaders in government have expressed reservations concerning the need and effectiveness of an anti-ballistic missile system and have expressed opposition to its establishment; Now, therefore, be it

Resolved by the House of Representatives of the Fifth Legislature of the State of Hawaii, Regular Session of 1969, That the Congress of the United States is hereby requested to stop further funds for the construction and land acquisition of anti-ballistic missile sites; and, be it further

Resolved, That duly certified copies of this Resolution be forwarded to the Honorable Richard M. Nixon, President of the United States, the Honorable Spiro Agnew, Vice-President of the United States, the Honorable John McCormack, Speaker of the United States House of Representatives, the Honorable Melvin Laird, Secretary of Defense, the Honorable Hiram Fong, Senator, the Honorable Daniel Inouye, Senator, the Honorable Spark Matsunaga, Representative, and the Honorable Patsy Mink, Representative.

(Offered by Peter S. Iha, Ernest N. Heen, Jr., Akoni Pule, Jack K. Suwa, Charles T. Ushijima, Yoshito Takamine, Richard S. H. Wong, Rudolph Pacarro, Ted T. Morioka, Hiroshi Kato, Emilio S. Alcon, Howard Y. Miyake, Kenneth K. L. Lee, George W. T. Loo, Clarence Y. Akizaki, Robert C. Oshiro, Robert S. Taira, Tadao Beppu, Stuart Ho, Robert Kimura, Richard A. Kawakami, Harold L. Duponte, Minoru Inaba, Stanley H. Roehrig, Henry T. Takitani, Anthony C. Baptiste, Jr., Pedro de la Cruz, Keo Nakama, Mitsuo Uechi, Barney B. Menor, James Y. Shigemura, Ronald Y. Kondo, Momi Y. Minn, Akira Sakima, Francis A. Wong.)

SMALL WATERSHED DEVELOPMENT PROGRAM

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

Mr. QUIE. Mr. Speaker, for 12 years between 1954 and 1966, one of the smoothest working agricultural and conservation programs of the Nation was the small watershed development program authorized by Public Law 83–566.

During that period, a total of 933 watershed work plants were processed under the law. Approval of only the House and Senate Agriculture and Public Works Committees, followed by lump sum appropriations, was necessary to launch these small but extremely vital projects.

The Soil Conservation Service worked efficiently with local sponsors in developing the work plans, providing technical assistance, and allocating resources to the projects.

This fine program came to a halt in 1966 when the Johnson administration interposed an objection to the requirement that project plans be approved only by congressional committees. For several months, no project plans were sent to Congress. A backlog of more than 50 developed. Congress declined to take action on legislation submitted by former President Johnson to amend Public Law 566 to provide for a waiting period.

In the 90th Congress, work plans were approved for 96 watershed projects. President Johnson gave instructions not to proceed with those projects and withheld appropriated funds for them.

So these 96 watershed projects, which have undergone long and arduous steps in their development, are just sitting in the Soil Conservation Service even though funding is available for them. Approximately 35 more are in the pipeline and are similarly stymied because of this jurisdictional dispute.

I for one applauded the words of presidential candidate Richard Nixon when he said at Des Moines, Iowa, on September 14, 1968, that his agriculture program would include "vigorous expansion of soil and water conservation programs, including resolution of the constitutional impediment raised by the administration against the successful small watershed program."

It is my understanding that this matter is under review at the White House right now. It would take only a simple go-ahead from President Nixon to get this program operative once again.

Right now vast areas of this Nation are buried in deep snow. They face dire flood threats from spring runoffs. How welcome would be the added storage and control measures offered by these small watersheds.

I hope President Nixon will not delay in announcing a reversal of the freeze that has been imposed upon the small watershed program for the past 3 years.

FEDERAL RETIREMENT BILLS

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

Mr. HALPERN. Mr. Speaker, today I am introducing two bills designed to improve the annuity payments of Federal retirees and correct a manifest injustice as to these deserving former public servants.

The bills would achieve the same objective of legislation introduced earlier this session by the able, distinguished gentleman from Buffalo, N.Y., Mr. DULSKI, and I am pleased to associate myself with him in the effort to enact this worthy legislation.

In brief, Mr. Speaker, the first bill would provide substantial increases in the annuities of Federal retirees. In an inflationary economy, the standard of living of our Federal retirees suffers greatly unless reasonable provisions are made to raise their benefits in accord with the overall rising costs of living. Far too many of these civil servants have been forced to live on incomes below poverty levels. This cannot be allowed to continue.

The second bill would restore the full annuity to a retiree who had elected a reduced annuity in order to provide an allowance to his spouse, and had been predeceased by his marital partner. In addition, it permits the retiree, upon the death of his spouse, to name a second mate to a survivor annuity. Compelling a retiree to continue receiving a lower annuity after his spouse has died, while not even enabling him to name a new partner to receive the lost benefits, is an inequity so obvious it barely needs further explanation. The present law is unfair and should be amended.

I fervently hope that this legislation will win considerable support and will be recorded on the list of achievements of the 91st Congress.

THE AMERICAN LEGION

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

Mr. ADAIR. Mr. Speaker, 50 years ago on March 17, 1919, a small group of battle-worn veterans of World War I concluded a 3-day meeting in Paris, France. Thus, was born the American Legion. Today, as the Legion celebrates its 50th birthday, I want to extend a warm and sincere word of congratulation to this splendid organization for 50 years of outstanding contributions to the Nation and its veterans.

Since its birth as a small obscure organization of war veterans, the American Legion has become an institution on the American scene. Now comprised of more than 2½ million veterans of our Nation's wars, the American Legion today represents a significant force in preserving the American way of life. An organization of war veterans, the American Legion, of course, has played a leading role in the development of the most generous veterans' benefit program enjoyed by the veterans of any Nation. A nationwide rehabilitation program has assisted thousands of veterans and survivors of deceased veterans in obtaining benefits to which they are entitled. Volunteers of the American Legion and its auxiliary give of their time daily in veterans hospitals across the Nation, providing comfort and cheer to hospitalized veterans.

Despite this commitment to the welfare of the Nation's veteran, the American Legion has channeled its energies into other areas of civic activity. Its many programs of community service have improved the social and economic life of local communities across the Nation. The American Legion programs on behalf of the youth of our Nation have fostered and encouraged in our young people a deep sense of patriotism and devotion to God and country. Programs such as boys state; boys nation; American Legion baseball; the oratorical contest and sponsorship of some 4,000 Boy Scout units, all enable the young people to develop to their fullest capacity the intellectual, moral, physical, and economic qualifications necessary for happy, useful living in a free society.

Always interested in preserving the security of the Nation, the American Legion has for half a century fought for and supported a strong national defense system as a deterrent to aggression.

Mr. Speaker, these are but a few of the programs that have made the American Legion a force for good in the United States. These are but a few shining examples of the outstanding programs that make me proud to salute the American Legion on its golden anniversary and to extend my commendations on its 50 years of achievement.

BIRTHDAY OF DR. MARTIN LUTHER KING, JR.—A NATIONAL HOLIDAY

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

Mr. CONYERS. Mr. Speaker, I would like to speak again on behalf of the bill which I and 24 of my colleagues sponsored proposing that January 15, the birthday of Dr. Martin Luther King, Jr., be declared a legal holiday in his memory. The Washington Post, in an editorial on March 5, while in sympathy with such an observance, expressed preference for the proposal that January 15 merely be annually proclaimed a day of national observance, similar to Child Health Day, National Aviation Day, and Law Day, among others. In my judgment and in the judgments of the more than half million people who have corresponded with me, there is overwhelming enthusiasm for the idea of a national legal holiday as the most fitting tribute. Last year, I joined with several other colleagues in sponsoring legislation which was enacted and established Columbus Day a national legal holiday. The late Dr. King stood tall amidst all Americans and cast a long shadow across the world. Creating a holiday in his honor will not salve the loss to his family, friends, and America, but it will annually call to our minds and encourage us to seek the goals for which he gave his life.

I take this occasion to insert the well-reasoned response of my esteemed colleague, the Honorable ABNER J. MIKVA, of Illinois, to the Washington Post editorial:

[Letter to the editor of the Washington Post, March 15, 1969]

DAY FOR DR. KING

Your editorial of March 5 recognizes that some recognition of Dr. Martin Luther King's birthday is in order but disagrees with the proposal by Rep. John Conyers Jr., myself and 22 other Congressmen that Jan. 25 be made a national holiday.

The trouble with having the President declare Jan. 15 a day of national observance, rather than a legal holiday, is that such declarations have almost become commonplace. We have national days, weeks and months for almost everything conceivable. It is my feeling that Dr. King's birthday should not be "just another" day.

Declaring Dr. King's birthday a national legal holiday does not require comparing him to George Washington—the only other American whose birthday is now a legal holiday. Rather what are to be compared are the contributions of the two men in the historical contexts in which they lived. Martin Luther King Jr. has given America a vision—a dream as he called it—of what this Nation could be if the racial hatreds and recriminations of the past could be overcome. In his ability to convey this dream to millions of Americans—blacks and whites—Dr. King was unique. It is the uniqueness of this achievement which we seek to honor and memorialize in a Martin Luther King Jr. national holiday.

George Washington brought this country together after the revolution. Dr. King did not live long enough to see our togetherness but if it happens there is little doubt it will be because of his leadership.

ABNER J. MIKVA,
Member of Congress.

WASHINGTON.

ASSIST STUDENTS WORKING THEIR WAY THROUGH COLLEGE

(Mrs. GREEN of Oregon asked and was given permission to address the House for 1 minute and to revise and extend her remarks and include extraneous matter.)

Mrs. GREEN of Oregon. Mr. Speaker, it would sometime seem, if we read only the daily newspapers, that there are no students in classrooms these days. In fact, there is a definite impression abroad that they are all occupying buildings, marching in demonstrations, or storming public meetings.

That there are far too many whose primary energies are directed to just these activities is only too sadly true. But it is also true that those who capture the headlines are in a minority and that the vast majority of students enrolled in institutions of higher education are actually pursuing courses of study, and that not infrequently they are doing so under great personal strain.

Great notice has been given to those students whose energies have been directed toward the disruption of university life, but scant attention has been given to the students whose energies are solely directed toward their own educational achievement.

National attention has been arrested by the minority of students intent on violence and destruction on the campuses and in preaching reckless anarchy. Their actions should be resisted.

But the efforts by those many students who eagerly seek and who work hard for their education need assistance. There are many who have neither the interest in, nor the time for, violent

demonstrations. This is true because they are busy nearly every waking hour of the day in a sometimes exhausting task that combines both work and study.

Often they are working to support themselves. Often they are working to ease the burden on their parents by contributing substantially or even wholly to their own education.

It is simply a matter of equity that recognition, encouragement, and support be given to these young people.

The bill I am introducing today will assist these students and will redress an imbalance in the Federal programs of student assistance.

The Congress has, generally, directed most of its student assistance programs to serve those who have no family resources that would meet normal college expenses. Through educational opportunity grants, work-study programs, and NDEA loans we have provided significant aid for needy students.

Students from middle-income families receive help, however, only through the guaranteed student loan program. There is no program to assist students who, instead of borrowing against future earnings, choose to meet college expenses in part or whole out of present earnings.

Many of our colleagues, Mr. Speaker, have introduced bills that would try to correct this imbalance by allowing the parents of students in college to claim a special educational expense deduction.

There are some 45 bills of this kind before this House at this time. Such legislation has in the past been rejected by the House and opposed by the Kennedy and Johnson administrations because the tax relief goes to the parents of all college students—rich and poor alike. Therefore, the cost to the Treasury becomes prohibitive.

My bill offers a reasonable compromise. It would limit aid to students who by the very fact of substantial self-earnings have demonstrated need, and the aid would go to the student himself rather than to the parents.

My bill will allow a college or university that has advanced money or allowed a credit on payment of tuition, fees, room and board to a student who is earning his way to be reimbursed in an amount not exceeding the tax on the earned income of the student and not less than $50, nor more than $600 or the amount of tuition, fees, room, and board which he has incurred.

Therefore, I recommend to the Members of the House for their consideration, this bill which will assist students who are working their way through college.

The bill follows:

H.R. 9170

A bill to assist students who, to attend college, are relying on their own wage-earning capacity rather than depending on others

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Higher Education Act of 1965 is amended by redesignating title XII as title XIII, by redesignating sections 1201 through 1210 as sections 1301 through 1310, respectively, by amending the cross reference to any such section to refer to that section as so redesignated, and by inserting immediately after title XI the following new title:

"TITLE XII—ASSISTANCE FOR SELF-SUPPORTING STUDENTS

"Program Authorization

"SEC. 1201. The Commissioner is authorized to formulate and carry out a program under which he will make payments, in advance or by way of reimbursement, to institutions of higher education which make payments to qualified students or grant credits toward their tuition, fees, board and room as provided in section 1202.

"Payments and Credits to Qualified Students; Cost Allowances

"SEC. 1202. To be eligible to receive a payment under section 1201 on account of a qualified student, an institution of higher education shall make a payment, or grant a credit toward tuition, fees, board and room to such student in an amount which does not exceed the tax imposed on him under subtitle (A) of the Internal Revenue Code of 1954 for such taxable year on account of his earned income (as defined in section 911(b) of such Code), except that (1) no such payment shall be made or credit granted for any fiscal year where the amount thereof is less than $50 and (2) in no case may such payment or credit, or the aggregate thereof where a student is provided a combination of payment and credit, exceed $600 or the reasonable and necessary expenses such as tuition, fees, board and room incurred by him on account of his attendance at such institution, whichever is lesser. The Commissioner shall pay a reasonable cost allowance to the institution of higher education to cover the cost of processing such payment or credit. For the purpose of this section the student shall not have received any part of such earned income from his parents or from a corporation owner or controlled by his parents.

"Qualified Students

"SEC. 1203. To be qualified for the benefits of section 1202, a student must be enrolled in and in good standing at an institution of higher education, and be carrying the normal full-time academic workload as determined by the institution.

"Authorization of Appropriations

"SEC. 1204. There are authorized to be appropriated such sums as may be necessary to carry out this title for the fiscal year ending June 30, 1970, and the succeeding fiscal year."

RYAN BILLS TO COMBAT LEAD POISONING AMONG CHILDREN

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

Mr. RYAN. Mr. Speaker, lead poisoning is a major disease affecting thousands of young children presently living in the slums of substandard housing in our urban centers. This problem had been largely ignored until the recent efforts of the New York Scientists' Committee for Public Information, the New York Citizens' Committee To End Lead Poisoning, and a number of community groups in Chicago and Baltimore began to publicize the extent of the disease and the damage it could produce. Reflecting on the severity of this problem, the New York Scientists' Committee has labeled lead poisoning the "silent epidemic."

The disease is most often caused in small children when they eat—as many do—bits of paint and plaster that peel and fall from the walls and ceilings in dilapidated housing. Although the more recent coats of paint in such apartments are usually lead free—in New York City lead-based apartment paint has been outlawed for some time—the lead content from paint applied in past years frequently comes to the surface when outer coats of paint peel off interior surfaces.

Today I am introducing two bills to provide Federal financial assistance to help communities to develop and carry out intensive local programs to eliminate lead poisoning: First, the detection and treatment of existing cases of lead poisoning; second, the elimination of lead-based paint from the interior surface of residential housing which is responsible for most lead poisoning.

Twenty million dollars would be authorized annually for a 3-year period. The first bill establishes a fund in the Department of Health, Education, and Welfare from which the Secretary may make grants to local governments to develop a program to identify and treat individuals afflicted by the disease. A local program would involve the public health officials of the locality and include—

First. Educational programs to communicate the existence of lead poisoning and the effects it can have on children to parents, teachers, and public health officials.

Second. Casefinding programs to locate the young people suffering from lead poisoning as soon as possible and to insure adequate treatment of those affected.

Third. Followup programs to make sure that those who have been identified as suffering from the disease do not return to an environment which will further aggravate their condition.

Fourth. Any other locally conceived programs which will reduce or eliminate lead poisoning.

The second bill is directed at the problem of slum housing itself and the need to eliminate the cause of lead poisoning—the peeling of lead-based paint. This legislation authorizes the Secretary of the Department of Housing and Urban Development to make grants to local governments to develop programs for the detection of the presence of lead-based paint and to require that owners and landlords remove it from interior surfaces.

The Secretaries of the Department of Health, Education, and Welfare, and the Department of Housing and Urban Development are required to coordinate with and seek the advice of the heads of other agencies whose concerns may overlap the problems of slum housing and public health.

The Lead-Based Paint Poisoning Elimination Act of 1969 authorizes $7.5 million annually for the 3 fiscal years of 1969, 1970, and 1971. In the case of the second bill, the Lead-Based Paint Elimination Act of 1969, which deals with the elimination of lead-based paints from inner city housing, $13.5 million is authorized annually for the fiscal years 1969, 1970, and 1971. This makes an annual total of $20 million.

Lead poisoning is a prevalent cause of ill health among numerous big city children.

The New York City Scientists' Committee for Public Information states:

If infections are excluded, it is the most common childhood disease in the city of New York.

Recent studies in Cleveland, Chicago, and Baltimore revealed that 5 to 10 percent of the children tested had lead levels severe enough to qualify them as poisoned. By a simple calculation using population figures of the rundown housing in New York City alone, it has been estimated that 9,000 to 18,000 children have lead poisoning.

Yet, according to public health officials in New York City, that estimate is conservative. Dr. Joseph Cimino, medical director of the New York City Health Department's poison control center, has stated that there are 20,000 children in that city with undetected lead in their system at a potentially dangerous level and 5,000 others with undetected lead at an already dangerous level.

Moreover, in all our cities only a small percentage of the total of lead poisoning cases are ever reported. In New York City, for example, only 642 cases of lead poisoning were reported to the health department last year. The cases that are reported are usually those that are in the most advanced stages—those involving permanent mental retardation, cerebral palsy, and epilepsy. The primary reason for the low incidence of reported cases is that the early signs of lead poisoning are like the flu or other minor diseases, including loss of appetite, stomach pain, constipation, and crankiness and tend to be ignored by parents and doctors alike. Until health officials and parents are made aware of the existence and the dangers of this disease, and are constantly on the lookout for it, lead poisoning will continue to be a major menace to health.

The consequence of failing to identify lead poisoning at an early stage can be extremely serious. In the most severe cases death can result. The fatality rate for children who have been treated for acute lead encephalopathy is about 25 percent. In the last decade 138 children have died of lead poisoning in Chicago. From 1954 to 1964, 128 New York children were victims of the disease.

For many of those who survive, the outlook is not bright. In a Chicago study over one-third of the children treated for lead poisoning later developed some type of neurological disorder. Among those who initially presented encephalopathic symptoms in that study, 82 percent were left with some handicap; 54 percent have recurrent seizures; 38 percent were mentally retarded; 13 percent had cerebral palsy; and 6 percent were found to have optic atrophy. Other difficulties reported about these children include behavior problems, inadequate interpersonal relationships, and an inability to comprehend abstract concepts. Other studies have found impairment of intellectual ability in children who had lead poisoning.

The consequences of lead poisoning are of course most tragic for the children affected by this disease. But the larger society also must bear unnecessary costs that result from widespread lead poisoning, including wasted human resources.

To eliminate this problem, and the tragic effects it has for so many children, a national program is necessary to assist cities to develop programs for identifying and treating existing cases of lead poisoning and, more basically, to eliminate the lead-based paints from inner city housing. The two-pronged approach I have proposed today would achieve both of these goals.

CITIZEN PARTICIPATION IN THE WAR ON CRIME

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

Mr. WATSON. Mr. Speaker, today I am introducing a resolution which would authorize the President to issue a proclamation designating the period May 11 through May 17 of this year as "Help Your Police Fight Crime Week."

I am doing this in order to focus more attention this year on Police Law Week which is usually celebrated in mid-May.

Many of us have seen the bumper sticker with the slogan "Help Your Police Fight Crime." In fact, not a day passes that I fail to see this bumper sticker on at least one automobile in the District of Columbia. This laudable slogan is the official designation for a nonprofit, self-supporting cooperative founded here in Washington in 1967 by Mr. W. H. M. Stover and other District residents interested in curtailing the soaring crime wave in the Nation's Capital.

In just 18 short months, this organization has established beachheads in 28 States, and, to date, over 300,000 "Help Your Police Fight Crime" banners are in the process of distribution, and the goal for December 1969 is 3 million.

Mr. Speaker, it seems that everyone these days talks about crime, but the law-abiding American citizen is frustrated over the apparent lack of anything being done to curb the contagious growth of crime which in some areas of the country borders on total anarchy.

Well, in my judgment, the American people are tired of talk, commissions, and other shop-worn manifestations of this disease. The time for action is right now. The decline in respect for public authority and the rule of law must be reversed. Certainly, this can be brought about, but only as a joint undertaking between the citizen and the rightful authority.

"Help Your Police Fight Crime" is a psychological war on crime. It involves the citizen directly in an area in which his entire future depends—maintenance of law and order.

At no other time in the history of America has esteem for public authority been at such a low ebb. The most harassed and least supported public servants in today's society are our policemen and firemen. Yet, these officers represent the very thin curtain that separates free men from the tyranny that can only result when the purveyors of violence and lawlessness get an upper hand.

Police morale dwindles daily, especially in the District of Columbia, as a result of lack of public support and lack of support from the courts. There is absolutely no excuse for the incredible business of a judge allowing a criminal suspect to go free on a mere legal technicality. I had always believed that the law under the Bill of Rights was designed to protect the innocent. But, in many decisions these days, the innocent victim is left on his own while, to the detriment of law and order, the guilty can remain silent and—in all too many instances—go free without paying his debt to society.

Mr. Speaker, all of us must join the fight against crime by supporting our law enforcement officials. I firmly believe the administration and the Congress will support a resolution of the type I am introducing today. The President has stated most emphatically on a number of occasions that the American citizen has got to become involved in the war on crime.

THE MUTINY TRIAL AT THE PRESIDIO IN SAN FRANCISCO

The SPEAKER pro tempore (Mr. MILLS). Under previous order of the House, the gentleman from California (Mr. LEGGETT) is recognized for 60 minutes.

Mr. LEGGETT. Mr. Speaker, it is with considerable reluctance that I have taken a special order for this afternoon to discuss the mutiny trials which have been adjudicated and are in the process of trial at the Presidio in San Francisco.

There has been a considerable morale problem at the stockade in San Francisco for nearly a year involving one suicide, a revival, and a number of attempts apparently resulting from the mixing of psychiatric prisoners with others, overcrowding of cell space by as much as 30 percent and also a shortage of food rations.

The matter culminated last October when a young man by the name of Richard Bunch from Dayton, Ohio, a stockade prisoner doing cleanup at the nearby Letterman Hospital, incarcerated for AWOL, only awaiting a hearing, attempted to abscond from work detail and was shot and killed by the guard with a 12-gage shotgun at a distance witnesses have described as from 7 to 20 yards.

The next morning within the confines of the stockade, 27 young men in an effort to protest the stockade conditions and the shooting which they thought to be unnecessary, sat down in the grass and attempted to communicate their views to the provost marshal. Admittedly, this action was unlawful.

The episode was over in a little more than 30 minutes. The men were reconfined.

Three special investigating officers reviewed the case, two of whom with elaborate opinions expressed themselves that the 27 young men should be charged with willful disobedience—maximum sentence 6 months. A third officer recommended a charge of mutiny which carries the death sentence, though he did not ask for that penalty. Reviewing authority, Lieutenant General Larsen, sided with the minority investigating

officer and all of the young men are currently being prosecuted for mutiny.

Four of the men have now been convicted with sentences of 16 years, 15 years, 14 years and 4 years at hard labor. Eighteen additional young men will come to trial in the next 2 weeks. One young man, Pvt. Edward O. Yost, my constituent, is a Purple Heart victim with distinguished service in Vietnam.

I believe the Army needs guidance to extricate itself from the current situation. When the Army admits there were 51,000 willful desertions in the Army last year and where the average offender receives no more than a 6-month sentence for such infraction, I do not believe we are in the right ballpark in charging mutiny. In 178 years of our existance as a nation I note the lawbooks record only four such cases prosecuted by the Army. The Army, though recognizing that it is not in their best interest to log-up several hundred years of time against the 27 men for the undeliberated action which took place in 30 minutes, appears to be powerless to recharge the young men for the appropriate crime.

As a result of the protest, the Army admittedly made several dozen improvements to procedures employed at the stockade, though, apparently, they were relatively powerless to take such action prior to the protest.

I plan to call the attention of the House to the referenced prosecutions with further particularity this afternoon. Congressman COHELAN has a similar special order to follow.

Mr. COHELAN. Mr. Speaker, will the gentleman yield?

Mr. LEGGETT. I yield to the gentleman from California.

Mr. COHELAN. I thank the gentleman for yielding, and I want especially to compliment the gentleman for bringing this matter to the attention of the House and to the country as well. In your initial remarks you made reference to the fact that the general courts-martial for four men have been completed and that there has been sentencing in each of these four cases. I think the gentleman only today has some new information which we ought to take account of before we conclude our special order this afternoon. I would merely like to say that not withstanding the action which you are prepared to announce, I still feel that the matter we are exploring is serious, and I will develop that point further as we go along this afternoon.

Mr. LEGGETT. Mr. Speaker, I thank the gentleman from California for his comment.

I will point up exactly what the current state of this record is in just a few minutes.

At the present time, a series of courts-martial are being conducted at the Presidio stockade in California. These trials have gained public notice for a number of reasons:

First, the number of defendants, 27; and second, the charge of mutiny.

That is the most serious charge the military can levy against a soldier. It can carry the death penalty.

Why is the public, why are individual Members of Congress, and why are congressional committees so excited and so incensed by these trials? It is because 27 of the young men are being subjected to a massive punishment—15 years at hard labor—for passively sitting down and resisting an order to get into formation last October. It was to protest the intolerable conditions at the stockade and the slaying of a prisoner by a guard 2 days before.

These alleged conditions at the stockade are not new. Almost a year ago the question of brutality at the stockade was raised. In March of 1968 the American Civil Liberties Union conducted a month-long investigation of conditions at the stockade and came to the conclusion that the prisoners had been subjected to threats of death by the guards and at least one prisoner had been severely beaten by guards, who also delayed his transfer to a hospital for treatment of the injuries.

Mr. Speaker, I insert at this point in the RECORD an article of January 3 from the Washington Post, the entire article.

Particularly I would like to emphasize the statement of Col. John C. Ford, Presidio Provost Marshal, which really is the cause of this whole problem. Admittedly you have a stockade that is overpopulated.

Col. John C. Ford, Presidio Provost Marshal and top military policeman on the San Francisco post, flatly denies the charges.

"These allegations are just the result of prisoners having it too easy," said Ford. "They have too much time to sit around and try to build up a case that they should be let out. None of these charges can be substantiated because they simply are not true."

It is because of this attempt to cover up by the Army that we have got these problems.

Mr. Speaker, I ask unanimous consent to include this article in the RECORD at the point I mentioned.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The editorial referred to follows:

[From the Washington Post, Jan. 3, 1969]

TWENTY-SEVEN GI STRIKERS FACE RARE MUTINY TRIAL

(By Paul R. Jeschke)

SAN FRANCISCO, January 2.—"Any person found guilty of attempted mutiny, mutiny, or sedition, or failure to suppress or report a mutiny or sedition, shall be punished by death or such other punishment as a court-martial may direct."

For 27 prisoners lodged in the stockade at the Presidio of San Francisco high on a bluff overlooking the Golden Gate Bridge, these terse words from the manual for courts-martial have taken on a grim reality.

Military authorities dusted off the infrequently used mutiny charge and accused the GIs of "refusing in concert with others to obey orders" during a sit-down strike to call attention to alleged inhumane conditions.

A preliminary hearing completed before the Christmas holidays recommended the soldiers be brought to trial. The report is before Lt. Gen. Stanley Larsen, Sixth Army Commander, who is almost certain to approve.

So far, however, the Army has proceeded cautiously. Civilian lawyers, they charge, are attempting to "turn this into some sort of anti-war circus."

The sitdown strike began Oct. 14 when the men refused to go on a regularly scheduled work detail accompanied by armed guards. They said they were protesting the fatal shooting, three days earlier, of Pvt. Richard Bunch, 19, Detroit, Mich., who was shot in the back while fleeing a work detail.

Attorney Terence Hallinan, who represents 17 of the alleged mutineers, claims Bunch was in "desperate need of psychiatric help" and actually told the guard he was going to try to escape "in hopes he would be shot."

Army authorities have refused all requests by newsmen to interview the prisoners. They have also denied permission to newsmen to visit the stockade, although such an inspection was permitted before the Bunch shooting.

Hallinan has collected 10 handwritten affidavits from prisoners. He says these prove the "so-called mutiny is nothing more than an attempt to force the military to rectify the intolerable and inhumane conditions at the stockade." The affidavits allege inadequate and unsanitary shower and toilet facilities, bad overcrowding and inadequate food and charge that guards encourage suicide attempts.

Col. John C. Ford, Presidio Provost Marshal and top military policeman on the San Francisco post, flatly denies the charges.

"These allegations are just the result of prisoners having it too easy," said Ford. "They have too much time to sit around and try to build up a case that they should be let out. None of these charges can be substantiated because they simply are not true."

Ford, who has operated army stockades at Ft. Ord, Calif., and Nuremberg, Germany, said the charges were an "unfortunate attempt to tie up officers and men that could be in Vietnam helping us end the war.

He said civilian attorneys are "trying to turn this into some sort of antiwar circus—charging in effect that these prisoners are being abused because they are opposed to the Vietnam war."

"The fact of the matter is," Ford said, "that these guys are in the stockade because they are bad actors—every one of them has gone AWOL not once or twice, but as many as half a dozen times, and it had nothing to do with the war.

"Five of these men have actually volunteered to go to Vietnam in order to get out of this mess, but we're not buying. And, of the whole group of prisoners, only one has even bothered to ask for conscientious objector status."

An affidavit filed by Pvt. John David Coup, one of the stockade prisoners, alleges there were 33 attempts at suicide during the past six months involving 21 GIs. These included, he said, wrist slashing, attempts at hanging, swallowing razor blades and drinking poisons.

Stephen R. Rowland, another prisoner, charged through Hallinan that on "at least three occasions men have cut their wrists and were put in the box (solitary confinement) overnight without treatment."

"Guards have offered razor blades to suicidal prisoners so they could try to take their life again," Rowland said, and "a man went into an epileptic fit and the guards kicked him."

Ford acknowledged "numerous" apparent suicide attempts at the facility. He said every case was examined by an Army doctor "and not one was classified as a suicide attempt. They were rather suicidal gestures—people scratching themselves with razor blades or drinking something or other, maybe shampoo, knowing full well they were not endangering their lives," he said.

"Some of these guys just wanted to go to the hospital in the middle of the night because it gave them a chance to try and escape," Ford said. "For many of the others, it's just an attempt to get sympathy and attention and perhaps to try to get out of the Army for psychiatric reasons."

Ford specifically denied allegations of unsanitary conditions, overcrowding and poor food.

Mr. LEGGETT. Mr. Speaker, at this time I insert in the RECORD a press report from the San Francisco Chronicle, dated March 29, 1968, at least 6 months before the facts arose respecting the current mutiny, and it sets forth a condition in the stockade in San Francisco which I think is essential preliminary information for us to review:

BRUTALITY AT PRESIDIO CHARGED

(By Charles Howe)

Charges of brutality ranging from death threats to rubbing an inmate's face in his own excrement were leveled yesterday at military police at the Presidio's prisoner stockade.

The charges—plus a request for an immediate investigation—were made by Ernest Besig, executive director of the American Civil Liberties Union here.

They were based on a month-long investigation Besig and his assistants conducted and involve allegations of brutality against at least four inmates. Besig said three other inmates witnessed the acts and have given him their depositions.

In a letter to Lieutenant General Ben Harrell, Sixth Army Commander, Besig charged:

Private Robert S. Black Jr. of Concord, 21, was denied treatment for traumatic epilepsy suffered in Vietnam, and it was only "after Black went berserk and into convulsions and attacked another prisoner . . ." that he was admitted to Letterman Hospital.

That Private Herman L. Jones, 19, of Baltimore, Md., also a Vietnam veteran, was forced "to relieve himself on the floor; that a guard took a cloth and rubbed his face with urine and feces . . . badly beaten by guards . . . finally, he was hospitalized after eating paint off the wall."

Before guards allegedly beat Jones, other prisoners were taken away from the scene, given cigarettes and "when they returned, Jones was in a strait jacket in a corner."

An angry guard threatened "to blow Black's head off" with a 12 gauge riot gun and stockade officials deliberately delayed his transfer to the post hospital.

Presidio officials, aware of the charges by earlier communications not originating from Besig, said the allegations had been earlier investigated and found without merit.

Late yesterday Army spokesmen said they had not yet received Besig's letter.

"Any communication will naturally be considered and appropriate action will be taken," an officer said.

It was the second time in as many days that the stockade was a subject of controversy.

Private John D. Welty, 23, had been named as the stockade's "fasting-est prisoner" on Wednesday, after the Army disclosed he had been on a 31-day hunger strike.

Welty, who said he won't eat until he is discharged, has been fed by a tube for the past 16 days. No charges of brutality have been raised in his case.

The alleged acts of brutality towards Black and Jones took place during the latter part of February, Besig said. On February 28-29, Jones and Black were transferred to the psychiatric ward at Letterman Hospital for evaluation.

Jones, serving a six-month sentence for refusing to wear his uniform and disrespect to an officer, has since been transferred back to the stockade.

Black is still in the hospital, spokesmen said, and being evaluated for a possible medical discharge based upon his combat-connected head injury. He had been serving sentence on AWOL charges.

Neither Black nor Jones was immediately available for interview, Presidio spokesmen said.

Besig's letter to Harrell named two guards—one a sergeant—as being "particularly responsible" for various acts of alleged brutality committed over about a week-long period.

But Black's mother—who asked her name not be used—attempted to impugn her own son's credibility.

"His reputation for telling the truth hasn't been so good since he got back from overseas," she said in a telephone interview. "He had malaria and his stories are kind of mixed up."

Besig's letter also named two other incidents of alleged brutality he and his investigators have uncovered at the stockade, one involving a prisoner who was worked over when guards attempted to put him into solitary confinement.

"After carefully examining the matter," Besig's letter concluded, "I am persuaded that prisoners in the stockade have been subjected to abuse and mistreatment, but the exact extent of this I do not know.

Mr. Speaker, this 1968 investigation was merely the beginning of complaints about conditions in the Presidio stockade. Since that time there have been indications of one successful suicide—and a number of attempts apparently resulting from mixing psychiatric prisoners with others, and the overcrowding by as much as 30 percent, as well as shortages of food rations.

The matter culminated last October when a young man by the name of Richard Bunch from Dayton, Ohio, a stockade prisoner doing cleanup at the nearby Letterman Hospital, incarcerated for AWOL, and awaiting hearing, attempted to abscond from the work detail on which he was sent along with a group of prisoners. During the detail Bunch said he was considering walking away from the detail and asked what the guard intended to do about it. The guard was armed with a 12-gauge shotgun, loaded with No. 12 shot, alleged to be birdshot by the Army. Of course, that is the heaviest birdshot manufactured. The guard indicated to Bunch that he would be shot if the attempt was made.

Bunch walked a few steps and then began to trot. The guard leveled the shotgun and shot Bunch in the back at a distance of somewhere between 7 and 20 yards.

Mr. COHELAN. Mr. Speaker, will the gentleman yield?

Mr. LEGGETT. I yield to the gentleman from California (Mr. COHELAN).

Mr. COHELAN. Mr. Speaker, at this point, there has been some controversy over whether the guard issued a warning or whether he did not. It is my understanding there is conflict in the testimony. I wonder if the gentleman from California (Mr. LEGGETT) would be good enough to elaborate on that point.

Mr. LEGGETT. Mr. Speaker, that is exactly correct. There is conflict on that point. Witnesses have given various statements. One statement that I could put in the RECORD at this point is a statemen of Pvt. Linden Blake, who states simply:

On Friday, October 11, I was assigned to a work detail with Richard Bunch. We were to go to the supply company for the hospital and put together wall lockers. The boxes of parts (for the lockers) were on the sidewalk in front of the supply room, across the street from a barracks where we went to get a drink of water. There I first noticed Richard Bunch was bothering the guard, asking him questions such as "would you shoot me if I ran." As we went back out into the street to cross it I heard Bunch say something like "aim for my head," or "you'd better shoot to kill." I wasn't paying too close attention, as I had said something to Bunch like "don't bug him, he's got a gun," and I thought he was talking foolishly in the barracks. Bunch and the guard were in the middle of the street, two other members of the detail, Colip and Reims, were in the supply room, and I was on the sidewalk with my back to Bunch and the guard. I heard footsteps, and the click of the shotgun being cocked, and I turned to see the guard aim and fire, hitting Bunch in the small of the back. There was no command of "halt" given by the guard and Bunch was 25 to 30 feet from the guard when he was shot. There was one shot fired. After shooting Bunch, the guard whirled, pointed his gun at me and yelled "hit the ground, hit the ground or I'll shoot you too." Then he seemed to have flipped and said "I hit him right where I aimed, in the lower back," and then "Why did I do that? I didn't want to kill anybody. I should have let him go, I didn't want to kill anybody." There were only 4 other witnesses, two were on the detail who saw at least part of what happened—

I might say their statement was substantially the same as this statement of Mr. Blake—

and two others down the street worked at the Quartermaster laundry.

Mr. Speaker, I ask unanimous consent to submit the statement of Linden Blake at this point in the RECORD.

Mr. COHELAN. Mr. Speaker, will the gentleman yield?

Mr. LEGGETT. I am glad to yield to the gentleman.

Mr. COHELAN. If the gentleman will yield again, he is a distinguished member of the Committee on Armed Services. I cannot recall what the practices are in the various military services, but I now ask the gentleman, is this the standard practice as far as stockades are concerned in the various services? It seems to me I recall in the Air Force, for example, they have a minimum security arrangement and the overseers in the stockade in these minimum security areas do not carry guns. I do not know if you can comment on that.

Mr. LEGGETT. The gentleman is exactly correct as far as some of the various regulations applying to hypothetical situations are concerned. I would not want to apply the law as applied to the factual statement I just made, because we do not know whether those facts are for sure exactly as recorded there. There has been some conflict. The Army in an attempt to cover itself stated that three warning shots were fired, although to date I have not heard any witnesses testifying in any of the trials pending that any such warning shots were fired. The Army later admitted that none were fired but that the guard yelled at them to stop. A number of the prisoners, however, did not hear the shouts although they were within a few feet of the guard.

Mr. COHELAN. We want the record to be perfectly clear on this. It is very important, I believe, that the gentleman recite the details. My own information

would go as follows: There were two witnesses who said that they heard something and heard the guard shout twice before shooting. Four other witnesses did not hear any warning shouted by the guard, according to the sworn testimony. Be that as it may, I think it points up the fact that we have to do something about this. This does not make sense. One thing that bothers me is that in a minimum security situation, I cannot understand why they used shotguns, and especially with such powerful ammunition. I am not a hunter. Even though I qualify to shoot one of those things with some proficiency, guns are just not my thing. I happen to know that you are interested in them and you are a hunter. Why would they have a bullet that big there? It is like using a dum-dum or some of those other things we talk so much about as being inhumane. Why would they do that?

Mr. LEGGETT. It seems to me very strange that we would have an armed guard for four young men who had not been to trial, that is, where their guilt or innocence had not been established. Of course, the House passed a very liberal bail policy bill in civil cases last year. Here were four young men who had not been convicted of anything and who were on a work detail. They sent them out on the hospital grounds with a 12-gage shotgun—not No. 7 shot which we use for pheasant or No. 6 shot which we use for duck but No. 4 shot where they can bring down a 30-pound goose, a Canadian honker, with one pellet.

And this is a kind of armament that they apparently feel they have to give to a guard on the hospital grounds watching a work detail. I am not even satisfied that this guard should have been armed. I am going to give additional data as I develop this case with reference to this particular facet of the matter.

Mr. COHELAN. Mr. Speaker, if the gentleman will yield further, I hope the gentleman will develop that with reference to all practices in the other services. It is my understanding—and in my opinion it is terribly important—that the other services, at least one other service, the Air Force within my information, does not handle this type of stockade situation in this fashion.

I thank the gentleman for yielding.

Mr. LEGGETT. I thank the gentleman for his comments.

In response to a large number of congressional inquiries the Army published a fact sheet outlining its view of the incident at the stockade. This fact sheet is of interest mainly for the omissions it contains and the evidence of bad arithmetic on the part of the officials.

A commission of clergy—the United Ministries in Higher Education, a group of Protestant denominations which minister to a number of Western universities—compared the official Army fact sheet version of the incident with the pretrial records and other entries in the stockade books.

The Army fact sheet states that the prisoner capacity of the fenced-in portion of the Presidio stockade is 103 men. The Army fact sheet further states as follows:

A weekly check of the prisoner population for the same day of the week from 15 August 1968 to 31 January 1969 revealed that the population of the fenced in portion of the stockade exceeded 103 men on six occasions; these were: 5 September 1968, 105 men; 12 September 1968, 110 men; 19 September 1968, 108 men; 10 October 1968, 111 men; 16 January 1969, 112 men; and 30 January 1969, 111.

These figures simply are not accurate. They are contradicted by the confinement officer, Captain Lamont, as well as by the guards and prisoners on November 19. At the article 32 hearing, presided over by Capt. Howard McElhatten, Captain Lamont testified that for 52 days preceding the October 14 disturbance, the stockade prisoner population exceeded 103, which is the expanded capacity. According to Army regulations, a stockade can operate at emergency capacity for a maximum of 7 days. Captain Lamont recorded in his own handwriting the daily stockade population from August 1 to October 28. This handwritten record was obtained by one of the civilian defense attorneys at the article 32 hearing: September 5, 1968, 126; September 12, 1968, 126; September 10, 1968, 125; October 10, 1968, 130.

Further, Captain Lamont's record shows that on October 14, the date of the alleged mutiny, the stockade population was 140. On October 15 it reached 145 men. On the date of the second pretrial investigation, the stockade population was 120.

I think these are important matters to keep in mind. Not only does it bear upon the size of the stockade and the crowded conditions, but also bears upon the food.

Of the 14 days of 1968 during the second pretrial investigation Captain Lamont testified to a shortage of rations at the stockade. He stated that the stockade had rations for 104. You recall I said there were 140 men in this stockade for a number of days and for 58 days they were continuously in violation of the 103 limitation. The tension created by this overcrowding obviously was heightened by the shortage of rations.

The stockade cells were below standard and on this point I would cite the Army's record where they point up in their factsheet that the investigation revealed the segregation cells were smaller than the minimum measurements required by DOD directives. They were 5 feet wide by 6 feet 3 inches long and 8 feet high. The minimum measurements required by DOD directives are 6 feet wide by 8 feet long and 8 feet high. This violated both the height and the length regulations.

A waiver had been granted to allow the Presidio stockade to use these cells as an exception to the standard established. The investigation further reveals that in all other requirements the stockade meets the required standards set forth by the Department of Defense. The Inspector General, 6th U.S. Army, has also investigated the conditions at the stockade. This report is being forwarded to Department of the Army for review.

Now, the ministers also say some other things. There have been several investigations of the stockade both before and after the alleged mutiny. The general pattern is that prior to any formal tour or investigation the number of stockade prisoners is decreased. In January, General Westmoreland visited the Presidio. Several days prior to his arrival 40 prisoners were removed from the stockade. A similar lowering of the population occurred before the visit of a representative of Congressman WHALEN last October.

The Army has stated there is no evidence to indicate that Private Bunch was mentally disturbed. They said he was examined by a psychologist at the Presidio who reported this lack of evidence. Again it is strange that the Army would deny its own evidence. Last May Bunch's mother tried to have him admitted to a civilian hospital in Dayton, Ohio. She has a letter from a JAG officer at Fort Meade, promising that her son would receive psychiatric care, the psychiatrist who examined Bunch at Letterman Hospital—Presidio—filed a written report stating that Bunch was, among other things, a manic depressive. The Army as well as a Member of Congress has a copy of this psychiatric evaluation on file.

At this point I would like to put into the RECORD statements made by Bunch written on a pad in his cell the night before he was killed. The notes state:

Very well, since they want me I'll do it.

Well, if you are not going to give me love at least do me the favor of complete elimination. But one click and it's over.

On the second page:

United States. I'll pay—save everyone else. I will be—I am the Don. I'm not giving up my cross if I have to work for it a thousand years.

I say that the Army was obligated by its regulations to conduct a continuous study with respect to the psychiatric capability of its inmates. They should have known the suicidal tendencies of this obviously psychotic young man.

Mr. COHELAN. Mr. Speaker, would the gentleman yield on that very point?

Mr. LEGGETT. I would be glad to yield.

Mr. COHELAN. Is it not the truth that it has been alleged that there have been other suicide attempts? I wonder if the gentleman could comment on that?

I have received a tremendous volume of mail on this subject, and many of the letters allude to the conditions in the stockade, and to the fact that among some of the men there are suicidal tendencies, and that there have been suicide attempts.

Mr. LEGGETT. That is my information also. I believe it grows out of the crowded conditions at the stockade.

As the gentleman knows, the Presidio in San Francisco was established in 1776. I presume it was established by the Mexicans at that time to protect some of the old missions. Subsequently the Army established facilities there in 1851. I believe we could therefore presume that it is rather an old facility. It is quaint, it is historic, it probably should be preserved. But I doubt that it should be used as a modern prison to support the 6th Army in San Francisco.

Mr. COHELAN. If the gentleman will yield further, I would like to add at this point that, as the gentleman well knows, we have one of the greatest teaching hos-

pitals in the United States at the Presidio at San Francisco; namely, the U.S. Army hospital known as the Letterman Hospital. In addition to that, from my own period on the committee I know very well by its close affiliation with the University of California School of Medicine, which works with the 6th Army, that it has one of the best psychiatric programs in the military service that I have observed at the Letterman Hospital.

I find it strange that with all the brilliant work being done in their medical section that they cannot take account, what is going on down at the stockade, because it is all related to the morale of the troops.

Mr. LEGGETT. Exactly. Of course, the army knows about psychiatric segregation. In the manual for maintenance of prisoners and stockade confinees, they are to review the psychiatric situation on a continuous basis and train their personnel and this simply was not done in this case.

Mr. WALDIE. Mr. Speaker, will the gentleman yield?

Mr. LEGGETT. I yield to my colleague, the gentleman from California (Mr. WALDIE).

Mr. WALDIE. It would occur to me from what little information I have, the answer, involving one of the young men still awaiting trial who resides in my district, is that the psychiatric treatment that would have been required to have prevented the incidents that have occurred thus far should not have been directed at the young men that were kept in the stockade, but at the—perhaps the officers, and the people who were there to take care of them.

I particularly have reference to the young man who apparently shot this fellow in the back with a shotgun from 7 to 20 feet away.

Does the gentleman know what sort of training these guards are given; and from whence they are derived? Are they especially trained for this type of service or are they simply thrown into service without any training and without any indication of the nature of the charge or the duties that are facing them?

Mr. LEGGETT. Well, this is a very technical problem. The commitment of military prisoner's manual FM 19-60 sets forth a long and voluminous series of tests, training required, and standards for the operation of a jail.

I think that in California our correctional facilities are near the top in the country. I think it is common knowledge that you just cannot take a rank recruit and put a gun in his hands and say, "Take these men down to the hospital grounds and stand guard over them."

Mr. WALDIE. Was that the situation in the instant case?

Mr. LEGGETT. It appears that that is a lot like the instant situation. I see no evidence of training of this young guard.

I notice that the army admits that the guard never sighted in his weapon and did not know the limits of his weapon. Unfortunately, he had a weapon that continuously shot a little bit higher than where it was aimed. It is hard for me to believe that a shotgun would operate in this fashion, but apparently that was the situation that prevailed in this instance.

Mr. WALDIE. The only aberrational conduct that I have witnessed so far recited in the story and from my understanding of the events—with the exception of this disturbed individual who indicated he was going to run away—all the other aberrational conduct seemed to stem from people who had charge of that stockade and then later from those in whom was vested the duty of trying the soldier—that was sitting around for half an hour.

If the evidence is available and as accessible as readily as it is, it came to me there might be wisdom in having some of the people in charge of that stockade subjected to some examination to determine whether they are emotionally capable of what is essentially a very sensitive type of duty.

It would appear to me thus far that there is not much indication that such emotional stability as that existed.

Mr. LEGGETT. I thank the gentleman for his comment. I think there is something wrong with the management of this facility.

Mr. COHELAN. Mr. Speaker, will the gentleman yield?

Mr. LEGGETT. I yield to the gentleman.

Mr. COHELAN. Just to pursue that point for a moment—because in the course of my investigation on this subject, there have been allegations—and again I cannot prove the statement and I am very cautious about it—but in one of the allegations that was made, reads as follows—"there was evidence of some misconduct on the part of some of the guards in making threatening gestures toward the prisoners and using abusive language toward them."

Has this come to the gentleman's attention? Is it possible that this is something that went on as well—that there were guards goading the prisoners?

Mr. LEGGETT. The reason I tend to place some credibility in that statement is the fact that the press reported 6 months before a like incident and they talked about separate factual situations which had shades of abuse by the guards—where the guards or interns would use expressions like, "Sit down or I will blow your head off." Things of that nature—which are totally inconsistent with a well-managed prison or confinement facility.

I think we ought to get to the disobedience that occurred. We cited, of course, the problems at the facility. I think it might be well, having in mind the stockade conditions, to review the things that were improved by the Army's own admission, by the statement of the Provost Marshal, subsequent to the protest made by the young men.

The interior of the Presidio was repainted. An intercom system was installed. A perimeter fence was constructed around Building 1212 to provide recreational and exercise room. Perimeter lighting was installed. A new heating boiler was installed. A new medical treatment room was constructed. An additional building was constructed for administration. New locks were installed on all cellblocks. The mess hall seating capacity was increased from 40 to 50. Two new stoves were installed in the mess hall. A new soap dispenser was installed in the mess hall. A fire sprinkler system was installed. Broken windows and light bulbs were replaced. A hospital prison ward was constructed at Letterman General Hospital.

As far as personnel was concerned, they increased guard personnel from four to 12 per shift, and increased cooking personnel from five to eight. A major has been assigned as permanent adviser. They have increased finance and chaplain support.

Then there were these three very important matters: daily training has been initiated for all prisoners. The inference is that they did not have daily training prior to the protest. Weekly training has been initiated for all custodial personnel, and in line with the statement of the gentleman from Contra Costa County, I would say it is about time that they initiated this custodial personnel training. It is unfortunate that they did not accomplish it prior to the 12th or the 14th of October.

They have increased recreational supplies from those presently on hand, including two television sets. This is in a privileged communication, but those are the facts, and those are the reforms that were made.

Against that background and against the facts surrounding the death, what was the attitude of the Army prior to the mutiny? I think the statement published by General Larsen, is indicative. It states:

> The civilian lawyers are attempting to turn this into some sort of anti-war circus.

The effect an Army press release—made at or about the 12th of October, the day after the shooting, stated very clearly that the Army did not think that anything had been done wrong—there were no conditions in the stockade that needed any reformation. This is contrary to the statements that we have referred to by the Provost Marshal that were made subsequently. With that kind of background I think it was inevitable that the men in this stockade would erupt on the 14th of October.

As the first prisoner's name was called, 28 prisoners left the formation, walked away, sat down, and began singing and chanting, "We shall overcome," and "America the Beautiful." About 30 minutes transpired, and 25 military policemen entered the stockade and escorted the demonstrators from the scene. No force was required other than physically carrying some of the prisoners off.

Among the other things that they chanted, to quote Major Hummell was:

> We want elimination of all shotgun-type work details. We want complete psychological evaluations of all personnel who are allowed to work in the stockade. We want better sanitary conditions.

The prisoner also read a protest of the killing of Richard Bunch and the Army's verdict of justifiable homicide.

Mr. COHELAN. Mr. Speaker, will the gentleman yield?

Mr. LEGGETT. I yield to the gentleman from California (Mr. COHELAN).

Mr. COHELAN. Mr. Speaker, I wonder

if the gentleman can tell us, in the course of this alleged "mutiny," was their any act of violence committed?

Mr. LEGGETT. No act of violence whatsoever.

Mr. COHELAN. Was there any destruction of property that we know of?

Mr. LEGGETT. None whatsoever.

Mr. COHELAN. So the thing called mutiny was a thing in which there was no violence and no destruction of property, but apparently there was some disobedience. Is that the understanding of the gentleman?

Mr. LEGGETT. Yes. There was an attempt to try to reform and reorganize the procedures which were in effect in the stockade, which I might say parenthetically obviously needed reformation.

Mr. COHELAN. The gentleman from California (Mr. LEGGETT) is a distinguished lawyer with trial experience, and I do not qualify in that department, but will the gentleman tell me, is this a case of willful disobedience or a case of mutiny? I do not understand things like "charges" and how the attorneys and district attorneys frame these things, or maybe that is a poor choice of words. How are they propounded or developed? What is it the lawyers do when they make these charges?

Mr. LEGGETT. I have never been in the position of an Army prosecutor—or persecutor—but apparently they have very wide latitude under Article 94 of the Criminal Code to develop a charge and to bring court-martial proceedings.

Obviously when one is on the front line and there is even a minor failure of subsidiary command to follow instructions, the Army needs a big clout in order to maintain discipline. If a commander says, "Charge up the hill," and it looks like one might be committing suicide, it is traditional in the Army that one does not argue with the commander but charges up the hill. They need that kind of clout in time of war.

But it is the same law under which they are prosecuting a sergeant for not following an order of the lieutenant in charging up the hill, that they are using here to charge these young men in California for protesting rather substantial irregularities in the prison stockade.

Mr. COHELAN. I want to make the record very clear. I do not approve of the behavior of the men in the stockade.

Mr. LEGGETT. I do not.

Mr. COHELAN. I am now asking the gentleman from California (Mr. LEGGETT) what was it they did wrong?

Mr. LEGGETT. I do not think these young men deserve a medal either. On the other hand, there are apparently a number of infractions simultaneously going on, and I am not so sure the young men sitting down involved the most serious. I believe maintenance of the stockade was perhaps the more culpable of the actions that here occurred.

It is my understanding that these factual situations were thoroughly investigated by the Department of the Army and particularly by Captain Millard and Captain Bradner. I want to put in the RECORD their recommendations, at a slightly later time, but their recommendations are in line with the innuendo of my colleague, wherein he cites the fact that technically it is possible this could be a mutiny, but only an insane paranoid commander would try to get the death sentence. Nobody here is trying to do that.

Mr. COHELAN. Mr. Speaker, if the gentleman will yield, the fact is that two of the pretrial investigators said the charges should be willful disobedience and that it did not have anything to do with mutiny. The third did not comment one way or the other, but recommended action under article 94.

Mr. LEGGETT. The majority recommended a charge of willful disobedience.

Mr. WALDIE. Mr. Speaker, will the gentleman yield?

Mr. LEGGETT. I yield to the gentleman from California (Mr. WALDIE).

Mr. WALDIE. Mr. Speaker, it does seem to me we should not fall into the error of trying to justify actions based on the conditions in the stockade. Investigation of those conditions, I think, should be made, but the conditions cannot justify what they did in confinement. While in confinement, that action takes on stature greater than the simple disobedience would be outside confinement.

That does not mean I concur in the charges brought against them nor the disposition of the charges. But I want to make clear my views that I do not concur, that I believe there was in any way justification or mitigation for what they did. What they did in terms of their confinement was wrong and should be punished. My question on this procedure stems from the way in which their court-martial has been held and the charges brought against them so far.

Then I have a further objection. The conditions of the stockade, as I understand them to be, would seem to me to warrant each question having a different type of handling and not necessarily attempting to connect them.

Mr. LOWENSTEIN. Mr. Speaker, will the gentleman yield?

Mr. LEGGETT. I am pleased to yield to the gentleman from New York.

Mr. LOWENSTEIN. I would like to know whether there is any information available on who reversed the recommendation of the hearing officers, Captain Millard and others, and for what reason. Is there any information on why higher military authority departed from their recommendation and decided to prosecute for mutiny?

Mr. LEGGETT. The records available, which the counsel for the defendants have, is totally devoid of, first, any reasons for the minority recommendation and, second, any reasons for the acceptance by higher command, assumedly the commander of the stockade, and I guess also the commander of the 6th Army, General Larsen.

Mr. LOWENSTEIN. Is there any indication that the Army is taking steps to see to it that conditions in stockades around the country like those we are discussing today are corrected? Surely such conditions cannot be condoned, and if such conditions are to continue must we not expect protests to continue as well? Is there any indication that the Army is taking any interest in this problem, and that it will move to investigate and correct such conditions with a speed and enthusiasm like that it has displayed in handling the Presidio protest? Do you know if anything is being done, in short, to correct violations of Army regulations by stockade commanders and other military officials, or is punishment being sought only for those who violated Army regulations to protest other, and precedent violations?

Mr. LEGGETT. I can say that I discussed this with General Westmoreland and with the General Counsel of the Army. In part this may be the problem of the Congress, because with our massive budgets, as you know, for the Vietnam war, where we had an $82 billion defense budget last year with half of it going for the Vietnam war, we have been relatively starved in our domestic military plant for funds for construction. I hope that we can have some kind of construction program to build back some of the facilities that we need in this particular stockade this year.

Mr. LOWENSTEIN. I assume that you are aware of the announcement by Senators GOODELL and CRANSTON, that they wish to proceed in the Senate with an investigation. Does the gentleman believe that we can be of assistance in a general investigation of conditions in stockades all over the country? How can we help prevent further situations and incidents that cause unjust and needless suffering, not just among men who protest conditions, but among all men obliged to do time in military prisons?

Mr. LEGGETT. My experience is that if authorities are going to neglect some part of their apparatus in some area, they are generally going to neglect their prison capability. This is true with respect to municipalities and counties and States, I have found. I have no reason to believe that the Army is not similarly postured. With the evidence that we have in this case concerning the utilization of a 100-year-old fort as a stockade, we should have some special interest in pursuing this matter, I believe, either in the military subcommittee of the Committee on Appropriations or in my House Armed Services Committee or in the Committee on Government Operations, which I know has made an investigation and which is concerned about things that occurred here.

Mr. LOWENSTEIN. I want to thank the distinguished gentleman from California for rendering a great service by bringing this matter directly to the attention of the House and for helping to bring it to the attention of the country. I hope we are helping the Army today to arrive at a clearer idea of what infractions of rules occurred in the Presidio than they seem to have arrived at heretofore. Mutiny, indeed. If this be mutiny, what is it to go a.w.o.l.? What would poor Captain Queeg have to say if all it takes to commit mutiny in the new Army is to sit down and stage an unauthorized sing-in? One need not condone stockade sing-alongs to doubt that they constitute a capital offense. I hope too that we can help the Army to arrive at punishments that more nearly fit crimes, as a general principle in the execution of military justice. It seems especially unfortunate when the Army behaves in a way that

can only encourage doubt about the fairness of its enforcement of its own regulations.

There is a sense of outrage when ordinary citizens violate each other's rights or needlessly demean each other's humanity. This sense of outrage must be even greater when an instrument of Government demeans its own citizens. Men in service are citizens, men in stockades and prisons are human beings. We do ourselves harm as a people if we overlook or minimize miscarriages of justice because the victims themselves are disturbed people or have transgressed the law.

Mr. LEGGETT. I thank the gentleman from New York for his very valuable comments on this matter.

Mr. Speaker, at this point I would like to insert in the RECORD items 12, 13, and 14 of the Army's factsheet on the incident and ask unanimous consent to include those points so that they may appear in the RECORD at this point and which further particularize some of the activities on the part of the new personnel at the time this mutiny occurred.

The SPEAKER pro tempore (Mr. EDMONDSON). Without objection, it is so ordered.

There was no objection.

The material follows:

12. Instead of following the Army Regulation contained in the Standard Operating Procedure of the Stockade, which instructed him to first reason with the prisoners and then to use the minimum amount of force to resolve the situation, Capt. Lamont immediately began to read to them Article 94 of the UCMJ (the mutiny charge). When he was signaled that he could not be heard, he went outside the stockade compound to a near by M.P. car and used its loudspeaker. According to the prosecution, he also ordered the men to return to the stockade building. However, witnesses testify that Capt. Lamont did not identify himself while using the loudspeaker and that he was at least partially blocked from view by the car door. Further, a Dr. Salmon, a sound expert from Stanford Research Institute testified at the first trials that, in all probability, the prisoners could not hear Capt. Lamont even over the loudspeaker. Other witnesses testified that the static in the loudspeaker made it difficult to hear Capt. Lamont.

13. The Army's fact sheet on the incident also fails to mention that:

(a) According to Capt. Lamont's own testimony, he had been notified by a stockade guard at 0530 on 14 October that there was possibility of a disturbance in the stockade that morning. He testified that at the time he went back to sleep and took no preventative measures to avoid any problems.

(b) Capt. Lamont was called to the stockade at 0730 14 October. When asked by one of the attorneys at the first trial why he did not take steps that had less severe potential than reading the mutiny charge, he testified that his mind was fixed from the beginning on mutiny as the proper charges to make. His own statement is further substantiated by the fact that he arrived at the stockade with a photographer and fire engine.

(c) When asked why he did not follow the Standard Operating Procedure manual directive that he attempt to reason with the group, he stated that he was not familiar with the directive. Given the fact that the group had called for him and had attempted to communicate their grievances, it seems fair to assume that an attempt on his part to reason with the men may have resolved the disturbance.

14. According to the Army's fact sheet, two of the three Art. 32 Investigating Officers, Capt. Richard Millard and Capt. James Brander, recommended against bringing the mutiny charge. Capt. Millard, in his official report stated that the facts of 14 October did not substantiate a charge of mutiny. Further, he said that in his opinion the case "had been built up out of all fair proportion." He recommended a special courts-martial with a maximum sentence of 6 months, stating that if such a punishment "were not adequate deterrent to such demonstrations, then the focus of the command should be on the conditions in the stockade which give rise to such disturbances." Capt. Millard reported that there was ample evidence to indicate that the conditions in the stockade were substandard.

Mr. LEGGETT. Mr. Speaker, the trials of four of the 27 men have now been completed. The first and second sentences were adjusted. Private Sood's sentence of 15 years was reduced to 7 years. Pvt. Roy Asczpish's was reduced to 16 years.

Mr. Speaker, I am very pleased to advise the House that a few hours ago the Army delivered to me a statement, which reads as follows:

Knowing of your interest in the mutiny courts-martial trials being conducted at the Presidio of San Francisco, I would like to provide you with the following information.

The Department of the Army announced today that the Judge Advocate General of the Army upon review of the complete trial record in the case of Private Nesery D. Sood, one of 27 soldiers charged with mutiny at the Presidio of San Francisco, reduced the sentence to 2 years confinement at hard labor. The Commanding General, Sixth United States Army, had previously reduced the sentence from 15 years to 7 years.

The Judge Advocate General exercised clemency in this case through powers delegated to him by the Secretary of the Army under Title 10, United States Code, Section 874. Private Sood's case is the first of 27 mutiny cases to reach the appellate stage under established military appellate procedures. No change was made in that portion of his sentence which included dishonorable discharge and total forfeiture of pay.

The case now goes automatically to a Department of the Army Board of Review for further review. This Board may set aside the findings of guilt, approve a finding of guilt of a less serious offense, or still further reduce the sentence. It cannot increase the severity of the punishment as reduced by The Judge Advocate General of the Army. Should the Board of Review affirm the conviction, Private Sood may petition the U.S. Court of Military Appeals, which is composed of three civilian judges, for further review of questions of law. Throughout the appellate review of the case of Private Sood has the right to retained counsel and, at government expense, appointed military counsel.

Sincerely,

Col. RAYMOND T. REID.

Mr. WALDIE. Mr. Speaker, will the gentleman yield further?

Mr. LEGGETT. I yield further to the gentleman from California.

Mr. WALDIE. I do not understand clemency that takes the form that you have just related.

Is there any description of what the commanding general found that moved him to such great compassion that he reduced the sentence from 16 years to only 7 years? What led him to take this action of clemency to strike 9 years off his sentence? Does he describe this in any written report?

Mr. LEGGETT. This is what we call the "blindman's buff" of military appeals and it is one of the problems of fixed sentences which you know we have gotten away from in most of the civilized courts of the country. We have come to a compassionate study of the problem through the use of sociologists, psychiatrists, and penologists to review these cases in the light of their expertise in these matters.

Mr. WALDIE. Is it just a reflection of this general's benevolent nature or is it a reflection that he disagreed with the trial or some presentation of facts, or is it just a demonstration of a generous heart that led him to reduce the sentence by 9 years? Does he say anything about that in a written report?

Mr. LEGGETT. There is no written report that accompanies this modification. Likewise there is no written report accompanying the JAG's determination to reduce it to 2 years, because, incidentally the decision is based on the disposition of comparable cases, though admittedly we have only had about four of these in the last 60 years.

Mr. WALDIE. The letter that the gentleman just read was from whom? Did the gentleman say?

Mr. LEGGETT. The letter was from the Army liaison, from Colonel Reid.

Mr. WALDIE. In that letter he stated that the reduction in sentence was an exercise of clemency, as I gather the term, an exercise of clemency, an exercise of compassion and mercy?

Mr. LEGGETT. That is what I understand.

Mr. WALDIE. So I presume that there was no error found in these trials, and that the general was demonstrating that he was a truly merciful individual, and he possessed compassion.

Mr. LEGGETT. That is what I understand.

Mr. WALDIE. I thank the gentleman.

Mr. LEGGETT. I thank the gentleman for his comments.

Mr. COHELAN. Mr. Speaker, if the gentleman will yield further, I would like to point out that 2-year clemency seems to me to be still rather harsh.

Mr. LEGGETT. I believe it is harsh by about four times what it should be.

Mr. COHELAN. That is right, and on this point we should stress again that while no one is approving the misconduct of these men, and I believe they should be punished, what seems to me to be relevant at this pont is how this sentence compares with sentences that customarily have been handed down in these types of cases. Two years sounds to me like a terribly rough rap.

Mr. LEGGETT. What I am concerned with is that, of the 51,000 young Americans who deserted from the Army in excess of 30 days, representing deliberate and premeditated withdrawal from duty, perhaps some of them in the line of action, the average time those men are getting is about 6 months confinement as compared to this case where we have a criminal prosecution—and I call it a persecution—they take on these young men for 30 minutes of remonstration, admittedly face to face with the commander, and then embark on a cam-

paign to throw the book at them, and in fact they have.

I believe that the evidence in this case indicates very strongly that there has been passion, prejudice, anger, and all of the things that should be secularized from judicial administration.

Mr. LOWENSTEIN. Mr. Speaker, will the gentleman yield?

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

Mr. LOWENSTEIN. I thank the gentleman for yielding.

I join my distinguished colleagues in reiterating that in no way do these comments question the right of the Army to make and enforce appropriate regulations, especially in a stockade among men already convicted of violating regulations. But I am very concerned about whether there is evidence that these men were charged with this extraordinary offense, considering what in fact it is that they did, and then given these extraordinary sentences—I am very anxious to know whether that has anything to do with the fact that they were alleged to be opposed to the policies of this Government with regard to the war in Vietnam.

What I am asking is whether political prejudice may be involved and whether one of the reasons for this handling of their cases might be a determination by the Army to crack down on antiwar behavior, to discriminate in the handling of military infractions on the basis of imputed or actual political motivations behind infractions?

Mr. LEGGETT. Again perhaps one could construe that these young men went a.w.o.l. and are in the brig in the first place for the reason that they had reservations about the war, particularly that is true of Private Yost.

Mr. LOWENSTEIN. A decorated veteran.

Mr. LEGGETT. A decorated veteran, and he had been in the war and in Vietnam. He has a Purple Heart, and he had done an excellent job in education. They named a school after him. He came back, and he got a little mixed up again, but again it was a minor infraction, not one to rate a capital offense. But I do not believe political activity of these men has any part of this, but I think the part that does may be the fact that demonstrations have been going on and are going on right now in California, such as that at San Francisco State, and at Berkeley, and possibly because the headquarters for the antiwar movements is in California. I believe in some way that it is shading the allegations made by the prosecutors in this case. They wanted to try to say indelibly that "When you put on a uniform you do not have the rights of ordinary people, you do not have any civil rights, you are totally dedicated, and you had better understand it, and we are going to use this as an example and as a deterrent to stop protests all over the country. It has not occurred, and we are not going to let it start."

Mr. LOWENSTEIN. If I may go a bit further, there is much that puzzles me about these cases. Several of these men had served in Vietnam, as I understand it, some with distinction. Yet the magnitude of their punishment is virtually without parallel. Now, why is this? Why were the hearing officers overruled? Was an "example" being set, and, if so, of what and to whom?

I do not believe there is even any clear evidence that these men intended to make a general antiwar protest when they sat down, unless singing "We Shall Overcome" makes the singing ipso facto more political and thus more criminal than it would otherwise have been. But then they also sang "America, the Beautiful." Surely this should have had some mitigational value, if these be new tests of how to apply regulations.

So I would like to find out if the fact that they sang a particular song, or engaged a particular attorney, or that their cases were taken up by particular groups of citizens changed the nature of their offense so enormously in the eyes of the military authorities that instead of being treated in the normal routine of military justice they became subject to special treatment based on a theory about their political attitudes.

I do not want to be unfair to the Army, but it seems to me these questions must be aired in these circumstances. I am curious about the gentleman's views on this aspect of the affair.

Mr. LEGGETT. I do not remember the name of the song or to determine the pigeonhole in which the army determined to pursue this case, but there are shades of something like that. But I am not prepared to make that determination at this point.

Mr. WALDIE. Mr. Speaker, will the gentleman yield?

Mr. LEGGETT. I yield to the gentleman.

Mr. WALDIE. I am confused as to a procedural point as to what occurred here.

Once the determination was made to charge these men with mutiny, if a guilty finding was made, was there any option as to a sentence of less than 16 years? Did the initial sentencing authority have any option to go down, for example, to 9 years or to 2 years in reviewing that charge?

Mr. LEGGETT. I understand that there was full plenary jurisdiction in the court-martial, but there was no fiat minimum—except that it might be in excess of 6 months—but I am not acquainted exactly with the procedure.

Mr. WALDIE. This is certainly, at least thus far, a total repudiation of the original board in their original sentence. I mean the Army was seeking to make a point and it seems to me lost that point, even so far as the commanding generals, and certainly repudiated his original board of officers and their sentence and then further repudiated the sentence including the general when it went from 7 years, which was reduced to 2 years.

It seems to me to be a total repudiation of everyone who has made a determination in this case thus far and I would hope that this last determination will be further repudiated somewhere along the line.

Mr. LEGGETT. I think the gentleman's remarks are accurate and I would hope we would even have a further repudiation.

I would certainly hope that nobody takes any particular prejudicial offense at the remarks we are making here as concerned Americans on the floor of the House today.

I hate to intervene in any judicial case, which this is, but I do not think this is a closed case. I think we are here arguing this case and it is not a closed case. The Army is way off base in bringing a capital charge and bringing in a big sentence. They were pursuing this case in the wrong way and I certainly hope the appellate agencies will further reduce this and will look kindly toward a substantial reduction in the sentence below 2 years.

I would certainly hope that we have indelibly set a pattern in this Sood case that will be followed in other cases.

Mr. Speaker, I would like to put in the RECORD at this time items numbered 19 and 20 from the minister's statement, and I particularly refer to the resolution of the San Francisco Board of Supervisors protesting this action in San Francisco.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

The matter referred to is as follows:

In particular, he noted that the DD 510 procedures for filing grievances was "shoddy and inefficient." Capt. James Bradner recommended a general courts-martial for willful disobedience. Both men pointed to the mitigating circumstances of the disturbance.

All three of these men had been previously recommended for administrative discharge by Army psychiatrists. This is also true of at least six others of the 27. Pvt. Richy Lee Dodd, for example, was recommended for immediate discharge by Army psychiatrists in June of 1968. In October 1968 he was still in the Presidio Stockade. No action had been taken on his case after 5 months. Many of these men have attempted suicide several times. Pvt. Louis Osczpinski slashed his wrist during his court-martial. Richy Dodd had slashed his wrists last summer. He was bandaged and returned to his cell. Whereupon, he hanged himself with his bandages. He was pronounced dead on arrival at Letterman hospital, but was revived. Despite these facts the Army insists that there have been no "serious suicide attempts in the stockade in the past months."

The mutiny charge, the convictions and sentences have aroused a great deal of protest in the Bay Area and around the country. Both the major San Francisco papers have editorialized against the sentences and the San Francisco Chronicle called the mutiny charge an over reaction. Eleven Northern California religious denomination leaders have called the charge "inhumane and intolerable." On February 24th a member of the San Francisco Board of Supervisors introduced a resolution in that body calling on the Army to drop the charges and reverse the convictions and requesting a congressional investigation into stockade conditions at the Presidio as they have existed over the past eight months.

Mr. LEGGETT. At this point, Mr. Speaker, I ask unanimous consent that the statement of the gentleman from Pennsylvania (Mr. MOORHEAD) be included in the RECORD at this point.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. MOORHEAD. Mr. Speaker, I would like to commend the gentleman from California for calling the attention of Congress to a situation at the Army's

Presidio stockade in San Francisco, where recently a number of the Army prisoners staged a sit-down strike protesting the shooting of a fellow prisoner and the deplorable conditions existing in the prison.

The evidence that I have accumulated to date leads me to believe that there is something quite wrong at the stockade and with the military's handling of the prisoner disturbance.

Currently the men who participated in the demonstration are being tried for "mutiny," a rather severe charge in light of the details both overt and extenuating.

Many of the men involved have a history of suicide attempts and other mental disorders.

Their tragic attempt to show their plight while in prison is being met with a very hostile and drastic overreaction by the Army authorities. Already, one of the 27 men involved, has been sentenced to 15 years hard labor, dishonorable discharge and forfeiture of all pay and allowances. Since his incarceration, his three children have been made wards of the court owing to his "neglect." Another of the soldiers on trial was given 4 years hard labor, dishonorable discharge and total forfeitures.

The other defendants are presently awaiting their turn at "Army justice."

Before this matter goes any further, I think the Congress should have full and complete information concerning the charges and trial. And the Army should show just cause why 27 men, who were already prisoners, men who were living in very questionable conditions, were charged with "mutiny."

Mr. LEGGETT. Mr. Speaker, I ask unanimous consent that at this point in the RECORD the statement of the gentleman from California (Mr. EDWARDS) may be inserted.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. EDWARDS of California. Mr. Speaker, the gentleman from California (Mr. LEGGETT) is to be complimented for arranging a discussion today of this important subject. The gentleman from California is one of our most knowledgeable members in the vital area of military affairs. We should listen with respect to his observations today.

Mr. Speaker, every year thousands of young men are conscripted, or enlisted in the Armed Forces of the United States for but one reason—to help protect the basic liberties guaranteed all Americans in the Constitution of the United States. The services, and the lives of these young men, and of the millions who have already served, have over the past 193 years kept this Nation free.

These men in protecting our liberties do not give up their own liberties, nor are they to be denied the equal protection of the laws guaranteed all Americans. For the military to abrogate these men's liberties is to deny the purpose for which the Armed Forces exist.

The recent courts-martial at the Presidio of San Francisco raise serious questions about the military's administration of justice and whether the Uniform Code of Military Justice is truly uniform, or whether it is selective.

These men now face mutiny charges for that which well may not be mutiny. The Webster definition of mutiny is:

> Revolt against and, often forcible resistance to constituted authority; especially rebellion of soldiers or sailors against their officers.

Mr. Speaker, there was certainly no force involved in the Presidio of San Francisco incident. Further, instead of a rebellion, it was an attempt to bring serious conditions and deficiencies to the notice of constituted authority—conditions and deficiencies which had already led to the death of one man. The Army itself now has corrected some of these deficiencies, but is continuing to court-martial the men involved in bringing those conditions to light.

I would quote the San Jose Mercury editorial of Monday, March 10, 1969, to show the concern in California and in my district over the treatment of these men:

> ARMY AMBUSHES ITSELF
>
> An American citizen does not waive his right to equal justice under the law when he dons the uniform of his country.
>
> He may be subject to different laws and regulations; certainly, he is subject to stricter discipline than that which he experiences in civilian life. But should he run afoul of the law of the military, he has a right to expect even-handed treatment.
>
> The United States Army, which has never been renowned for the astuteness of its public relations sense, is in the process of further damaging its image by applying far from even-handed justice on the two coasts of this nation. The contrast is appalling, and it is bound to produce repercussions in Washington.
>
> On the Pacific Coast, the Sixth Army is busily trying 27 Presidio of San Francisco stockade prisoners for mutiny. They refused to re-enter their prison barracks when ordered to do so by guards, staging a sit-down demonstration in the prison yard. The first convictions in this case carried hard-labor prison sentences ranging up to 16 years.
>
> On the Eastern Seaboard, at Fort Dix, N.J., to be precise, an Army deserter, who returned voluntarily from Sweden to face trial, was sentenced to four years at hard labor.
>
> This is no intent here to pass judgment on the sentence in the desertion case. The severity or leniency of it is beside the point. For the purposes of this problem (as the Army is fond of saying), the desertion sentence will be used simply as a benchmark against which to measure the reasonableness of the mutiny sentences.
>
> It is possible to argue, surely, that desertion is a more serious crime in the military frame of reference than failure to obey a lawful order, which is what the Army's Presidio "mutiny" amounted to in the last analysis.
>
> Has the Army, then, dispensed equal justice under law, when one group of soldiers is given sentences four times more severe than that meted out to another soldier convicted of a more serious charge?
>
> No doubt the Sixth Army sought to make an example of the Presidio "mutineers" in the hope of firming up discipline throughout the command. Also without doubt, the ham-handed way the Sixth Army went about the task is now in the process of boomeranging.
>
> Unit commanders will probably find it harder, not easier, to command trust and respect—not necessarily for themselves but for the Army as an institution. This is a serious national problem because the Army is so heavily dependent on draftees. If the citizen-soldiers who must, of necessity, make up the backbone of the nation's ground forces feel they will not be treated justly while serving their country, then the country is in trouble.
>
> If ranking Army officers are not sufficiently intelligent to realize this without civilian help, that help most assuredly will be provided—by the civilian Secretary of Defense, perhaps, or more likely, by the Congress.

Mr. Speaker, in conclusion I would commend Senators CHARLES F. GOODELL, Republican of New York, and ALAN CRANSTON, Democrat of California, for their call for an investigation of military prissons by the Senate Armed Forces Committee. Full congressional scrutiny is in order. A man in defending the rights to citizenship for all should not lose his basic rights of citizenship, nor be subject to cruel and unusual punishment.

(Mr. BROWN of California (at the request of Mr. LEGGETT) was given permission to extend his remarks at this point in the RECORD.)

Mr. BROWN of California. Mr. Speaker, four Army enlisted men, standing trial in San Francisco, received sentences recently averaging more than 12 years at hard labor for each of them. Eighteen more now await trial and can expect similar verdicts. The charge against them is mutiny.

Mutiny is a charge traditionally designed to deal with wholesale attempts—usually armed—aimed at overthrowing military authority. The term conjures pictures of hardened, desperate men turning weapons on their officers, then attempting to seize or subvert command. And it was for just such cases that the mutiny charge was designed.

In the Presidio stockade the hardened "mutineers" averaged less than 19 years of age. Several were, by the Army's own standards, emotionally unfit for service. All were in the stockade for being AWOL; they had run away from the Army because they were unable to cope with military life.

And what mortal blow did these hardened criminals strike at the authority of the U.S. Army? In the Presidio yard 27 young boys refused to answer rollcall and sat and sang some songs.

The episode lasted 30 minutes. The protest was over poor conditions, ill treatment and the shooting of another prisoner, Richard Bunch, the day before. There was no violence. The "mutineers" offered no resistance when taken back to their cells.

Mutiny may be punished by death.

It was the opinion of two of the three investigating officers that the mutiny charge could not be substantiated in law. In one investigator's words:

> There are three elements to the offense of mutiny, one of which is the intent to override lawful military authority. The element is absent in the present case.

I do not rise here today to argue law. Although the law could well be argued. Rather, I speak on fundamentals of our legal process—mercy and justice—principles which appear to be totally absent in the legal treatment the Army has accorded these young men.

It is absurd to try to picture this episode as a deliberate and coldly

planned attempt to wrest control from the military authorities in charge of the stockade. Instead, it was an impromptu protest by helpless men denied any other avenue. It was a confused, ill conceived, almost pathetic, effort to present justifiable grievances and seek redress.

Can any of us seriously believe the implications of this affair were known to the participants? Is it not easy to envision the nightmare in which these boys found themselves? Their youthful show of opposition, as much a function of confusion as defiance, has caused reprisals on the part of the military far in excess of that actually warranted by the actions of these young men.

Why?

What will be the results of the severe sentences handed down by the military. After years in prison and the stigma of a dishonorable discharge following these young men, can we expect them to return to society as useful and productive citizens?

Years of prison will leave their mark. A relatively short sentence would suffice to deter similar demonstrations.

There is no justification for such extreme punishment. The claim is that these men are being made an example. Twelve years is not just an object lesson—it is a lifetime when spent in prison.

We do not need to stand idly by and feel we are helpless to prevent such an injustice. Civilian authority is still supreme in this Nation. We cannot allow the Army to sacrifice these men to the principle of discipline. We must insist that they be treated as men—not as equipment.

The military is a valuable tool of the Nation and should be operated to serve the Nation's welfare. Does it serve the Nation's best interests to destroy men in retribution for 30 minutes of nonviolent demonstration. Did they endanger the U.S. Army? If, indeed, the Army is that fragile, locking up this small group of young men will not save it.

I do not advocate that these boys be freed with no punishment whatsoever. I do not claim that they committed no offense. I only say that there must be justice and mercy in America as well as law—or everything we teach becomes a lie.

Mr. LEGGETT. Mr. Speaker, I have already stated that the Army claims the charge of mutiny was brought on the recommendation of a qualified board of investigators who weighed all the facts and reached logical decision. As the facts show however, of the three investigating officers only one recommended that the charge of mutiny be levied. The other two recommended lighter charges. Capt. Richard R. Millard issued the following report and recommendations for Pvt. Lawrence Zaino, one of the accused. The report is a cogent and articulate presentation of the facts at issue here:

OFFICIAL RECOMMENDATION FROM ARMY HEARING OFFICER AT PRE-TRIAL INVESTIGATION

This is an exact copy of his report for Pvt. Lawrence Zaino. Individual reports for others were almost verbatim. Copies of all reports available.

"The charge of mutiny under article 94 does not apply to the facts of 14 October 1968. There are 3 elements to the offense of mutiny, one of which is the intent to override lawful military authority. The element is absent in the present case.

"I find, however, there are facts sufficient to sustain a charge of willful disobedience under article 90 of the UCMJ, a lesser included offense of mutiny under Article 94.

In my opinion, this case has been built up out of all fair proportion. To charge Zaino and the others with mutiny, an offense which has its roots in the harsh admiralty laws of previous centuries, for demonstrating against the conditions which existed in the stockade, is, in my opinion, an overreaction by the Army and a misapplication of a statute which could lead to a further miscarriage of justice.

"Zaino and the others demonstrated in a manner contrary to military regulations and custom, and they refused to obey the lawful order of Captain Lamont to cease demonstrating and return to the stockade building. For this refusal to obey, I recommend that Private Lawrence J. Zaino be tried by Special Court-martial, or as an alternative that he be separated from the service with less than an honorable discharge under AR 635–212.

"The two basic reasons for the imposition of punishment are to deter crime and to rehabilitate offenders. In Zaino's case, it is very questionable whether any long term confinement is likely to be effective in rehabilitating him. I call your attention to the psychiatric evaluation (Incl. 31) prepared by Major Chamberlain at Letterman General Hospital on 18 November 1968. Dr. Chamberlain feels that Private Lawrence J. Zaino has a personality disorder which makes it highly unlikely that he will be able to adapt to the Army, and therefore recommends that he be separated from the Armed Services as expeditiously as possible under AR 635–212. As far as deterrent to crime is concerned, I feel that a six month sentence, which is the maximum a Special Court-martial could adjudge, is an adequate deterrent against demonstrations such as the one that occurred on 14 October 1968. If it is not adequate, then the focus of the command should be on those conditions which lead to such demonstrations, for in my opinion, one does not give up six months freedom to participate in a short demonstration unless the conditions leading to the demonstration are compelling.

"There is ample testimony in this case to show that the conditions in the stockade prior to 14 October were not up to the standards we should expect. Of special significance in this case is the fact that the DD 510 procedure for expressing grievances, as implemented prior to the demonstration on Monday the 14th of October, was shoddy and inefficient. Although the conditions at the post stockade were deficient, I do not believe that they were so terrible, or that the prisoners' opportunity to express themselves was so limited as to be a complete defense to a disobedience of orders. However, these factors should be considered as mitigating circumstances.

"Considering all the facts, including the nature of the disturbance, the conditions which existed in the stockade, the military service of the accused, the mental state and character behavior of the accused as described by Dr. Chamberlain, and the unlikelihood that punishment will have any rehabilitative effect, and the established policy that trial by General Court-martial will be resorted to only when the charges can be disposed of in no other manner consistent with military discipline, I recommend trial by Special court-martial, or as an alternative, separation under AR 635–212, which would be to the benefit of both the Army and the accused.

"Capt. RICHARD J. MILLARD,
"U.S. Army Quartermaster Corps,
"Presidio, San Francisco."

Mr. ASHLEY. Mr. Speaker, I am joining with several of my colleagues to express my deep concern for the 27 servicemen facing charges of mutiny in the Presidio stockade and for the inhumane conditions which exist there.

On October 11, 1969, according to the Army report I have received, Richard Bunch, a stockade prisoner assigned to a four-man work detail at the Presidio, attempted to escape. He was shot and killed by a guard. Three days later, 27 soldiers confined in the post stockade sought to protest the killing and alleged poor conditions at the facility by sitting down during their work detail for 30 minutes. The men were reconfined.

Three special investigating officers reviewed the case. Despite the recommendation of two of these officers that the 27 men should be charged with willful disobedience—which carries a maximum penalty sentence of 6 months, the commanding general of the facility followed the minority report and charged the men with mutiny. So far four of these men have been tried and sentenced to 16, 15, 14, and 4 years at hard labor.

It seems to me that these penalties are far out of line with the nature of the men's conduct. For example, the Army reports that last year 51,000 men willfully deserted and the average offender received no more than a 6-month sentence. Moreover, in the annals of our military lawbooks only one or two such mutiny cases have been prosecuted. Consequently, the charges against these 27 men seem patently unfair and raise serious questions as to the fairness of military justice. I do not debate the requirement to maintain strict discipline in our military branches but the punishment should fit the crime.

Serious questions have also been raised about conditions at the Presidio and other military stockades—overcrowded cell space, the mixing of psychiatric prisoners with others, a shortage of food rations, and so forth. These wretched conditions are certainly not unique to military prisons but at the Presidio they apparently have triggered an incident which has put the Army on the horns of a dilemma and resulted in the conviction of mutiny of at least four men.

I urge that we investigate these conditions at all military stockades and take whatever action is necessary to correct whatever deficiencies exist.

Mr. MIKVA. Mr. Speaker, my understanding of the Uniform Code of Military Justice, is that it was designed to guarantee to members of the military services the same constitutional rights that civilians enjoy consistent with the special demands of military life. The idea was that except in battlefield situations where discipline and duty demand a higher standard of obedience, the disciplinary and criminal sanctions imposed by military authorities must meet the same tests of procedural fairness and substantial justice as those imposed by civil authorities. The basic idea was reinforced only last year when Congress passed the Military Justice Act of 1968, Public Law 90–632.

The Presidio trials in San Francisco

have made a mockery of this concept of justice for members of the military services. It is evident to me, Mr. Speaker, that the men on trial there are being so severely punished not because of the seriousness of the offense they have committed, but because someone "upstairs" does not agree with their views or, to make a rather macabre pun, believes that in singing "We Shall Overcome" they were "out of tune" with the military view of soldierly conduct.

Mr. Speaker, I have no constituents involved in this tragic abuse of military authority, but this case has generated tremendous interest among my constituents. The obvious overreaction of military authorities to the relatively insignificant provocation by the 27 men on trial in San Francisco has truly touched the consciousness of Americans throughout the country. The sentences which have been handed down in those trials are not harsh—they are incredible. Fifteen years at hard labor for an insignificant half-hour on the grass. Mr. Speaker, I ask whether on any grounds such a disappropriate penalty can be justified.

As a lawyer I am conscious that it is not the place of Congress to interfere in a case which is now pending before military authorities. The case must be conducted in accordance with the procedures established by Congress in the UCMJ. But, Mr. Speaker, I do believe that in light of the harshness which the code evidently now permits, we are obligated to reexamine the UCMJ to insure once again fairness and substantial justice will be done in military trials. I would propose at least two areas in which such reexamination is in order.

In the first place, I believe we should consider whether it is not time to make the Staff Judge Advocate independent of the convening authority in determination of offenses for which the accused is to be prosecuted. In civilian life the prosecutor, corporation counsel, or, in the case of Federal crimes, the U.S. attorney, is independent of other civil authorities with responsibilities for maintaining law and order. I am not suggesting that the analogy between military and civilian life is perfect, but I believe that increased independence for the legal officials in the military system will help to guarantee fairer procedures in all courts-martial. My proposal is that the convening authority could never prosecute for an offense carrying a penalty more severe than the offense recommended by the Staff Judge Advocate. Appropriate safeguards to protect the independence of the State Judge Advocate would, of course, have to be included to make any such provision meaningful. A related suggestion might be to take away entirely the convening authority's power to review the court-martial's findings and sentence, and to vest this review authority entirely, as it now is partially, in a theoretically independent board of review.

The second area of the UCMJ which it seems to me we ought to review, Mr. Speaker, is subchapter X, the punitive articles. In rereading this subchapter, I was shocked by the loosely drawn, often overlapping offenses which are defined there. As an example, articles 90, 91, 92, and 94 all provide that failure or refusal to obey an order is an offense. The only requirement for such refusal to become "mutiny" under article 94 is that it be "in concert with any other person," and that it be "with intent to usurp or override lawful military authority." I submit, Mr. Speaker, that such language is so loosely drawn as to be virtually meaningless. Any refusal to obey a lawful military order could be interpreted as having been done "with intent to override lawful military authority." Perhaps this anomaly does not strike us as so serious until we look at the penalties provided for "mutiny" as opposed to other refusals to obey orders—the penalty can be death—as compared to 5 years at hard labor under article 90, and 2 years or less under the others. There is no question in my mind, Mr. Speaker, that these loosely drawn, vague, overlapping provisions must be reviewed with an eye to alining them with the minimal constitutional requirements for civilian law.

For those who feel that too much stir has been made about a single incident, the Presidio trials, may I remind the Congress that in 1967 the U.S. Court of Military Appeals considered a case in which it was alleged that the commanding general of Fort Leonard Wood, Mo., had discussed the sentences to be handed down by courts-martial convened by him in nearly 100 cases. If these nearly 100 cases along with events at the Presidio do not demonstrate the need for additional provisions in the UCMJ to insulate the military judicial process from command influence, then I submit that nothing ever will. The Congress cannot take action to influence directly the result of cases now under consideration in the military justice system. We can, however, and I argue we should, take action to insure that there is no repetition of these incidents in which command control overwhelms considerations of judicial fairness and substantial justice.

GENERAL LEAVE TO EXTEND

Mr. LEGGETT. Mr. Speaker, I ask unanimous consent that all Members, including my colleague from California (Mr. Moss), may have 5 legislative days in which to insert statements in the RECORD concerning these prosecutions, since they affect perhaps 27 congressional districts throughout the Nation.

The SPEAKER pro tempore (Mr. EDMONDSON). Is there objection to the request of the gentleman from California?

There was no objection.

THE CHARGE OF MUTINY AT THE PRESIDIO OF SAN FRANCISCO

The SPEAKER pro tempore (Mr. EDMONDSON). Under previous order of the House, the gentleman from California (Mr. COHELAN) is recognized for 60 minutes.

Mr. LEGGETT. Mr. Speaker, will the gentleman yield?

Mr. COHELAN. I yield to the gentleman from California (Mr. LEGGETT).

Mr. LEGGETT. Mr. Speaker, similar reports were issued for other men investigated by Captain Millard.

How can the Army claim that the charge of mutiny was levied after mature judgment when Captain Millard's report is so strikingly clear in its recommendations for lesser charges.

To summarize the factual situation, we find that for a lengthy period of time the Presidio stockade has been the subject of numerous complaints both as to the physical conditions of the plant and the treatment of prisoners by the personnel. Despite reports of one suicide and 33 attempted suicides the Army denied all reports categorically. Subsequently, the conditions which the Army denied in the first place were improved somewhat, although the Army now admits that the size of the segregation cells are still substandard, but are operational under a special waiver. On October 11, 1968, a prisoner was shot and killed by a guard while allegedly making an escape, although there is clear indication that this prisoner was mentally ill and the escape was actually a suicide attempt.

On October 14, 1968, a group of prisoners staged a sitdown to protest the stockade conditions as well as the shooting.

The confinement officer was aware of the pending sitdown prior to the action, but by his own admission took no preventative action, and when confronted with the actual disturbance, immediately threatened the prisoners with a mutiny charge—a charge he admits was planned in advance. The Army ordered an investigation of the incident by three officers. At the conclusion of the investigation the Army announced that in its mature judgment and after consideration of the investigative reports, a charge of mutiny was appropriate. In fact, two of the three investigating officers called for lesser charges.

I do not intend to retry this case on the floor today, but I do think that a brief exploration of prior mutiny trials would put the Presidio incident in clearer perspective.

A relatively recent case, *U.S.* v. *Woolbright*, 30 CMR 488 (1960) had a factual situation which was similar to the Presidio. Three prisoners on a work detail at a golf course refused to continue work for a short time and defied the orders of superior officers. They were charged with mutiny and convicted of the same by a courtmartial. The board of review reversed this decision, and the comments of this board are of great interest in the instant case:

Mutiny requires that there must be a concerted effort by more than one person to entertain a deliberate purpose to usurp, subvert, or override superior military authority, or to eject such authority from office. Woolbright and his fellow defendants, in the words of the court "made no effort to seize, take over or usurp the powers, functions or authority of their guards, or of the officers present." The sole issue is whether they intended to override superior authority when they collectively refused to continue to perform their assigned task.

The facts in the Presidio case are similar with one major exception. All published reports indicate that the Presidio

prisoners did not in any way intend to usurp authority. The Presidio incident was, in fact, a specific recognition of that authority. The prisoners merely wanted a chance to present their grievances to the officers they by their conduct recognized as being in authority. Yet article 94 of the Military Code of Justice, the mutiny article, is so broad that any action taken in concert by more than one person can be considered a mutiny.

I cannot present the full legal arguments at this time, but it is clear that the Army is operating under a statute which gives it considerable leeway in bringing the maximum charge against persons who engage in relatively harmless actions. This power must be exercised with discretion. There was no discretion exercised in the Presidio cases. The past history of the stockade, the reports of the investigating officers, the incredible ineptitude in the Army's presentation of its version of the facts, a version which time and time again has proved false, knowingly or otherwise, all point to the realization that the Army has forced itself into a corner and refuses to extricate itself. The reason given for the refusal of higher authorities to intervene is that time-worn excuse that such intervention would be in derogation of the chain of command. This is nonsense. The Army is perfectly capable of correcting such an abuse. The Army was aware of this miscarriage of justice from the very beginning. Congressman CLAUSEN spoke out immediately. Congressman Moss' subcommittee investigated the matter, I took the matter up with the authorities. The national press became concerned. There was plenty of time for the Army to stop this farce before it got out of hand. Now, because of their inaction the matter is out of hand and the high command is attempting to bury its head in the sand in order to save face.

The lives of 27 men are at stake, and I, for one, am not willing to sacrifice 27 young men to save the reputation of Army officer personnel.

Mr. Speaker, at this point in the RECORD I would like to include a statement from the case of United States against Woolbright, which is the second Woolbright case, reported in 12 U.S.C.M.A. 450, 31 CMR 46, page 39. In that case some young men were doing golf course duty and they thought it clearly was not right for enlisted men to be working on a golf course. They tried to charge these young men with mutiny, and the court in an opinion citing the factual situation in that case stated:

EXCERPT FROM UNITED STATES VERSUS WOOLBRIGHT

Turning to the facts before us, and judging the record in light of its sufficiency in law to establish the offense charged, we are compelled to hold that the circumstances do not support the findings of guilty. In view of the Government's concession and the determination of the board of review, we do not concern ourselves with the events which transpired after the men were formed and marched away from the ninth green. The accused's conduct at the bunker reveals only that he threatened the guards collectively and defiantly lit a cigarette. Thereafter, he refused to obey Loriot's order to extinguish it and to return to work. That his insubordinate attitude may have led the other prisoners also to quit work and to commence smoking is unquestionably established. The record, however, indicates a sequence of separate disobediences by individual prisoners rather than concert of action and joint intent to usurp or override Loriot's authority. The accused's act may well have caused the others' resentment to boil over and erupt in the cloud of refusals to work which followed, but it does not appear that any two or more of the group were animated by a common purpose to set aside the authority placed over them. Accused did nothing after his initial outburst to incite the prisoners or to resist orders, and we find it quite significant that he made no attempt to exhort his fellows to join with him in his insubordination. In short, this transcript depicts no more than a series of actions by different persons totally lacking a common intent. Accordingly, we find the evidence insufficient to establish the "technical" mutiny which the Government claims to be supported by the record before us.

Mr. Speaker, at this point in the RECORD I insert an editorial from Life magazine by Barry Farrell entitled "The Case of Private Sood":

THE CASE OF PRIVATE SOOD

(By Barry Farrell)

Of all Private Nesrey Sood's many crimes against the people of the United States, sitting down and singing *We Shall Overcome* with 26 other prisoners in the stockade at the Presidio of San Francisco last October was clearly the most serious—a capital offense, in fact. Still, it did represent a psychological advance on Sood's part for which the Army might yet wish to salvage some slight credit. Dangerous, foolish act that it was, it was nevertheless the first halfway rational thing Sood had done in a long, long time.

Sood's first bad mistake was moving across town without reporting his new address to his draft board. As the father of three children, he assumed that the draft couldn't touch him, even after the delinquency notice arrived. Besides, Sood was convinced that in any kind of dealings with the authorities he would wind up getting ———, so he made it his policy to steer clear of even the most routine encounters. Sood read the notice and forgot about it.

When his induction papers came, Sood at last complained. At the draft board they told him to see the man at the induction center. At the induction center they told him to explain his case to the sergeant at Fort Ord. And at Fort Ord Sood got ——— in just the way he knew would happen. They swore him into the Army and sent him to basic training.

It was nearly two years later—and only after Sood had slugged a corporal, pushed a lieutenant, been caught with a bottle in his footlocker and spent all but a month of his Army career under some kind of confinement—that the Army decided to put an end to the farce of his service. Apart from being so dramatically unfit for Army life, the man was tormented by personal problems. Things were going bad with his wife, and at the helpless distance of his post in Alaska he was getting reports that the welfare authorities were moving in to take his children. At last his company commander put him in for discharge as a lost cause, and soon he was on a plane bound for Seattle with orders to report to Fort Lewis for mustering out.

Sood started hitchhiking toward the fort, but the first car to stop for him was heading all the way to Los Angeles and he couldn't resist the chance to go all the way home without stopping.

The MPs arrested Sood at his house three weeks later, but after the authorities at the Presidio learned of his pending discharge, they gave him another plane ticket to Seattle and warned him sharply not to miss the flight. But Sood got to drinking and fighting with his wife that night, and the next thing he knew the MPs were back with orders to bring him in. It was Oct. 12, the day of a massive peace parade in San Francisco—a peace parade for veterans and GIs. The MPs had to drive through streets crowded with demonstrators to get back to the post.

The booking sergeant at the stockade told Sood that he once had shot a Vietnamese woman in the stomach for no reason at all. The message was: I'm just that tough, you better believe it. Then Sood overheard some guards talking about killing a prisoner the day before—"bragging about it," as he later testified. The prisoner had been hit at ten paces or so with a 12-gauge shotgun when he attempted to escape from a work detail. Sood was terrified to hear this talk. These guards are out of their minds, he thought.

Inside the stockade, a solid white stucco building with a majestic view of the Golden Gate, Sood found 140 men were living in a space designed for 88. For the past week they had been sharing rations for only 115 men with their nine guards and three cooks, and only the night before they had rioted to protest the shooting. The dead man now seemed to have been everyone's favorite—Private Richard Bunch, 19, five foot four and 120 pounds, a formerly redhot soldier who had returned an apparent LSD casualty from a long AWOL spent wandering around the Haight-Ashbury in paratrooper boots. The prisoners were insisting that his escape attempt was actually a suicide committed with the help of the guard. They were demanding an investigation; they wanted to see the press.

Normally, Sood would have retreated into his sullen, unsophisticated paranoia, sensing that he was about to get screwed again. But when he woke up on the morning of Oct. 14, he had his mind made up to join the demonstration that Mather and Polowski and Dodd and some others had cooked up the day before. The idea was for everyone to answer "here" when the first man's name was called that morning, then all fall out together and stage a kind of sit-in until they could make their grievances known.

It was not until he made his fatal move away from ranks that Sood discovered how few the protesters were. The organizers had been promising 90%, but now some of them stood among the troops still in formation. The demonstrators sat down, linked arms and began to sing and shout for Captain Lamont, the stockade commander. Polowski was ready to read the list of grievances.

Captain Lamont first circled the group without speaking. A photographer followed him, taking pictures of the men from all sides. Then 40 MPs showed up, together with a fire truck, and Captain Lamont began reading Article 94, the mutiny law, over a loudspeaker. Sood, who had never seen the captain before and had his back turned during the reading, said he didn't hear the captain's order to return to the stockade. The grievances were never heard, and order was restored within an hour. Half the men walked back in and the others let themselves be carried by MPs. There was no injury to anyone and no property destroyed.

Mutiny charges were pressed against all the demonstrators, including many whose cases were far more sympathetic than Sood's. Private Yost had been wounded in Vietnam and went AWOL after seven months in the hospital only because his pay records had been lost and he was being dunned through the courts for his child-support payments. Private Gentile, also a Vietnam veteran, was completely out of control, and had slashed his wrist so badly that 54 stitches were required to close the wound. Among them, the demonstrators had accumulated 30 suicide attempts in the past six months.

Sood was the first among them to be tried and sentenced. He had two good lawyers assigned to him, but he gave very little

to his own defense. Even before the court-martial started, he would fix them with a smile that made them feel absurdly naive: he was going to get screwed, he kept saying—no way out of it.

The Army's case was aimed directly at the Army's anxieties in the era of protest. What if these men were your troops, deserting in the face of the enemy, failing to respond to orders? The crisis of law and order cannot be allowed to infect command. The court found Sood guilty as charged, then deliberated for 35 minutes before deciding to give him 15 years at hard labor. The likelihood is that his sentence will be reduced, at least by half. Otherwise, Sood will be confined in Leavenworth prison until the winter of 1984.

Mr. Speaker, at this point in the RECORD I insert the unanimous recommendation of 45 members of the Law School faculty of Harvard University:

LAW SCHOOL OF HARVARD UNIVERSITY,
Cambridge, Mass., March 11, 1969.

Hon. ROBERT L. LEGGETT,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN LEGGETT: I am forwarding the enclosed copy of a petition sent to the Honorable Stanley R. Resor, Secretary of the Army, on behalf of forty-five members of the Harvard Law School faculty. Your consideration, as a member of the House Armed Services Committee, will be most appreciated by the signers.

Yours truly,

EDWARD F. SHERMAN.

As members of the legal community, we feel an obligation to express our concern over the court martial trials which are now being conducted at Fort Presidio, California. 27 soldiers, most of them under 21, are being tried on charges of mutiny for staging a brief sit-down strike at the Presidio Stockade on October 14, 1968. The soldiers linked arms, sang "America the Beautiful" and "We Shall Overcome" and presented three demands asking for elimination of shotgun-type work details, psychological evaluation of stockade personnel prior to assignment, and better sanitary facilities.

An investigating officer, appointed as required by the Uniform Code of Military Justice, described the stockade grievance procedures as "shoddy and inefficient" and recommended that the mutiny charges be dropped and the soldiers be tried by special court martial (the maximum punishment is 6 months) or administratively discharged. The Commander of the 6th Army, Lt. Gen. Stanley R. Larsen, disregarded the recommendation and referred all cases to a general court martial on charges of mutiny. Last week the first three soldiers tried were convicted and sentences of 15, 16 and 14 years were adjudged.

We believe that serious questions have been raised by these courts martial concerning the administration of criminal law in our armed forces and the capacity of the present military justice system to insure basic due process rights to members of the military.

First, it must be asked whether the use of the serious charge of mutiny is appropriate in cases such as these. A peaceful and passive sit-down strike by prisoners is sometimes the only method for dramatizing and expressing grievances, and such demonstrations have not usually resulted in prosecutions when they have taken place in civilian prisons. It has been alleged that conditions at the Presidio Stockade were unsatisfactory and that there were 33 attempts at suicide during the 6 months preceding the sit-down strike.

Second, it must be asked whether the intense command interest in prosecuting these soldiers for serious crimes and the unusually severe sentences indicate that the court martial proceedings did not result in a fair and impartial trial.

The Presidio courts martial do not do credit to the Army or the American judicial system. We urge the Army authorities to give consideration to stopping the courts martial of the remaining soldiers and remedying the sentences already imposed. We also ask that serious consideration be given by the Department of Defense, the departments of the services, and Congress as to what steps can be taken to prevent a recurrence in the future of this type of proceeding.

HARVARD LAW SCHOOL FACULTY SIGNERS

William D. Andrews, Paul M. Bator, Harold J. Berman, Derek C. Bok, Stephen G. Breyer, W. L. Bruce, David F. Cavers, J. H. Chadbourn, Abram Chayes, Jerome A. Cohen, Vern Countryman.

John P. Dawson, Alan M. Dershowitz, John M. Ferren, Richard H. Field, Theodore D. Frank, Paul A. Freund, Charles Fried, Elwood B. Hain, Jr., Livingston Hall, Tom Hervey, Louis L. Jaffe.

Charles H. Jones, Jr., Benjamin Kaplan, Andrew L. Kaufman, Friedrich Kubler, Kenneth Laurence, Joseph E. Leininger, Louis Loss, John H. Mansfield, Frank I. Michelman, Robert H. Mundheim, William E. Nelson. Charles R. Nesson.

Lloyd E. Ohlin, Oliver Oldman, Albert M. Sacks, Frank E. A. Sander, Edward F. Sherman, Russell A. Simpson, Alan A. Stone, S. E. Thorne, Donald F. Turner, James Vorenberg, Lloyd Weinreb.

Mr. Speaker, I include a statement by Gerald N. Hill, president of the California Democratic Council:

STATEMENT BY GERALD N. HILL, PRESIDENT OF THE CALIFORNIA DEMOCRATIC COUNCIL, IN REGARD TO PRESIDIO MUTINY TRIALS

The use of the unusual charge of Mutiny in the cases of the young enlisted men at the Presidio, and the sentences of four to 16 years of hard labor which have been meted out for protesting the conditions in the Presidio stockade, should be investigated by Congress and by the Department of Defense. This is essential to maintain civilian authority over the military when the Army is inflicting cruel and unusual punishment.

Charging men with Mutiny is reserved for aggravated cases involving wholesale attempts to overthrow military authority. It is completely wrong when the breach of discipline involves the simple act of failing to obey an order. This is obviously a case of intimidation by holding a possible death penalty over the heads of all enlisted men and handing out sentences which mean that these men will be middle-aged by the time they are returned to civilian life.

The men in question are all quite young—averaging 19 years old. Several have known histories of mental and emotional problems which have usually been untreated in the Army. Most of these boys were originally in the stockade for going AWOL because they were unable to cope with military life. To take from them the best years of their lives is rank injustice.

In two recent cases of actual Mutiny at other bases involving the use of armed force, the maximum sentence was two years. In the Presidio situation the soldiers charged failed to obey an order to disperse, while gathered together to sing songs as a protest to conditions in the stockade.

I am not personally informed as to the total conditions in the stockade, but it is undisputed that there are unlit isolation cells in which there is scarcely enough room for a man to lie down. These cells are without mattresses and without toilet facilities. There are many reports of cruelty and inattention to basic human needs of the soldiers awaiting summary Courts Martial. This warrants a full Congressional investigation. These young men are Americans, many of whom volunteered to serve their country, and no matter what discipline problems they may have created or their emotional inability to adjust to Army life, they are entitled to simple humane treatment.

Congress and the Defense Department should also investigate the psychiatric and psychological services available and actually rendered in the Armed Services so that those emotionally unfit for Army life can be weeded out without medieval punishment and returned to civilian life for appropriate medical treatment, or certified for treatment by the Armed Services doctors.

These cases may well become America's Dreyfus Case, unless prompt investigation is held. While the investigations are proceeding, all further trials for Mutiny at the Presidio should be suspended.

Mr. Speaker, I include in the RECORD at this point the statement of Capt. James Bander, also recommending a lesser charge of willful disobedience:

The charge of mutiny under article 94 does not apply to the facts of 14 October 1968. There are 3 elements to the offense of mutiny, one of which is the intent to override lawful military authority. This element is absent in the present case.

I find, however, there are facts sufficient to sustain a charge of willful disobedience under article 90 of the UCMJ, a lesser included offense of mutiny, under Article 94.

In my opinion, this case has been built up out of all fair proportion. To charge Yost and the others with mutiny, an offense which has its roots in the harsh admiralty laws of previous centuries, for demonstrating against conditions which existed in the stockade, is, in my opinion, a miscarriage of justice.

Yost and the others demonstrated in a manner contrary to military regulations and custom, and they refused to obey the lawful order of Captain Lamont to cease demonstrating and return to the stockade building. For this refusal to obey, I recommend that Private Edward O. Yost be tried by Special Court-martial.

One of the basic purposes of punishment is to deter crime. I feel that a six month sentence, which is the maximum a Special Court-martial could adjudge, is an adequate deterrent against demonstrations such as the one that occurred on 14 October 1968. If it is not adequate, then the focus of the command should be on those conditions which lead to such demonstrations, for in my opinion, one does not give up six months freedom to participate in a short demonstration unless the conditions leading to the demonstration are compelling.

There is ample testimony in this case to show that the conditions in the stockade prior to 14 October were not up to the standards we should expect. Of special significance in this case is the fact that the DD 510 procedure for expressing grievances, as implemented prior to the demonstration on Monday the 14th of October, was shoddy and inefficient. Although the conditions at the post stockade were deficient, I do not believe that they were so terrible, or that the prisoners' opportunity to express themselves were so limited as to be a complete defense to a disobedience of orders. However, these factors should be considered as mitigating circumstances.

Further, in mitigation, I call to your attention the fact that Private Edward O. Yost has served in Vietnam, where he suffered multiple wounds from a hostile booby trap, and was eventually evacuated to Letterman General Hospital. Prior to his injuries in Vietnam his military records indicate no misbehavior of any nature.

Considering all the facts, including the nature of the disturbance, the conditions which existed in the stockade, the military service of the accused, and the established policy

that trial by General Court-martial will be resorted to only when the charges can be disposed of in no other manner consistent with military discipline, I recommend trial by Special Court-martial.

It is unfortunate that this report should have taken so long, and that the record we have of the proceedings is so poor. There is no substitute for a verbatim transcript of a judicial proceeding. I believe it is an essential right of an accused to have relevent testimony preserved accurately. Especially in a case such as this where the charges are so serious. It is unacceptable to me as an attorney to believe that the Army can not afford to preserve the record accurately.

An explanation of the time spent investigating the charges is attached, however I feel it my duty to call to your attention the fact that 3 weeks were required to have the transcript (sic) of the proceedings typed. During this period memories faded and it became impossible to reconstruct testimony which was not recorded, partially recorded or recorded inaccurately.

Mr. Speaker, at this point in the RECORD I insert a letter from the United Ministries in Higher Education of Northern California and Nevada dated January 9, 1969:

UNITED MINISTRIES IN HIGHER EDUCATION OF NORTHERN CALIFORNIA AND NEVADA,
San Francisco, Calif., January 9, 1969.

Hon. ROBERT L. LEGGETT,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN LEGGETT: I am writing on behalf of Roy Pulley and Edward Yost, residents of your congressional district; they are being held in the Stockade at the San Francisco Presidio, Sixth Army Headquarters. All indications from legal officers at the base are that the Army is preparing to give these men a general court martial on the charge of mutiny. This charge carries a possible maximum penalty of death, and could easily result in twenty year sentences for these men.

The basis for this charge is Pulley and Yost's participation in a sit-down protest at the Stockade on October 14th. They were among the twenty-seven men who protested the October 11th shotgun killing of a fellow prisoner known to be psychologically ill, and the inhumane conditions at the Presidio Stockade. The prior efforts of these men to go through regular channels had been systematically ignored; therefore, they used the means of a sit-down to have their grievances heard. While we may see a certain impropriety in their method of voicing their grievances and in their breaking of Army discipline, seen in the context of the shooting of their fellow prisoner, which the Army immediately declared to be justifiable homicide, the mutiny charge is extreme and unjustifiable.

General Stanley Larsen, Commanding Officer of the Sixth Army, the man who has ultimate responsibility for bringing the court martial charges, has refused to meet with concerned citizens, including such community leaders as Bishop Kilmer Meyers, Episcopal Bishop of California, Bishop Charles Golden, Methodist Bishop, and Mr. Josiah Beeman, legislative assistant to Congressman Philip Burton, to discuss the matter. A large number of community people are appalled at the Army's callous indifference to human needs in the Stockade and General Larsen's refusal to so much as discuss the situation.

I earnestly urge you to investigate the Sixth Army's conduct with regard to the Presidio Stockade in general and with regard to Pulley and Yost. The prospect of court martialing these men for mutiny because of their attempt to expose the unjustified killing of a psychologically ill 19 year old soldier and conditions in the Stockade is intolerable. These charges must be dropped and the Stockade conditions corrected. Please give this matter top priority.

Sincerely,

REV. ALAN MILLER,
Regional Secretary, United Ministries in Higher Education.

Mr. Speaker, I include in the RECORD at this point the following letters:

A letter from Mrs. Homer Porter dated February 18.

A letter from Mrs. William J. Albers and others dated February 20.

A letter from Carmel L. Alhers and others dated February 20.

A letter from Lloyd M. Chandler dated February 18.

A letter from Frank Pecavich dated February 18 containing an editorial from the Sacramento Bee, pointing up that "Military Tribunal Justice is Harsh, Swift, Casual, Cruel."

A statement from William Holden dated January 31.

A letter from George Drake of the University of California at Davis, dated February 15.

A letter from Edmund B. Burke dated February 14.

A letter from David M. Kaplan, dated March 10, 1969.

A letter to General Westmoreland dated February 14.

A letter from Anna Lee Kirkland dated March 5.

A letter from Miss Alice M. Lenarz dated February 16:

FEBRUARY 18, 1969.

DEAR CONGRESSMAN LEGGETT: Are you aware what's happening at the Presidio in San Francisco. This has to be looked into and better be investigated in a hurry. Because the way it looks and sounds there just might be an army revolt and it's getting more serious. People are starting to take things in their own hands and you know what could lead to. The heat is on so bad right now that the Army is moving the trials to the desert down by Barstow. Really I am afraid just what might happen. But this Army does need look into its really a disgrace to the public and the service man. Really its worst then the Pueblo the Navy case. Because this happening right under our nose and it scare me. Because the military is getting too powerful and out of hand. I am opposed to do away with the draft because with a Volunteer Army it gives them to free hand. And what going on at Presidio under the draft. Just think what would happen under a Volunteer Army. Might end up like Greece under a military control. And what about the boy from Oregon with mental condition the Army wouldn't release him. Ask Senator Mark Hatfield who tried to get him release. Please look into this matter and conditions at the Presidio.

Yours Truly,

MRS. HOMER PORTER.

VACAVILLE, CALIF.,
February 20, 1969.

U.S. Congressman ROBERT LEGGETT,
Washington, D.C.

SIR: We are writing you this letter concerning the mutiny trial now in progress at the Presidio in San Francisco. This trial involves a young man who is a resident of our area. His name is Edward O. Yost of Elmira, California.

We are hoping that this letter will prompt you to look into the matter that is going on at the Presidio in San Francisco. This trial involves 27 young men, three of which have already received sentences of 14, 15, and 16 year prison terms.

Ed has fought for all of us in Viet Nam and was wounded in the front lines. He was returned to the States to receive treatment for injuries suffered from a land mine explosion, killing his buddy.

We believe that Ed, deserves more from us than a prison term, stripping him of all his youthful years. He gave up his job, his wife and family and was more than willing to do his share to fight on foreign soil for our country.

We wish to thank you for taking time to read our letter and please we would most certainly appreciate if you can and will help Edward O. Yost.

Very truly yours,

MRS. WM. J. ALBERS.
MRS. STANLEY SUMMITT.
MR. WILLIAM ALBERS.
MR. BILL ALBERS, Jr.

VACAVILLE, CALIF.,
February 20, 1969.

U.S. Congressman ROBERT LEGGETT,
Washington, D.C.

SIR: May we the undersigned respectfully request your attention in the matter of the Mutiny trial that is in progress at the Presidio in San Francisco. This involves a former Co-Worker of ours, Edward O. Yost of Elmira, California. We would like you to Help if you will and can.

Ed, has fought for us in Vietnam, and was wounded in the front lines. He was returned to the States and was receiving treatment at Letterman Hospital. We believe that the sentences that these boys are receiving, is certainly a miscarriage of justice.

A young man such as Ed that has fought on foreign soil surely deserves more from all of us than a prison sentence that will take away all of his youthful years. This young man has a job, a wife and family waiting for him, and we just had to write as private citizens to protest the action now going on at the Presidio in San Francisco.

We most certainly hope that this letter will prompt an investigation and special consideration on the part of our concern one, Edward O. Yost.

We know that you have hundreds of important matters that need attending too, but we most certainly believe that this matter should be looked into.

We will all appreciate any of your attention and help you can give this matter.

We remain,

Jim Chandler, Mac Chandler, Stanley Browning, Gene Rose, John Carlson, Carmel L. Alhers, Guy O. Blan, Marian W. Chandler.

LLOYD CHANDLER FURNITURE CO., INC.,
Vacaville, Calif., February 18, 1969.

U.S. Congressman ROBERT L. LEGGETT,
Washington, D.C.

SIR: This letter has been prompted by my concern for a former employee, Edward O. Yost. Eddie is one of the enlisted men presently being tried for mutiny at the Presidio of San Francisco. I think very highly of Eddie. He was a very conscientious boy and popular with the men he worked with. He has a fine future as a carpet installer. In fact, his supervisor says he is an exceptionally skilled technician.

Eddie was stationed at the Presidio of San Francisco so that he could be treated at Letterman Hospital for wounds suffered in Vietnam. During this period he worked for me on a part time basis, I noticed he was under a strain. He did confide that he was financially pressed and that the Army had lost his pay records. He had not been paid for many months. I'm sure this is verifiable. It was only later that I found out he was AWOL. Although, I cannot condone his being AWOL under any circumstances his behavior was at least aggravated by the fact that he was not receiving any money from the military.

Mr. Leggett, please take the time to look

into this matter. Ed Yost is not a traitor to his country. He is a patriot who made an unfortunate mistake. He served his country willingly in Vietnam and received a Purple Heart, as a result of front line combat. Eddie has a devoted wife waiting for him. Also, whenever he's able he has a steady and well paying job with my firm. If this boy receives a long prison term it would not only be a great tragedy for his family and friends but would be a colossal waste of life that would otherwise be positive and productive.

Yours very truly,

LLOYD M. CHANDLER.

CITRUS HEIGHTS, CALIF.,
February 18, 1969.

MR. LEGGETT: I only wish to state that I agree completely with the attached editorial. I feel that the punishment was not in keeping with the crime.

As a member of the Armed Services Committee I hope you wll be able to do all that a civilian can do to see that real justice is afforded those unfortunate to be involved in a military court.

It is true that this kind of reprisal action by the military will only further alienate the "social protests" and the young.

FRANK PECAVICH.

MILITARY TRIBUNAL JUSTICE IS HARSH, SWIFT, CASUAL, CRUEL

In the case of Pvt. Nesrey Dean Sood accused of mutiny at the San Francisco Stockade, military "justice" was harsh, swift and almost casual, as it was for two other accused soldiers charged also with mutiny.

The specific crime was to participate in a stockade sit-down with 26 others and to sing "We Shall Overcome." Involved in the court-martial was the issue of an order for the men to return to work. There still is some question as to whether Sood heard the order.

In any event, it took the military court only 45 minutes to find Sood guilty and later to sentence him to 15 years at hard labor. Two others also received punitive sentences in court judgments returned two days later—one receiving a 14-year sentence and the other a 16-year sentence, both at hard labor.

Unless higher tribunals intercede, these sentences will stand.

Sood was not a model soldier. Indeed, last September when he was stationed in Alaska, his commanders recommended he be given an administrative discharge. This by every known bit of evidence would have been a sensible and human solution of Sood's problem.

If the military was out to prove it is undeterred by mercy or leniency, it has made its point and given social protesters another rallying point.

Sood went AWOL when returning to San Francisco to visit his children. In a letter he told the military authorities the Alameda County Probation Department set a hearing on the case of the children for last Jan. 28. This letter was delivered to the stockade on Jan. 22 but was not shown to Sood until Jan. 30.

Sood was drafted Jan. 24, 1967, when he was a father of a 2-year-old daughter and when his wife was pregnant. He now has lost custody of his children and is in the middle of divorce proceedings.

Sood's civil defense attorney, Paul Halvonik of the American Civil Liberties Union, said of the verdict:

"Military justice is to justice as military bands are to music."

In the military it is traditional that disobedience to an order or any display of dissent is sternly dealt with. Yet even here the dispensation of discipline is ideally supposed to be tempered with some degree of restraint in authority.

The military is the biggest, toughest kid on the block, so to speak, but it takes a lot of doing for any power to bring justice down permanently. And so, it may be decided upon appeal that even the military does the nation an injustice by cruel and unusual punishment.

JANUARY 31, 1969.

Congressman LEGGETT,
U.S. Congress,
Washington, D.C.

MY DEAR SIR: I am deeply, deeply disturbed about the terrible travesty of justice going on in the San Francisco Presidio mutiny trials. I am shocked and horrified at the stockade conditions that led to this mess.

I believe that you should demand a full investigation. I am beginning to believe what our young people have been saying right along: the leadership in this country is rotten at the core!

Very sincerely,

WILLIAM HOLDEN.

DAVIS, CALIF.,
February 15, 1969.

Hon. ROBERT LEGGETT,
House Office Building,
Washington, D.C

DEAR SIR: I am writing concerning an urgent matter that requires immediate action. On Thursday, February 13, Private Nesrey Sood was sentenced to 15 (fifteen) years at hard labor by an army court martial for mutiny. That man's offense, as you will know if you've been following the case, was refusing to go to work in the San Francisco Presidio Stockade for a period of one hour. The sit down strike in which he partook was in protest to the killing of another prisoner by a guard a day or two earlier.

Fifteen years! At hard labor. How much of your life will the next fifteen years be? How much were those between the ages of 26 and 41? The man's three children will be grown. He will be middle-aged and destroyed. All this for one hour's protest against what he and his fellow prisoners felt was a legalized murder. If this system is that sensitive to protest, then it must be a hell of a lot worse than I thought.

May I submit to you, sir, that refusing to cooperate is not the same as attempting to overthrow military authority. I submit to you that the United States cannot well afford such a flagrant disregard for justice in these tense times. I submit that, if this sentence goes unchallenged, the revolutionaries I have always rejected will be armed with an irrefutable argument.

I plead with you, Mr. Leggett, to initiate a Congressional investigation into this entire matter, and into the whole system of military justice, if necessary. I ask you to bring all the pressure possible to bear in order to halt the pending court martials of the other 26 prisoners involved and the execution of the sentence already given. I plead, but all that is human *demands*.

GEORGE DRAKE.

CLEARLAKE HILLS, CALIF.,
February 14, 1969.

COMMANDING OFFICER,
The Presidio,
San Francisco, Calif.

SIR: Shades of Hitler! The "military mind's" idea of justice is completely alien to the very concept of democracy. *JUSTICE* is when the penalty is proportionate to the offense. Tyranny has the same stench whether from a dictator or the military.

I would suggest that all officers take a refresher course in American history—particularly the period between 1700–1800.

No wonder the military has always been anathema to the American citizen.

Yesterday's court martial penalty is outrageous and inhumane—and I hope it will not be accepted by the public without a fight.

EDMUND B. BURKE.

DAVIS, CALIF.,
March 10, 1969.

Congressman ROBERT L. LEGGETT,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN LEGGETT: Recently three young men in the army were sentenced to approximately fifteen years at hard labor for the crime of mutiny. The mutiny apparently consisted of refusing to obey a direct order. The incident that precipitated the entire matter was the shooting of another soldier by a guard as he walked away from a work detail and the subsequent "mutiny" was a protest demonstration against this action.

It frightens me to think that in this land of liberty and justice for all, young men in uniform are subjected to the same treatment that I was taught as a youngster to associate with the Nazis and Communists. If we find that in order to protect ourselves we have to use instruments such as the army, and that such instruments contradict the whole premise of our social contract, then I suggest we reexamine either our premises (which I think will not be found to be wanting), to our way of implementing them.

On March 18th sixteen more soldiers will go to trial for the same offense as the first three men. I ask that you look into this urgent matter personally by contacting Gen. Stanley Larsen, 6th Army Commanding Officer, Presidio, San Francisco, and try to get the charges diminished or if conceivably possible dismissed and in addition get the sentences of the other three men reviewed.

Respectfully yours,

DAVID M. KAPLAN.

FEBRUARY 14, 1969.

Gen. WILLIAM WESTMORELAND,
Chief of Staff,
The Pentagon,
Washington, D.C.

DEAR GENERAL WESTMORELAND: I am concerned that a criminal prosecution of a large number of young people in your Presidio stockade in San Francisco is out of hand and may become further aggravated.

According to the fact sheet presented by your Office of Legislative Liaison to my office apparently a young, clownish soldier on work detail was shot in the back and killed at a distance of 62½ feet when he broke and ran in front of a guard. The young soldier, Private Bunch, was being confined for the very nominal reason of having been AWOL. The guard apparently did not know the limits of his weapon, a twelve gauge shotgun loaded with heavy No. 4 shot. The guard had apparently been pre-alerted to the prank.

On this state of this record, apparently a number of prisoners in the stockade walked away from formation, sat down and began singing and chanting as is indicated in the report. On the basis of the record, two out of three investigating officers recommended that the disobedient persons be tried for unlawful disobedience. A third investigating officer recommended a general court martial under a charge of mutiny which carries a possible death sentence.

Apparently supervisory authorities recommended that the minority report of the investigating team be accepted and a mutiny trial will unnecessarily take place in San Francisco in the next few days. Admittedly, there will be no request for the death penalty. It is my understanding that one of the defendants was convicted yesterday on a mutiny charge with penalty assessed at 15 years at hard labor.

It seems to me utterly ridiculous that Army regulations can be administered in such an inflexible fashion as is indicated. I would think that a trial of this nature would result in Army embarrassment, ridicule and severe loss of stature in the West. I would think that you should recognize and set a policy that a severe mistake has occurred, that a young man's life was unnecessarily

taken, and that protesting soldiers should be admonished for disobedience at most.

One No. 4 shot pellet from a twelve-gauge shotgun I find quite adequate to kill a thirty pound Canadian honker. I would think that a human would be no less vulnerable.

Your urgent review of this matter would be earnestly appreciated.

Very sincerely,

ROBERT L. LEGGETT,
Member of Congress.

SEATTLE, WASH.,
March 5, 1969.

Re Day of Court-Martials of 5 more of the "27" Day of World Prayer.

DEAR MR. LEGGETT: Michael Marino of Vacaville, California is one of the twenty-seven men being held at the Presidio under charges of mutiny. He is a member of your constituency and, due to the very limited publicity about "the twenty-seven," I am concerned lest you remain unaware of and untroubled by the affair.

The public outrage is growing against the arbitrariness and cold ruthlessness of the military, as exemplified in the outright persecution of the twenty-seven men since the murder of Private Richard Bunch on October 11, 1968. We civilians informed of these events cannot stand for the harsh incarceration of men who acted in measured, rational ways according to their conscience. They had such respect for the opinions of others and confidence that people would respond (if informed) and seek the right ways to oppose and end such evils. They did all they could to contact the news media and all friends outside the military. The result was a stiffening of the military's already vengeful attitude.

Only the Congress has complete control over the military—supposedly—and aside from the President. We therefore urge you to press for a full congressional investigation of the events that have taken place at the Presidio. We urge you to press for the protection of the individual's civil rights, even *in* uniform. And above all we ask you to question the state of this country when men of conscience are oppressed by flagrant and capricious misuse of authority.

Please inform me of actions you will be taking in response to this crisis.

Sincerely,

ANNA LEE KIRKLAND.

DAVIS, CALIF.,
February 16, 1969.

Representative ROBERT L. LEGGETT,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN LEGGETT: I am writing to ask you to do whatever possible to aid the twenty-seven young Navy men being sentenced to years of hard labor for "mutiny" in San Francisco. Not only should something be done to alleviate the harsh sentences they are receiving, but conditions in the stockade should also be investigated.

I am also writing to the General Court Martial Review Board in Washington and to Congressman Leggett.

The military courts supposedly act in the name of the citizens of the United States. I don't believe we have a right to remain silent while this kind of "justice" is meted out.

Sincerely,

ALICE M. LENARZ.

Mr. Speaker, I also insert at this point an analysis of the factual situation herein concerned, prepared by "The Committee for the 27," with headquarters at 1029 Vermont Avenue, room 200, Washington, D.C. They have a particularly fine analysis and commentary:

THE PRESIDIO MUTINY TRIALS

CHRONOLOGY OF THE "27"

October 11, 1968: Pvt. Richard Bunch was killed at the San Francisco Presidio with a 12-gauge shotgun by an unidentified guard. Bunch was a 5'4'' 19-yr.-old inmate of the Presidio Stockade who had shown definite signs of psychological disturbance. His fellow prisoners and the guards knew of his terrifying nightmares and his obsessive dialogs with himself. He had visited his mother in Dayton while AWOL last spring, and had told her that he had died twice, been reincarnated as a warlock, and had walked through walls to visit her. She tried at that time to get him admitted to a civilian hospial for psychiatric care, as she told the public in a press conference in San Francisco on October 30th. But the hospital only turned Richard over to M.P.'s. She finally received a letter from an Adjutant at Fort Meade promising psychological care for her son. (The official later denied sending this letter, and when informed that Mrs. Bunch still had it, dismissed it as a mere "form letter.") At the San Francisco Presidio, Richard was examined by Army psychiatrists and declared among other things a manic depressive. (As of January, the Department of the Army was denying that there was evidence that Bunch was psychologically disturbed; yet the Army as well as a member of Congress from Richard's home state has a copy of this report from the Presidio Letterman General Hospital). After Bunch's death, his fellow prisoners and the guards found suicide notes written by Bunch, saying: "One click and its over . . . all right America I'll pay . . . If you can't give me love, at least do me the favor of complete annihilation." (These notes, authenticated by guards and prisoners, are in the possession of one of the civilian defense attorneys.) On October 11, he obeyed a suicidal impulse to run from a guard, was shot in the back without the benefit of an order to halt and in the presence of other guards who could have stopped him, and died on the way to Letterman Hospital. Three other prisoners were on the work detail with Bunch, and testify to the manner of his death. (The sworn testimony of Linden Blake is attached.)

That evening there was a disturbance in the stockade as Bunch's death became known to his fellow inmates. Shortly after the killing the Army declared it to be "justifiable homicide."

October 12, 1968: The G.I. and Veterans' March for Peace was held in San Francisco in the late morning and early afternoon.

Captain Lamont, officer in charge of the stockade (he is 25 years old), after conferring with Colonel Ford, Provost-Marshal of the Presidio, read to all the assembled prisoners article 94 of the Uniform Code of Military Justice, the section covering mutiny. Lamont's explanation of his action was that he felt that the disturbance in the stockade the night before could possibly grow into mutinous action.

Several prisoners filled out Army DD 510 forms (standard forms for requests and communication with superiors) to request press interviews to counter the Army version of justifiable homicide and to protest stockade conditions. These were subsequently denied.

October 14, 1968: The stockade prisoners were assembled for roll call and work detail assignments at 7:30 a.m. When the name of the first man in the group was called out, they all answered "Here" and walked over to a grassy corner in the stockade enclosure. They began to sing "We Shall Overcome" and "America the Beautiful." When they were confronted by a sergeant they asked to see Capt. Lamont. When he arrived, one of the men, Walter Palowski, rose and read to him an improvised "510" form listing grievances, including the killing of Richard Bunch, and making several requests: the elimination of shotgun-type work details, psychological evaluation of stockade personnel, and better sanitary conditions. Lamont walked away, refusing to listen. He did not follow the stockade Standard Operating Procedure requiring that he first reason with prisoners, and then use only the minimum necessary means to correct a disorderly situation; he admitted later that he had not even read the Procedure. The prisoners resumed their singing. Lamont attempted to read article 94 to the men, but he could not be heard above the singing and general noise in the yard. He went to an M.P. car outside the stockade gate and used its loudspeaker to order the men to return to the stockade building, and he read article 94 again. Witnesses at the pre-trial hearings testified that he could not be clearly heard because of static in the loudspeaker, that he was partly hidden by the door of the vehicle, and that he did not identify himself when he ordered the men to return to the building. Capt. Lamont testified that he had been called at 5:30 a.m. about a possible disturbance that morning, but merely went back to sleep. When he arrived later to deal with the sitters-down, he brought many M.P.'s, an Army photographer (whose pictures are attached) and fire equipment. He ordered water thrown on the demonstrators, but the men with the fire equipment refused to do so. The Army admits that the demonstration was entirely non-violent, and that the men offered no resistance to being carried back into the building. The entire event took about an hour.

October 17, 1968: The standard "510" forms requesting press interviews were passed on from Col. McMahon, Commanding Officer of the Presidio, to Lt. Gen. Larsen, Commanding Officer of the Sixth Army, with a negative recommendation and the comment that "they would get enough press at their courts-martial." The inevitability of court-martial for the men was indicated by this command attitude prevailing before preliminary hearings and pre-trial investigation. General Larsen denied the requests on November 7th.

October 22, 1968: Capt. Robert L. Paine, commanding officer of the Special Processing Detachment (part of the disciplinary structure of the Presidio), who conducted the preliminary investigation of the mutiny charge, gave his recommendation to the base legal office that court-martial charges for mutiny be preferred. The base legal office prepared the mutiny charges the next day.

November 5, 1968: The article 32 pre-trial investigation of the charges began. Hearing Officer for the first six was Capt. Richard J. Millard.

November 13–26, 1968: Hearings were held for the remaining 21, in groups of 18 & 3.

November 18, 1968: Five of the first six to receive article 32 hearings underwent psychiatric examination by Army psychiatrists, who recommended discharge under Army Regulation 635–212 for four of the five.

December 7, 1968: Capt. Millard made his official recommendation to Gen. Larsen. He found that "the charge of mutiny under article 94 does not apply to the facts of 14 October 1968"; that the necessary element of "intent to override lawful military authority" was "absent in the present case"; that the case had "been built up out of all fair proportion"; that the charge was an "overreaction by the Army" and a "misapplication of a statute which could lead to a further miscarriage of justice." He found that there was "ample testimony in this case to show that the conditions in the stockade prior to 14 October were not up to the standards we should expect. Of special significance in this case is the fact that the DD 510 procedure for expressing grievances, as implemented prior to the demonstration on Monday the 14th of October, was shoddy and inefficient." He recommended that there be only a special court-martial at most (if a given prisoner were not discharged for psychiatric reasons) on a lesser charge of willful disobedience. If the six-month maximum a special court can give were not sufficient, then "the focus of the command should be on those conditions which lead to such demonstrations, for in my opinion, one does

not give up six months freedom to participate in a short demonstration unless the conditions leading to the demonstration are compelling." Capt. Millard recommended against General Court-martial for mutiny, as did another of the hearing officers. (A copy of Capt. Millard's report for Pvt. Lawrence J. Zaino is attached.)

January 16, 1969: The Army announced that the first six men, whose hearings had been conducted by Capt. Millard, would stand General Court-martial for Mutiny on January 28th. No reason was given for the rejection of Millard's recommendations.

January 17, 1969: Federal Judge Stanley Weigel issued a "show cause" order to the military authorities of the Presidio as a result of a petition from Attorney Terrence Hallinan, to show why confinement at the Stockade was not "cruel and inhuman punishment" and therefore unconstitutional.

January 28, 1969: Court-martial proceedings against the first six began. All six cases were eventually recessed to later dates.

February 6, 1969: Pvt. Nesrey Sood underwent General Court-martial for mutiny. Nesrey Sood is a 25-year-old native of Oakland, California, who was married and had three children before he was drafted for neglecting to keep his draft board properly informed of his whereabouts. He served in Vietnam, and was eventually granted an administrative discharge. On the way to pick it up he went AWOL to see about his children, who were being neglected. Shortly before his court-martial for mutiny, a certified letter arrived for him at the stockade, and was signed for by stockade personnel. The letter was from the Alameda County Superior Court (Oakland) informing him that his children had been taken into custody by the court because of neglect and that there would be a hearing on the disposition of the case and provision for the children, to take place on January 28th. If he wished to express his will concerning the children he was to be present at the hearing on the 28th or send an attorney to represent himself. . . . The letter was not given to Pvt. Sood until January 30th, two days after the hearing and eight days after it arrived.

February 23, 1969: Pvt. Nesery Sood was convicted of mutiny, and sentenced to 15 years at hard labor, dishonorable discharge, and forfeiture of all pay and allowances.

February 14, 1969: The Courts-martial for two to the first six resumed: Pvt. Lawrence Reidel and Louis Osczpinski. A sound expert, Dr. Salmon of the Stanford Research Institute and a graduate of M.I.T., testified that it was "highly improbable" that the demonstrators of October 14, 1968 could have heard the readings and orders of Capt. Lamont, even when he used the loudspeaker . . . During noon recess Osczpinski slashed his wrists; he was bandaged at the hospital and returned to the courtroom . . . Both young men were convicted of mutiny. Osczpinski was sentenced to 16 years at hard labor, and Reidel to 14. Both were sentenced to dishonorable discharge and forfeiture of all pay and allowances . . . Army psychiatrists had testified that both Reidel and Ocszpinski had severe psychiatric disorders and should be given administrative discharges; yet no provision was made for psychiatric care in the sentencing.

February 17, 1969: Pvts. Sood, Osczpinski and Reidel were shipped to Fort Leavenworth, Kansas, to begin serving their sentences.

Court-martial began for Pvt. John Colip. On the motion of the defense a change of venue was granted. Army officials chose the Sixth Army's Fort Erwin, California, where the trial resumed on February 24th.

February 28, 1969: John Colip was convicted of mutiny and sentenced to four years at hard labor, dishonorable discharge, and total forfeitures.

(Colip's considerably shorter sentence might be correctly understood in the light of rumors at the stockade that if the 15 prisoners whose trials are set for March 18, and whose attorney is Terence Hallinan, would drop him as their attorney, they too would only receive four years.)

March 5, 1969: The courts-martial of Pvts. Dodd, Yost, Zaino, Murphy, Hayes, and Swanson began. The trials are currently (March 8) in the stage of interrogations and motions. Certain indications of command influence have been revealed by the defense: military defense attorneys Capts. Yeari and Sullivan made public a letter from Col. Garnett of the base legal office forbidding them to discuss the case with the press. They considered such a letter an affront to their character and professional integrity. They also revealed that they had been contacted by phone by a Major Jenkins who identified himself as a friend of Mendel Rivers and of Lt. Gen Stanley Larsen, C.O. of the Sixth Army, and who said that Gen. Larsen wanted to get off the hook on the trials, had received poor advice, and wanted to negotiate with the lawyers. Yeari and Sullivan told Col. Garnett of the call, and he called a meeting of all the military lawyers—prosecution and defense—involved in the case, and said he would hold an investigation of Major Jenkins and his role. The meeting was held February 9th, but as of March 6th, and after several requests to Col. Garnett for the results of the investigation, the two lawyers had heard nothing further. They therefore issued a statement including a letter they had written to General Larsen by way of Col. Garnett demanding the results of the investigation of the person and role of Jenkins. They attempted to have the law officer, Colonel Lee, rule on it; when he said he could not become involved with a "fictitious major," Capt. Sullivan offered Jenkins' address and telephone number. Col. Garnett had admitted to Yeari and Sullivan that there was such a major. The Army has now admitted that Major Jenkins did contact Gen. Larsen on the 6th of February but denies that anyone has been authorized to make deals in the case. It had previously denied that Jenkins had been a contact for Larsen. Attorney Lowe, defending Private Yost, indicated that if Larsen is attempting to make deals with the defense, he wanted change of venue not just away from the Presidio, but out of the control of the Sixth Army altogether.

During the trial Private Yost suffered the indignity of having his Purple Heart (he is a veteran of Vietnam) and other medals ripped from his uniform by a guard on the order of the prosecution. The guard said that Yost wasn't fit to wear them. On the complaint of the defense, and over the objection of the prosecution, Law Officer Lee ordered the medals returned.

Speaking for all seven attorneys for the six accused, Captain Fahy asked the Law Officer to intervene to stop the "pattern of harassment" just as they had asked previously of Gen. Larsen. They asked Col. Lee to order Gen. Larsen to stop the harassment of their clients. They submitted five affidavits indicating that their clients were subject to immediate harassment for cooperating with their attorneys, and were becoming afraid to do so. Atty. Howard DeNike submitted that his client, Ricky Dodd, had recently been beaten up in the stockade; and Atty. Lowe that his client, Pvt. Marino, had been struck by a sergeant.

March 18, 1969: The courts-martial for the remaining 15 defendants begin, with Atty. Terence Hallinan as civilian counsel.

OFFICIAL RECOMMENDATION FROM ARMY HEARING OFFICER AT PRETRIAL INVESTIGATION

(NOTE.—This is an exact copy of Capt. Richard J. Millard's report for Pvt. Lawrence Zaino. His reports for the others were almost verbatim, and copies are available.)

The charge of mutiny under Article 94 does not apply to the facts of 14 October 1968. There are three elements to the offense of mutiny, one of which is the intent to override lawful military authority. The element is absent in the present case.

I find, however, there are facts sufficient to sustain a charge of willful disobedience under article 90 of the UCMJ, a lesser included offense of mutiny under Article 94.

In my opinion, this case has been built up out of all fair proportion. To charge Zaino and the others with mutiny, an offense which has its roots in the harsh admiralty laws of previous centuries, for demonstrating against the conditions which existed in the stockade, is, in my opinion, an overreaction by the Army and a misapplication of a statute which could lead to a further miscarriage of justice.

Zaino and the others demonstrated in a manner contrary to military regulations and custom, and they refused to obey the lawful order of Captain Lamont to cease demonstrating and return to the stockade building. For this refusal to obey, I recommend that Private Lawrence J. Zaino be tried by Special Court-martial, or as an alternative that he be separated from the service with less than an honorable discharge under AR 635212.

The two basic reasons for the imposition of punishment are to deter crime and to rehabilitate offenders. In Zaino's case, it is very questionable whether any long term confinement is likely to be effective in rehabilitating him. I call your attention to the psychiatric evaluation (Incl. 31) prepared by Major Chamberlain at Letterman General Hospital on 18 November 1968. Dr. Chamberlain feels that Private Lawrence J. Zaino has a personality disorder which makes it highly unlikely that we will be able to adapt to the Army, and therefore recommends that he be separated from the Armed Services as expeditiously as possible under AR 635–212. As far as deterrent to crime is concerned, I feel that a six month sentence, which is the maximum a Special Court-martial could adjudge, is an adequate deterrent against demonstrations such as the one that occurred on 14 October 1968. If it is not adequate, then the focus of the command should be on those conditions which lead to such demonstrations, for in my opinion, one does not give up six months freedom to participate in a short demonstration unless the conditions leading to the demonstration are compelling.

There is ample testimony in this case to show that the conditions in the stockade prior to 14 October were not up to the standards we should expect. Of special significance in this case is the fact that the DD 510 procedure for expressing grievances, as implemented prior to the demonstration on Monday the 14th of October, was shoddy and inefficient. Although the conditions at the post stockade were deficient, I do not believe that they were so terrible, or that the prisoners' opportunity to express themselves was so limited as to be a complete defense to a disobedience of orders. However, these factors should be considered as mitigating circumstances.

Considering all the facts, including the nature of the disturbance, the conditions which existed in the stockade, the military service of the accused, the mental state and character behavior of the accused as described by Dr. Chamberlain, and the unlikelihood that punishment will have any rehabilitative effect, and the established policy that trial by General Court-martial will be resorted to only when the charges can be disposed of in no other manner consistent with military discipline, I recommend trial by Special Court-martial, or as an alternative, separation under AR 635–212, which would be to the benefit of both the Army and the accused.

Remarks

It is unfortunate that this report should have taken so long, and that the record we

have of the proceedings is so poor. There is no substitute for a verbatim transcript of a judicial proceeding. I believe it is an essential right of an accused to have relevant testimony preserved accurately. Especially in a case such as this where the charges are so serious. It is unacceptable to me as an attorney to believe that the Army cannot afford to preserve the record accurately.

An explanation of the time spent investigating the charges is attached, however I feel it is my duty to call your attention to the fact that three weeks were required to have the trascript (sic) of the proceeding typed. During this period memories faded and it became impossible to reconstruct testimony which was not recorded, partially recorded or recorded inaccurately.

Capt. RICHARD J. MILLARD,
U.S. Army Quartermaster Corps.

PRESIDIO, SAN FRANCISCO.

(This report, together with similar ones for the other six men involved in the first investigative hearing, was forwarded from Capt. Millard to Col. McMahon, Post Commander, Col. James Garnett, Sixth Army legal office, and Lt. Gen. Stanley Larsen, Commanding General of the Sixth Army, along with copies of the psychiatric reports on each man. Each of the three rejected Millard's report and recommended General Court-martial for mutiny. None stated his reasons for this rejection.)

REMARKS ON THE DEPARTMENT OF THE ARMY FACT SHEET REGARDING THE MUTINY TRIALS AND STOCKADE CONDITIONS AT THE PRESIDIO OF SAN FRANCISCO

At the end of January, 1969, the Department of the Army, in response to inquiries from Congressmen and Senators issued a fact sheet on the killing of Pvt. Richard Bunch and the subsequent alleged mutiny at the Presidio Stockade. Several Congressmen have returned this fact sheet to inquiring citizens, some with the note that the Army's reply is self-explanatory. It is our contention that this reply is neither self-explanatory nor completely accurate. This contention is based on evidence contained in the Army's own records and first-hand evidence of both the personnel and prisoners of the Presidio Stockade.

1. The Army fact sheet states that the prisoner capacity of the fenced-in portion of the Presidio Stockade is 103 men. The Army fact sheet states:

"A weekly check of the prisoner population for the same day of the week from 15 August 1968 to 31 January 1969 revealed that the population of the fenced in portion of the stockade exceeded 103 men on 6 occasions; these were:

"Sept. 5, 1968	105
Sept. 12, 1968	110
Sept. 19, 1968	108
Oct. 10, 1968	111
Jan. 16, 1969	112
Jan. 30, 1969	111"

These figures simply are not accurate. They are contradicted by the confinement officer, Capt. Lamont, as well as by the guards and prisoners on November 19. At the Article 32 hearing, presided over by Capt. Howard McElhatten, Capt. Lamont testified that for 54 days preceding the 14 October disturbance, the stockade prisoner population exceeded 103, which is the expanded capacity. According to Army regulations, a stockade can operate at emergency capacity for a maximum of 7 days. Lamont recorded in his own handwriting the daily stockade population from 1 August to 28 October. This handwritten record was obtained by one of the civilian defense attorneys at the Article 32 hearings:

Sept. 5, 1968	126
Sept. 12, 1968	126
Sept. 10, 1968	125
Oct. 10, 1968	130

Further, Capt. Lamont's record shows that on 14 October, the date of the alleged mutiny, the Stockade population was 140. On 15 October it reached 145 men. On the date of the second pre-trial investigation, the Stockade population was 120. The complete record of Stockade population between 1 August and 28 October 1968, as listed by Capt. Lamont, is available. We have no way to determine where the Department of the Army obtained its figures. We know that these figures are contradicted by the testimony of Capt. Lamont and other people in the Stockade.

2. On 14 Nov. 1968, during the second pretrial investigation, Capt. Lamont testified to the shortage of rations in the Stockade. He stated that for two weeks prior to 14 October, the Stockade had been drawing rations for 104 men, despite the fact that the Prisoner population in the Stockade averaged 128 men, and reached as high as 140 men on 14 October. The tension created by overcrowded conditions is obviously heightened by short rations.

3. The Army fact sheet admits that the segregation cells are smaller than the size permitted by DOD directive.

4. There have been several investigations of the Stockade both before and after the alleged mutiny. The general pattern is that previous to any formal tour or investigation, the number of the Stockade prisoners is decreased. In January, Gen. Westmoreland visited the Presidio. Several days prior to his arrival 40 prisoners were removed from the Stockade. A similar lowering of population occurred before the visit of a representative of Congressman Whalen (R., Dayton).

5. The Army has stated that there is no evidence to indicate that Pvt. Bunch was mentally disturbed. They state that he was examined by a psychologist at the Presidio who reported this lack of evidence. Again, it is strange that the Army would deny its own evidence. Besides the fact that last May Bunch's mother tried to have him admitted to a civilian hospital in Dayton, Ohio, and that she has a letter from a JAG officer at Ft. Meade promising that her son would receive psychiatric care, the psychiatrist who examined Bunch at Letterman Hospital (Presidio) filed a written report stating that Bunch was, among other things, a manic depressive. The Army as well as a member of Congress has a copy of this psychiatric evaluation on file. Furthermore, several of Bunch's fellow Stockade inmates have testified that they felt him to be severely disturbed. In Bunch's cell after his death, several hand scrawled notes were discovered indicating his disturbed mental state and suicidal tendencies. The notes were brought out of the Stockade by a guard and given to an attorney, Mr. Terrence Hallinan. The guard and the prisoners saw those notes and will testify to their authenticity.

6. There were three other prisoners on the work detail the morning of October 11th who witnessed the killing of Richard Bunch. These three were in the immediate proximity of Bunch and the guard; further down the street there were three other witnesses (according to the Army fact sheet). Two of the prisoners on the detail state that they heard Bunch ask the guard if he would shoot him if he tried to escape. The guard answered he would have to try in order to find out. The Army fact sheet confirms this dialogue and indicates that "the guard believed Bunch was joking." Pvt. Linden Blake, a member of the work detail, testified that he told Bunch to stop "bugging" the guard. Moments after the dialogue between Bunch and the guard, Bunch began to run down the street. Pvt. Blake, in sworn testimony, stated he heard the click of the guard's shotgun and turned to see him fire the gun, hitting Bunch in the back. (Pvt. Linden gave sworn statement under penalty of perjury in U.S. Federal Court, San Francisco, case no. 50565, as to what happened. His testimony is attached.)

7. Of the six witnesses referred to in the Army fact sheet, four testified that they did not hear the guard call "halt" even once before shooting Bunch; three of these witnesses were in immediate proximity to the guard and they heard and saw only the shooting. The two who said they heard the order to halt were further down the street. The three closest witnesses testified that Bunch was shot at a range of 25 to 35 feet; the Army report says it was a range of 62½ feet. Either estimate may be true. Neither estimate changes the substance of the act.

8. On October 12th a so-called "G.I. and Veterans' Peace March" was held in San Francisco. Personnel at the Presidio were restricted to base that day. Capt. Lamont testified at the Article 32 hearing that on October 12, he read Article 94 of the UCMJ, the mutiny charge, to all the prisoners in the Stockade; he testified that the reason for doing this was "shock value," as he suspected there might be some disturbances in the stockade because of the killing of Bunch.

9. There is basic agreement on what transpired on October 14th. As the Army fact sheet outlines: "At 0730, 14 October 1968, a work formation was assembled at the stockade. When the first prisoner's name was called, 28 prisoners left the formation, walked away, sat down and began singing and chanting . . ." About forty minutes later "twenty-five military policemen entered the stockade and escorted the demonstrators from the scene. No force was required other than physically carrying some of the prisoners off."

10. The Army has made much of the fact that two of the prisoners involved in the demonstration have testified in such a way as to damage the case of the rest.

a. Pvt. Peters left the group when Capt. Lamont arrived. The Army reports him as saying that he heard that the action constituted a mutiny. However, Pvt. Peters went AWOL the next day and he has not returned to custody to date.

b. Pvt. Swanson states "he wanted to leave the sit-down but was forced to remain by the other members of the group." In viewing the video tape and pictures taken by Army photographers of the demonstration, it seems unlikely that he could have been forced to remain in the group.

11. Among other things the prisoners chanted, they called for (Capt.) Lamont and Major Homel (the Post Judge Advocate). When Capt. Lamont arrived, one of the prisoners arose and attempted to read him a list of grievances. According to Capt. Lamont's testimony (on Feb. 3, 1969) the demands were:

"We want elimination of all shotgun type work details."

"We want complete psychological evaluations of all personnel before they are allowed to work in the Stockade."

"We want better sanitary conditions."

The prisoner also read a protest of the killing of Richard Bunch and the Army's verdict of justifiable homicide.

12. Instead of following the Army Regulation contained in the Standard Operating Procedure of the Stockade, which instructed him to first reason with the prisoners and then to use the minimum amount of force to resolve the situation, Capt. Lamont immediately began to read them Article 94 of the UCMJ (the mutiny charge). When he was signaled that he could not be heard, he went outside the stockade compound to a nearby M.P. car and used its loudspeaker. According to the prosecution, he also ordered the men to return to the stockade building. However, witnesses testify that Capt. Lamont did not identify himself while using the loudspeaker and that he was at least partially blocked from view by the car door. Further, a Dr. Salomon, a sound expert

from Stanford Research Institute, testified at the first trials that, in all probability, the prisoners could not hear Capt. Lamont even over the loudspeaker. Other witnesses testified that the static in the loudspeaker made it difficult to hear Capt. Lamont.

13. The Army's fact sheet on the incident also fails to mention that:

a. According to Capt. Lamont's own testimony, he had been notified by a stockade guard at 0530 on 14 October that there was possibility of a disturbance in the stockade that morning. He testified that at the time he went back to sleep and took no preventative measures to avoid any problems.

b. Capt. Lamont was called to the stockade at 0730 14 October. When asked by one of the attorneys at the first trial why he did not take steps that had less severe potential than reading the mutiny charge, he testified that his mind was fixed from the beginning on mutiny as the proper charge to make. His own statement is further substantiated by the fact that he arrived at the stockade with a photographer and fire engine.

c. When asked why he did not follow the Standard Operating Procedure manual directive that he attempt to reason with the group, he stated that he was not familiar with the directive. Given the fact that the group had called for him and had attempted to communicate their grievances, it seems fair to assume that an attempt on his part to reason with the men may have resolved the disturbance.

14. According to the Army's fact sheet, two of the three Article 32 Investigating Officers, Capt. Richard Millard and Capt. James Brander, recommended against bringing the mutiny charge. Capt. Millard, in his official report stated that the facts of 14 October did not support the mutiny charge. Further, he said that in his opinion the case had "been built up out of all fair proportion." He recommended a Special Court-martial with a maximum sentence of 6 months, stating that if such a punishment "were not adequate deterrent to such demonstrations, then the focus of the command should be on the conditions in the stockade which gave rise to such disturbances." Capt. Millard reported that there was ample evidence to indicate that the conditions in the stockade were substandard. In particular, he noted that the DD 510 procedure for filing grievances was "shoddy and inefficient." Capt. James Brander recommended a general court-martial for willful disobedience. Both men pointed to the mitigating circumstances of the disturbance.

15. The Army fact sheet states that the decision to proceed with the mutiny charge was based on complete investigation, allied papers and intermediate commanders' recommendations. It is difficult to understand what this more complete information would be, as the hearing officers reviewed all of the available evidence. Defense attorneys have alleged that, in fact, the Sixth Army Judge Advocate, Col. James Garnett, prejudiced the decision by the manner in which he presented his recommendations to Lt. Gen. Larsen.

16. Based on testimony from all the civilian attorneys involved in the case and reports from the 27 men themselves, it is not accurate to give the impression that one or a group of civilian attorneys were backing the sit-down. It was common knowledge that there are over 100 civilian attorneys in the Bay Area who have agreed to handle military cases free of charge. This fact seems to have bothered military authorities at the Presidio for some time. Last summer, one of these attorneys made public a letter from the Commanding Officer of the Presidio in which he called the group of attorneys "unethical."

17. The Army fact sheet mentions a December 1968, motion in the Federal District Court in San Francisco by Mr. Terrence Hallinan for a writ of habeas corpus and mandamus and injunctive relief to be granted regarding stockade conditions. It notes that his motion was denied by Judge Wiegel on the grounds that he had not exhausted all military channels. It does not mention that after the same motion was denied by the Court of Military Appeals, Judge Wiegel accepted Mr. Hallinan's motion into consideration and on January 16, 1969 issued a show cause order to the Sixth Army why Mr. Hallinan's motion should not be allowed.

Mr. Speaker, I include at this point articles from the San Francisco Chronicle, dated February 18, 1969:

EXCESSIVE ZEAL IN MUTINY CASES

There is understandable public concern over the severity of the sentences in the first courts-marital of the Presidio "mutineers," the young GI stockade prisoners who staged a singing, sit-down protest at the Presidio last October. The sentences of three men thus far tried average 15 years and give good indication of what other defendants can reasonably expect.

These are, of course, extremely harsh penalties to be visited upon young men who mistakenly thought that the form of civilian protest could be transferred to military life, and military guard house life at that. Most of the defendants were either being held for trial for being absent without leave or had been found guilty of this transgression. Their cases have found sympathetic and militant support from those who oppose the Vietnam war, which has tended to color the emotions involved.

We do not question the authority of the armed forces to punish those guilty of mutiny with severity, for it is the highest of crimes which persons subject to military law can commit, taking its place alongside treason, sedition or murder. It can be a capital offense under the Uniform Code of Military Justice. Any organization which exists by virtue of discipline and obedience must regard its breach seriously.

However, in the Presidio demonstration—for it was nothing more than that—we must agree with the findings of Army Captain Richard J. Millard, a member of the California bar who investigated the cases and recommended how they should be handled. A charge of mutiny, he wrote, "has in its roots the harsh admiralty laws of previous centuries." He urged that the 27 accused be tried not by general court martial, but by special courts which have authority to impose only a maximum term of six months. Millard did not believe that a mutiny had occurred but said that there was certainly "willful disobedience of an order," a much lesser offense.

In pursuing mutiny prosecutions, we believe the officers responsible have acted to create a cause celebre. It is virtually a certainty that the long prison terms will be ameliorated by the review process. In the meantime, all that will have been accomplished is to portray the Army as an institution anxious to administer punishment with excessive zeal. This is hardly the idea that those responsible for the trials wanted to convey to the public.

ON OFFICERS AND ARMY DISCIPLINE

(By Royce Brier)

Casual students of our history know more about the military attitude toward discipline from the Civil War, than from any other war.

They know this because Ida M. Tarbell in her Life of Lincoln included an appendix listing some 500 cases where the President suspended death sentences imposed by courts martial. This intercession was by telegrams directed to district commanders.

Most of them deal with sleeping sentries and deserters, and there are few mutiny cases, though several occurred. In one big one in Tennessee a whole brigade went on a rampage and burned the camp of another brigade. The aftermath of this event is not readily available.

Lincoln was explicit he would not countenance execution of buck privates while "wily" civilian obstructors of recruiting were winning short sentences from military commissions. This "wily" outside influence on soldiers charged with military offenses could well establish a precedent for more modern circumstances of military discipline.

Last October a prisoner at the Presidio was shot and killed, allegedly while attempting escape from a work gang. In protest 27 other prisoners staged a sit-down, called mutiny.

The first of the accused was tried by a court martial consisting of two colonels and four lieutenant colonels. He is N. D. Sood, 25, of Oakland. He is married and has three children.

Sood has a considerable army record of clashes with his superiors. He is an impassive young man and appears to be mentally normal, which is not the case with some of his colleagues in the sit-down. After five days of hearing, he was convicted and sentenced to 15 years at hard labor.

The record indicates Sood, just prior to the October incident, was under emotional stress over domestic difficulty involving divorce and custody of his children.

It is rare that an army officer reaching a colonelcy is not held in a mold regarding discipline, especially touching refusal to obey orders or any conspiracy thereof. This mold was set in our beginnings (which derived from British army practice), and is conspicuous in army thinking at West Point.

The uses of army punishment as a deterrent, or example, to prevent a breakdown of discipline, is a commonplace part of the mold. Further, court martial officers are conscious the accused often wins modification of sentence on appeal, if not executive clemency from the President, and so tend to stiff sentences to offset it.

It is doubtful if the severity of Sood's sentence is in the best interest of the United States, whatever other interests are involved. He is manifestly not good soldier material, and in fact was about to be mustered out before the Presidio trouble.

This sentence should be diminished to reasonable proportions, by the President if by no one else. You cannot disregard defiance in an army and keep a good army. But neither can you impose Draconian punishment and keep a good army, despite fixed military theory.

Mr. Speaker, I include at this point an article entitled "Chronology of Presidio Stockade 'Mutiny'," by Gene Castellano Florida:

CHRONOLOGY OF PRESIDIO STOCKADE "MUTINY"

(By Gene Castellano Florida)

Louis Osczepinski is not a household name but the Army's court martial of him and 26 other soldiers for alleged mutiny has become a matter of national significance.

Three of the 27 prisoners in the Presidio stockade who staged a sit-down strike last October in protest over the killing of another prisoner and alleged unsanitary conditions there have been convicted.

Osczepinski, a Florida resident, is one of them.

Here is a chronological record of the events leading up to and since the "mutiny" as compiled from the dispatches of United Press International and information furnished The Times Herald-Record by Brian Drolet of the National Committee for the Defense of Military Prisoners, San Francisco.

May, 1968: Pvt. Richard Bunch, 19, was AWOL and his mother tried to have him admitted to a Dayton, Ohio, hospital for psychiatric observation. The hospital notified military authorities and Bunch was picked up.

His mother reportedly has a letter in her

possession promising Bunch would receive psychiatric care.

An Army psychiatrist from Letterman General Hospital, San Francisco, who examined the 5 foot 4, 120-pound soldier found he was a "manic depressive."

Oct. 11: According to the testimony of Pvt. Linden Blake in the Federal District Court of Northern California on Nov. 22: "I first noticed Richard Bunch was bothering the guard asking him questions such as 'Would you shoot me if I ran?' As we went back into the street to cross it I heard Bunch say something like, 'Aim for my head,' or 'You'd better shoot to kill.'

"... Bunch and the guard were in the middle of the street, two other members of the detail, Colip (next to come to trial) and Reims, were in the supply room, and I was on the sidewalk with my back to Bunch and the guard.

"I heard footsteps, and the click of the shotgun being cocked, and I turned to see the guard aim and fire, hitting Bunch in the small of the back."

Blake testified that no command of "halt" was given and that Bunch was about 25 to 30 feet from the guard when he was shot.

Hours after the killing, the army issued a verdict of "justifiable homicide" although it promised further investigation.

That evening there was a small riot in the stockade, presumably in protest of the shooting.

Oct. 12: The GI and Veterans' March for Peace was held in San Francisco. (This is part of evidence the Army contends showed the trials were being turned into "some sort of anti-war circus.")

Oct. 14: At 7:30 a.m. 27 of the men assembled for a work detail broke ranks, walked to a spot on the grass, and sat down. They sang "We Shall Overcome" and "America, The Beautiful," and asked the sergeant in charge to summon the Presidio commander, Capt. Robert S. Lamont.

When he arrived (with a photographer and a firetruck), Pvt. Walter Polowski read a list of grievances including the killing of Bunch and shotgun-carrying by guards. Capt. Lamont used the loudspeaker system of a military police car to read the charge of mutiny to the 27.

(Testimony at Osczepinski's court martial revealed the captain's voice could not be heard clearly.)

Nov. 5, and 13–26: Article 32 (mutiny) hearings for the 27 were held.

Nov. 18: Osczepinski and four others underwent psychiatric examination. Maj. T. J. Chamberlain, who evaluated Osczepinski, recommended he "be separated from the Army under AR 635–212" (be given an administrative discharge).

Dec. 7: Hearing officer Capt. Richard J. Millard officially recommended to Gen. Stanley Larsen, Sixth Army commander that the first six prisoners (including Osczepinski) not be tried for mutiny, on the grounds that the facts of the Oct. 14 incident did not support the charge.

Jan. 16: The Army officially announced it would bring the first six alleged mutineers to trial at a general court martial.

Jan. 28: Court martial proceedings against the six were begun, four were granted continuances. Attorneys for Lawrence Reidel of Crescent City, Calif., and Osczepinski began their cases.

Feb. 5: The trials of Osczepinski and Reidel were ordered recessed until a medical board could determine their mental condition.

Feb. 6: Pvt. Nesrey Sood stood trial for mutiny.

Feb. 13: Sood was convicted of mutiny and sentenced to 15 years at hard labor, forfeiture of all pay and allowances, and a dishonorable discharge.

Feb. 14: Adjudged sane, Osczepinski's court martial resumed. During a recess, he slashed his wrists.

Feb. 15: After only 55 minutes of deliberation, the court martial board convicted the two privates of mutiny, sentenced Osczepinski to 16 years at hard labor and Reidel to 14, and ordered them dishonorably discharged with loss of pay.

Oszcepinski was given the longer sentence because he reportedly had been convicted twice of being AWOL.

Feb. 17: Reidel, Osczepinski, and Sood were shipped to Fort Leavenworth, Kan., to begin serving their sentences.

Two Warwick veterans of the Vietnam war, David O'dell and Donald Puff, presented a petition requesting a new trial on a lesser charge and a reduction in sentence to the Warwick and Florida American Legion Post. No action was taken.

Feb. 20: Petitions were reportedly circulating throughout Orange County protesting Osczepinski's conviction and sentence. O'dell and Puff had gathered 200 signers in two days.

Warwick Legion Commander Aaron Hasbrouck submitted the Warwick men's request to a meeting of county Legion officers. It was left up to members' discretion whether to sign.

Feb. 24: Sens. Jacob K. Javits and Charles E. Goodell and Rep. Martin B. McKneally, R–27, called for detailed reports from Army Secretary Stanley Resor on the "very severe" sentence awarded Osczepinski.

I include now an article from the San Francisco Chronicle dated March 8, entitled " 'Harassment' at Presidio":

"HARASSMENT" AT PRESIDIO

(By George Murphy)

Defense attorneys for six Presidio GI's charged with mutiny told a court-martial there yesterday their clients are undergoing a "pattern of harassment" at the Presidio stockade.

"If our clients aid us in their defense, they are subject to immediate reprisals," Captain Thomas Fay, one of the military defense attorneys, told the law officer, Colonel John G. Lee.

Fay noted that on Wednesday the defense had asked Lee to order harassment at the stockade to stop, and Lee had said the proper authority to issue such an order was the Sixth Army commander, Lieutenant General Stanley Larsen.

"We sent affidavits to General Larsen, showing the pattern of harassment of our clients, but we have received no reply, and the action continues," Fay said.

Fay then introduced five affidavits claiming brutal treatment into the record and Lee said he would forward them to the commanding general.

The prosecutor, Captain John F. Novinger, objected that the affidavits did not have to go into the record and asked:

"Is the defense doing this just for the benefit of the press?"

Civilian attorney David Lowe said the only reason for the affidavits being recorded was "to make sure that any reviewing board or court, far from this time and place, can get a full record of what happened at the Presidio."

Lowe later said that not only the six GIs on trial now, but 14 others awaiting trial are being harassed at the stockade.

He said that one of those awaiting trial, Private Richard Moreno, "didn't make a square corner when he marched at the stockade at noon today and a sergeant hit him with his fist, in front of five of these boys on trial."

Novinger said an investigation of the charges originally made on Wednesday "is now under way."

By the time Lee adjourned the court yesterday afternoon, the seven defense attorneys had concluded their tedious, repetitive and at times ludicrous examination of the nine-officer court-martial.

During the questioning, two of the officers said they were surprised at the length of sentences given convicted mutineers in earlier trials. The sentences ranged from 4 to 16 years.

Colonel Leonard R. Daens said he was "surprised at the severity" of the prison terms, and Lieutenant Colonel Robert B. Campbell said: "Anytime you get a man getting 14 years, that's a stiff sentence."

When the trial resumes Monday, Lee will hear arguments from the defense, which wants a change of venue from the Presidio.

The defense contends that because of the atmosphere and demonstrations in the Bay Area favoring the GIs, there is a "military backlash" which could hurt the defendants.

In the first trials of three defendants, held at the Presidio, the sentences were 14, 15 and 16 years. In the last trial, held at Fort Irwin in the Mojave Desert, the defendant got four years.

I include now an article from the San Francisco Examiner dated February 20 on "Uneven Justice," and an article from the Examiner, dated March 8, "Harassing in Mutiny Case Cited":

[From the San Francisco Examiner, Feb. 20, 1969]

UNEVEN JUSTICE

(By Dick Nolan)

Recent events at the Presidio suggest rather glumly to me that my own inky trade has been much remiss in ferreting out the facts in military courts martial.

Struck by the severity of sentences passed upon three young military offenders (14, 15, 16 years at hard labor), I turned to the archives to see what other military courts had done—just for comparison.

Crime and punishment, and the contrast between law and justice, has been one of my hobbies for years. I have a bulging file on the subject. It is fascinating, in a horrid kind of way, to see whom society punishes for what, and how severely.

It is also encouraging, on days when the journalist glooms darkly on a wasted life, to find scraps of evidence that the difference between justice and tyranny very often depends on how much gets printed in a given case. Nice to reflect that we serve an occasionally useful purpose, and that our world would, on the whole, be worse off without us.

But any time I tend to take too much satisfaction ("find a desideratum and meet it") the crime & punishment file can always produce an item to bring me down again.

In the present doings, a brief clipping datelined May 8, 1966: a crackdown on black marketing, currency manipulation, profiteering and other enterprising crimes in Saigon.

Astonishing! Our report (and with all those reporters in Vietnam) said "a couple of dozen" Americans, some soldiers and some civilians, had been "punished."

The names of the offenders were not divulged. Nor did the Pentagon permit issuance of any information on the punishments, although it was disclosed that "at least some" of the soldiers had been sentenced by court martial!!

End of dispatch. End of information. And for all my researches can turn up, end of inquiry.

Question, in the context of the Presidio sentencings: How seriously did the Army take the Saigon pilfering, black marketing, and so forth and so on? Did it find any of these offenders quite as guilty as the three young trouble-makers who took part in a stockade sit-in demonstration at the Presidio? Did anybody get 15 years at hard labor?

Proceed now, for comparison's sake, to the November, 1966, court martial of a Navy Captain, Archie Kuntze, widely known as "the American Mayor of Saigon" because

he was in command of the enormous supply-support facility there, including a PX that grossed $2 million a month.

A court martial cleared Kuntze of 18 charges growing out of his administration of the supply operation. It convicted him of three charges, all having to do with his close and (the Navy said) scandalous connection with a young Chinese girl who shared his quarters.

Thus, in the full glare of press attention, the Kuntze Case melted down to mild hanky-panky. The defendant was reprimanded, and bumped downward on the promotion list.

If the court had been inclined to severity (keeping now the Presidio court in mind) Kuntze could have been given two years and eight months at hard labor, with loss of pay and allowances, and could have been sacked without a pension.

If this had happened there would have been shrieks and screams. Just as there are shrieks and screams now as a result of the Presidio courts martial. It's just that the volume levels from various sectors of the community would be different.

Now the Army is about to whisk the remaining defendants in the Presidio sit-in "mutiny" off to a desert post God forgot we had. There, it might be presumed, the Army will deal with these rascals in its own way and in relative privacy.

But I don't think so. My ink-stained trade is often lazy, often sloppy, and lately has been showing signs it has forgotten the questions. But we can still find the desert, all right, and our way to the courtroom.

[From the San Francisco Examiner, Mar. 8, 1969]

HARASSING IN MUTINY CASE CITED—STILL NO REPLY ON "MAJOR X"

(By Will Stevens)

The mutiny court martial of six young soldiers will resume Monday at the Presidio with defense counsel pursuing motions for a change of venue as well as dismissal of the charges.

The nine-officer court martial board, however, will not return until Wednesday, pending the ruling of the presiding law officer, Col. John G. Lee, on the motions.

Meanwhile, through Col. Lee, defense counsel sent a request to Lt. Gen. Stanley Larsen, commanding general of the Sixth Army, requesting him to halt what the defense asserted was "harrassment" of the six accused in the Presidio stockade.

MAJOR X

At the same time, the defense was still awaiting a reply—affirmative or negative—from Gen. Larsen on their request that the defense be supplied with investigative reports on "Major X," who has become a mystery figure in the current court martial.

"Major X," who said he was acting for General Larsen, called two military defense counsel on Feb. 9—Captains Emmit Yeary and Brendan Sullivan at their homes—and told them Larsen "wants to get off the hook."

An Army investigation was launched, but the results have not been given to defense attorneys, despite their "repeated" requests.

CHALLENGES

Intensive questioning of a non-officer court martial board—after the manner of a jury being chosen in civilian courts—was completed yesterday, with no challenges by either the government or the defense.

Challenges—if any—will be made on Wednesday.

At one point during the questioning, Lt. Col. Robert B. Campell, a top intelligence officer at Fort Lewis, Wash., replied to a question by defense counsel Capt. Joseph Coate, representing Pvt. Ricky Dodd:

"I do not believe that these men (the six accused soldiers currently on trial) have anything to do with these anti-war groups that have been demonstrating."

It was Col. Campbell who also observed that "anytime a man gets 14 years—that's an awful stiff sentence."

SENTENCES

Although their names were not mentioned in open court, he was referring to the sentences meted out in earlier court martials to Pvts. Nesrey Sood, who received a 15-year sentence at hard labor; Larry Reidel, who was given 14 years, and Louis Osczepinski, who was sentenced to 16 years at hard labor.

By contrast, another of the accused mutineers, Pvt. John Colip, tried at Fort Irwin in the Mojave Desert, was sentenced to four years. Colip was defended by civilian attorney Ron Sypnicki of Sacramento.

Another of the court martial board members, Lt. Col. Leonard R. Daens, testified under questioning by Sullivan that "I was surprised at the earlier sentences . . . the guy who got four years (Colip) got off pretty lucky."

Mr. Speaker, I insert now an article from the San Francisco Chronicle, dated March 13, entitled "Senators' Call for Probe Cheers Mutiny Defense":

SENATORS' CALL FOR PROBE CHEERS MUTINY DEFENSE

(By George Murphy)

Yesterday was a bad day here only for the defense in the mutiny court-martial of five Presidio GIs.

In short order, the defense got turned down on requests to:

Have the trial moved out of the Sixth Army area.

Have the charges dismissed because "military due process" was not followed.

Have the flamboyant San Francisco attorney Mel Belli appear as an "expert on trial tactics."

But in Washington, things were happening that made the defense happy.

SECURITY

U.S. Senators Alan Cranston (Dem.-Calif.) and Charles E. Goodell (Rep.-N.Y.) called for a Senate investigation of the nation's military prisons as a result of what they termed the disclosure of "deplorable" conditions at the Presidio stockade. (See page one.)

Presidio M.P.'s yesterday enforced stricter trial security measures than have been seen at previous courts-martial. Photographers were told they could not come within 25 feet of the six defendants; newsmen could talk to civilian defense counsel only outside the court-martial building, not inside, as in the past.

Military defense attorney Captain Emmit Yeary claimed yesterday that "this case has been riddled by neglect, inadvertence, and in some cases sheer incompetence; charges were brought against the 27 stockade prisoners who staged a sit-down demonstration last October 14.

PROCEDURES

He said that usual procedures for bringing charges were bypassed in order that the mutiny accusations could be lodged.

"Let's go outside the Sixth Army area," he pleaded, "where we can get a fair and impartial hearing. This procedure at the Presidio violates fundamental fairness."

Prosecutor Captain John F. Novinger replied that Yeary's charges are "the wildest conjecture on the slimmest of evidence."

EXCEPTION

His co-counsel, Captain Dean Flippo, said "I must take exception to terms such as 'command incompetence' as used by the defense. There is no evidence to show this."

Law Officer (Judge) Col. John G. Lee denied Yeary's motion for dismissal of the charges, saying "I cannot find any lack of military due process," and also said moving the trial out of the Sixth Army area was not within his purview, and thus denied that motion.

Captain Brendan Sullivan, another defense attorney, asked if he could bring Belli in to testify on Friday on a motion to sever the cases.

"He will testify on the impossibility of getting a fair defense when there are six attorneys and five defendants."

RESPONSE

Lee responded: "While I personally would love to hear Mr. Belli testify, I cannot allow it, and the motion is denied."

Another military attorney, Captain Thomas Fay, asked that the defense be allowed to see the letters concerning the mutiny sent to Sixth Army commander, Lieutenant General Stanley Larsen.

Novinger said "These letters run the gamut, and I would not object if they are kept private and not released to the public."

Lee said the defense can look at the letters, and if they find that there is something in there they want to put into evidence, he will rule on it at the proper time.

The trial will be in recess until tomorrow because one of the civilian attorneys, David Lowe, of Vacaville, was called away to represent a civilian defendant in a Yolo County narcotics case.

Mr. Speaker, I insert an article dated March 8, entitled " 'Harassment' at Presidio," which is from the San Francisco Chronicle:

"HARASSMENT" AT PRESIDIO

(By George Murphy)

Defense attorneys for six Presidio GI's charged with mutiny told a court-martial there yesterday their clients are undergoing a "pattern of harassment" at the Presidio stockade.

"If our clients aid us in their defense, they are subject to immediate reprisals," Captain Thomas Fay, one of the military defense attorneys, told the law officer, Colonel John G. Lee

Fay noted that on Wednesday the defense has asked Lee to order harassment at the stockade to stop, and Lee had said the proper authority to issue such an order was the Sixth Army commander, Lieutenant General Stanley Larsen.

"We sent affidavits to General Larsen, showing the pattern of harassment of our clients, but we have received no reply, and the action continues," Fay said.

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The prosecutor, Captain John F. Novinger, objected that the affidavits did not have to go into the record and asked:

"Is the defense doing this just for the benefit of the press?"

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He said that one of those awaiting trial, Private Richard Moreno, "didn't make a square corner when he marched at the stockade at noon today and a sergeant hit him with his fist, in front of five of these boys on trial."

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In the first trials of three defendants, held at the Presidio, the sentences were 14, 15 and 16 years. In the last compared trial, held at Fort Irwin in the Mojave Desert, the defendant got four years.

Mr. Speaker, I include now an article, dated March 11, 1969, from the San Francisco Examiner, entitled "Mutiny Trial Clampdown":

MUTINY TRIAL CLAMPDOWN

(By George McEvoy)

The long and sometimes heavy arm of military justice has clamped down on the mutiny trial of 27 soldiers at the Presidio.

The purpose is to forbid any further talk of a mysterious "Major Jenkins" who supposedly contacted defense attorneys in the case and said that "General Larsen wants to get off the hook."

The mysterious Major Jenkins claimed by phone, according to several defense attorneys, that he was an old buddy of Lt. Gen. Stanley R. Larsen, that he served with him in the 82d Airborne Division years ago.

DENIES LINK

Lt. Gen. Larsen has denied even hearing of any Major Jenkins, but has never been called upon to affirm or deny such a fact in court.

Yesterday, David Lowe—an attorney from Vacaville—asked that the Presidio court summon Gen. Larsen and Col. James Garnett, staff Judge Advocate for the Sixth Army at the Presidio—and ask them just who and what Major Jenkins is, but the Army ruled otherwise.

The legal officer at the court martial of the six soldiers now on trial—a Mississippian named Col. John G. Lee—ordered the court cleared of spectators and newsmen.

Then, after more than an hour's deliberation, Lee ruled that Gen. Larsen's testimony and Col. Garnett's testimony would not be relevant to the trial.

CLOSED ISSUE

Furthermore, Lee said that the issue of Major Jenkins was closed and that it no longer could be discussed at the trial of the six men before him.

Lowe said later that it probably could be brought up again if new evidence was offered, but he did not seem too confident of that.

All day long at the Presidio yesterday, the accent was on brevity, a la Army, as the law officer kept urging defense counsels to "get to the point" and "let's cut out this nonsense." On at least two occasions, Lee even coached witnesses.

The argument centered about two points, one being the right of a change of venue, the other being the right to a speedy trial, which defense attorneys maintain their clients have not been given because their alleged offense took place last Oct. 14.

A REMINDER

Lee, however, seemed to wave away these factors as he insisted that the attorneys "get to the point."

When one military police officer could not remember the date when he reported the offense to higher authorities, Lee told him the date.

When Capt. Brendan Sullivan, a military attorney appearing for the defense, tried to cross-examine the witness of another defense lawyer, Lee told him he could not, because the witness was appearing for the same venue issue.

Sullivan finally obtained permission to question the man on that issue and immediately went into what sounded for all the world like a cross-examination.

Mr. Speaker, I insert here an article dated March 12, from the San Francisco Examiner, entitled "Presidio GI Wins Separate Trial":

PRESIDIO GI WINS SEPARATE TRIAL

(By George McEvoy)

The trial of six Presidio GIs on mutiny charges has become the trial of only five soldiers. Private Lawrence Ziano has been granted a separate court martial in order to undergo psychiatric examination.

Ziano's attorney—Joseph Manzella—opened court proceedings yesterday morning by saying his client had gone into convulsions the evening before, trying to hurl a chair at MPs in the Presidio court room and later acting berserk in his cell at Treasure Island.

Ziano and the other five are among 27 GIs accused of mutiny in the Presidio stockade Oct. 14. Four men already have been convicted and sentenced. The first man got 16 years at hard labor, the next two got 15 and 14 years respectively, and the fourth man, Private John Colip—who obtained a change of venue to Fort Irwin in Death Valley—got a relatively light four years.

Ziano was taken to Letterman General Hospital and treated. He appeared in court yesterday heavily under the influence of tranquilizers.

MENTAL TEST

The Law Officer—Col. John G. Lee—who acts as a judge at courts martial, ordered that Ziano be granted a severance (separate) trial and that he be given a "complete and thorough psychiatric examination." Lee also ordered that Ziano be kept in a hospital room, rather than a jail, "if a room is available."

Ziano then left the courtroom under guard and was taken back to Treasure Island to be processed out and to be sent to Letterman Hospital.

There should be a room for him in the prison ward, since another soldier, also one of the 27 charged with mutiny, escaped from Letterman two weeks ago by sawing through his bars.

In other action yesterday, Col. Lee turned down a request by defense attorneys that all charges be dropped against the six defendants because they had not been granted a speedy trial.

DILIGENCE

The six—as with the others in the group of 27—have been in the stockade or in Treasure Island's brig since at least October 14.

After arguments by both sides, Col. Lee ruled that the Army showed reasonable diligence in pursuing the case, and he also quoted the U.S. Supreme Court and the Army's Court of Military Appeals as stating that the right to a speedy trial shall not be used as a means to escape justice.

Some of the legal arguments got hot yesterday, especially between military counsels Capts. Emmitt Yeary and Brendan Sullivan and Col. Lee.

At one point, Lee refused to allow Sullivan—a sensitive but pugnacious attorney—some questioning of an MP officer put on the stand by Yeary. Sullivan objected vigorously and Lee snapped back: "I don't want to argue with you, Captain."

A 19-GUN SALUTE

During the morning session, a 19-gun salute boomed out over the base and reverberated through the tiny courtroom. The Australian Armed Forces Chief of Staff, Sir John Wilton, had arrived on the base.

At the sound of the first cannonade, Lee turned to the spectators and quipped: "Heck, are they blowing up the stockade?"

One of the defense counsels—David Lowe of Vacaville—was called away on another case, a non-military one. For that reason, the arguments for change of venue will not be heard until Friday when he returns. In the meantime, the Army proceedings will concern arguments on due process of law and other matters.

It is believed that the case of the five GI's will be moved to Fort Lewis, Wash., on Monday.

FIREWORKS

But at the Presidio, another aspect of the same mutiny case will then begin—perhaps the most active part of the entire series of courts martial.

San Francisco's controversial attorney Terence Hallinan will then begin defending the remaining 14 soldiers accused of taking part in the mutiny—and he promises fireworks.

Among the charges Hallinan may bring is one that several of the soldiers involved enlisted in the Army after being given their choice of serving in the Army or going to Modesto State Hospital because of crimes they had committed.

Mr. Speaker, I insert here an article dated March 12 from the San Francisco Chronicle entitled "In Mutiny Trial—A Sanity Probe":

IN MUTINY TRIAL—A SANITY PROBE

(By George Murphy)

One of six Presidio GIs on trial for mutiny was taken to Letterman General Hospital last night after his attorney said he is "paranoid and suicidal."

Private Lawrence Zaino, 20, of Toledo, Ohio, had his court-martial proceeding severed from that of his five co-defendants and will go to trial later, perhaps, if a sanity board determines he can help his lawyer in his own defense.

Civilian attorney Joseph Manzella told Law Officer John G. Lee that the young soldier "went into convulsions" Monday night after the court-martial recessed shortly before 6 p.m.

"He was sitting in his chair, shaking, and he kept saying 'It's true what I said, it's true what I said about the brig, but they don't believe me. I'm sorry for what I did.

TRUE

"'But they don't believe me. But it's true'."

Manzella had maintained that Zaino, who was being held at the Treasure Island brig, had been subject to harassment and physical beatings. He said that Zaino was being kept at Treasure Island because "they have better facilities there to prevent his committing suicide."

The attorney said that on Monday evening when two MPs came to handcuff Zaino, he "tried to pick up a chair and hit them with it, but he was shaking so much that he couldn't lift it."

SANITY

Colonel Lee said that he had observed Zaino during the first five days of the court martial and decided on his own that the intense, chain smoking private should be given a sanity hearing.

At midday, San Francisco attorney Terence Hallinan, who is to represent 14 of the alleged mutineers in a trial beginning next Tuesday, visited the Presidio to talk to his clients in the stockade.

Hallinan told newsmen he had received a telegram from Senator Charles Goodell, New

York Republican, "asking me for full information on the case."

Mr. Speaker, I insert now an article dated February 21, from the San Francisco Chronicle, entitled "New Data in Mutiny Case."

SECRECY EASED: NEW DATA IN MUTINY CASE

(By George Murphy)

The Army yesterday lifted a corner of the veil of secrecy it had thrown over the October 11 shooting of a Presidio stockade soldier which brought about an alleged mutiny by 27 other prisoners three days later.

For the first time, attorneys for one of the defendants, Private John Colip, 20, of Sacramento, were allowed to read the Army's Criminal Investigation Division report on the fatal shooting of Private Richard Bunch.

The report included the statement by the guard who shot Bunch, but the court-martial law officer (judge), Lieutenant Colonel Richard Snyder, warned the attorneys they could reveal the name of the guard to no one.

Snyder, who himself received two threatening letters yesterday morning, commented: "Knowing the conditions in this area, if the guard's name were to be made public, and he lived in this area, he would be subjected to harassment, and (such information) could possibly endanger his life."

Colip's civilian attorney, Ron Sypnicki, of Sacramento, after reading the CID report, asked that the guard and five others who gave statements be ordered to testify at the court-martial when it resumes Monday at Fort Irwin, in the Mojave Desert.

Without their testimony, Sypnicki said: "I am foreclosed from showing the court (the legal arguments yesterday were held outside the presence of the courtmartial board) that the guard shot this boy, in front of Colip who was a prisoner on the same work detail, and that another guard turned to the guard who did the shooting and said: 'I wish I'd shot him, so I could get a transfer closer home.' "

The guard who fired the fatal blast of double-O buckshot has been transferred to an undisclosed post, in keeping with Army practice.

Snyder took Sypnicki's motion under submission, but not before the attorney drew the judge's attention to the autopsy report on Bunch, saying:

"Look at the areas where the deceased was wounded—in the heart, lungs, spleen and kidney—multiple wounds in these areas.

"Our contention will be that with a demonstration we can show that the shot wasn't aimed low."

The Army has said that Bunch was killed when he attempted to escape from a work detail. Guards are under instruction to shoot for the legs of prisoners, if shooting is necessary.

The Presidio 27, who on October 14 staged a sit-down demonstration in the stockade courtyard and for a time refused orders to go back to their barracks, said they were demonstrating to bring to the attention of superior officers their demands that shotgun guards be given psychiatric testing.

"They were not," Sypnicki said, "attempting to override military authority (the definition of mutiny under the Uniform Code of Military Justice authorized by Congress)." Colip's military counsel, Captain Emmit Yeary, said "This whole incident has been swept under the carpet."

Yeary, in arguing that "highly unusual procedures" had been used in handling the alleged mutineers, referred to another of his clients, Private Nesrey Sood. Sood was the first to be convicted and was sentenced to 15 years at hard labor.

"Sood was shipped out of here (to the U.S. Army Disciplinary Barracks, Fort Leavenworth, Kan.) just one or two days after the sentence. This was on the orders of the Provost Marshal-General in Washington, and, to my knowledge it's the first time such a thing has happened.'

Mr. Speaker, I insert now an article from the New York Times, dated February 4, "Mutiny Trial Is Told of Sitdown by GI Prisoners."

MUTINY TRIAL IS TOLD OF SITDOWN BY GI PRISONERS

(By Wallace Turner)

SAN FRANCISCO, February 3.—The commander of the stockade at the Presidio, an Army post here, testified at a court-martial today that he was astounded when a prisoner rose from a ring of singing, chanting sitdown protesters to begin to read a list of demands.

Capt. Robert S. Lamont, the stockade confinement officer, was asked on cross-examination why he had not begun to talk or to negotiate with Pvt. Walter R. Polowski.

"At that time and in those circumstances, I thought it would have been more like making concessions than negotiating," he replied.

Private Polowski's demands concerned conditions in the stockade.

Captain Lamont was a prosecution witness in the court-martial of Pvts. Louis S. Osczepinski, 21 years old, of Florida, N.Y., and Lawrence W. Reidel, 20, of Medford, Ore.

They are the first two to come to trial of 27 stockade prisoners accused of mutinous conduct in the sitdown protest last Oct. 14, three days after a guard killed a prisoner who ran from a work detail.

Seven officers are hearing the case in the general court-martial. The first testimony was presented today against the two privates, whose cases are the first ready for trial.

One pillar of the defense case, as indicated in questioning today and in arguments on motions last week, will be that the Army commander overreacted to the protest because of pressure from antiwar demonstrations in this area, particularly at the gates of the Presidio.

Captain Lamont was asked why he considered only mutiny charges, rather than lesser offenses such as willful refusal to obey an order, when he dealt with the sitdown. He agreed that his mind was fixed from the beginning on mutiny as the proper charge to make.

The Army prosecutor, Capt. John F. Novinger, said in an opening statement today that his case would show a "nonviolent mutiny."

Sgt. Terry Raines, who assigns work details at the stockade, testified that about 90 of the 120 prisoners in the stockade were lined up for work detail assignments at 7:30 A.M. on Oct. 14 when 25 to 30 broke ranks.

"They sat down in a circle, linked their arms and sang and chanted," Sergeant Raines said.

The chants were "We want Lamont," "We want Ford" and "We want Hallinan." Lieut. Col. John Ford is the post provost marshal, or chief police officer. Terrence Hallinan, a young militant antiwar lawyer, represents 17 of the sitdown demonstrators.

When Captain Lamont arrived at the stockade at about 7:40 A.M. he picked up a copy of the Uniform Code of Military Justice and went out to the demonstrators to read the mutiny article. At that point Private Polowski stood up.

Captain Lamont said the prisoner read these demands:

"We want elimination of all shotgun-type work details.

"We want a complete psychological evaluation of all personnel before they are allowed to work in the stockade.

"We want better santiary facilities."

Captain Lamont testified that he then began to read the mutiny article, and he and the prisoner sought to override each other's voices.

CALLS IN M.P.'S

When the demonstrators began to chant in a way that made him believe they were trying to keep from hearing the reading of the mutiny article, Captain Lamont said, he had a car with a loudspeaker pulled up and he read the article to the prisoners.

He summoned 40 military policemen for a show of strength, he said, and called up the post fire truck.

Three times he ordered the demonstrators back into the stockade building, and when they refused, he said, he asked firemen to turn water on them but the firemen would not. Then he sent the platoon of military policemen into the fenced area where the demonstrators sat.

The prisoners would not walk to the stockade and were carried, he said.

There was no violence, he said on cross-examination.

"But I did not know if they intended to be violent," he added.

He was asked if he felt he had complied with a regulation that called for an attempt by an officer to reason with a soldier who has refused to obey an order. He said he believed he had complied with it.

Mr. FOREMAN. Mr. Speaker, will the gentleman yield for a brief parliamentary inquiry?

Mr. COHELAN. I yield to the gentleman from New Mexico.

Mr. FOREMAN. Mr. Speaker, I wonder if there is any limitation as to the number of insertions allowed to be placed in the RECORD?

The SPEAKER pro tempore (Mr. EDMONDSON). The Chair will state he does not think there is any limitation as long as there is unanimous consent. The gentleman is at leave to object.

Mr. LEGGETT. Mr. Speaker, if I may continue, I would like to go now into another matter.

Now that we are appraised of the facts in the Presidio case, it would be informative to compare the procedures used at the Presidio with the standard procedures found in the Army Field Manual entitled "Confinement of Military Prisoners." This is the operating manual for the operation of a stockade under Army jurisdiction. Chapter 1, section 1. No. 2—emphasis will be placed on correction and rehabilitation rather than on punitive measures. No. 3—there must be a comprehensive rehabilitation program to prepare these prisoners for successful return to honorable military duty or return to civilian life as more useful citizens.

Have we seen any evidence of such rehabilitative procedures at the Presidio? The attitude of the Army during this whole episode has been one of a strictly punitive nature from the time the original complaints started up to the very present. This is in total derogation of the operating procedures set out in the manual.

Section III subsection f: The installation commander should be furnished qualified personnel to assist in resolving installation confinement problems.

I am advised that the Provost Marshal's statement after the fact stated there was only one man trained in military confinement prior to the time we sent a congressional committee out there to investigate.

The Army admits that very few of the

personnel have an MOS necessary to the performance of stockade duty.

Subsection 11: The Provost Marshal is to accomplish at least once each month a detailed inspection of all installation confinement activities.

Their inspection reports should be forwarded to the installation commander and should include recommendations and/or actions taken to correct all deficiencies and irregularities.

Of course, this record is devoid of any action like that. Latrines and facilities in this very old stockade were running over. The inmates were complaining. They were up in arms about it.

The Army at first denied completely that there were any problems with the facilities at the Presidio. When improvements were finally made, they were made long after the irregularities came to light. Certainly not within the 1-month period specified in the manual.

Then we have that long elaboration of conditions which were in fact improved subsequent to the time when the prisoner complained.

Chapter 3, section 37, on training states the specialized nature of duty at stockades requires that assigned or attached personnel be specially trained in the custody, control, and correctional treatment of prisoners and that a continuing program of education should be established. There is no indication—absolutely none—that any continuing education of personnel has been established, that is, until we sent out a congressional committee. In fact, there are reports from the guards that they were not even adequately trained in the first place in the use of the shotgun, which is the most basic training weapon.

Chapter 5, section 2, on custody grades. Custody grades are grades in which prisoners are classified. The degree of custodial supervision required for each grade are as follows:

First. Minimum custody. I say these men, if they were not insane, were in minimum custody, and if they were insane, they had no business being there. They are considered to be fully dependable so as to require little custodial supervision and should be employed or trained outside the stockade in groups of six under the supervision of unarmed guards. That is the rule which is contained in chapter 5, section 2, in the field manual 19–60.

Most of the 27 men in question here were confined for AWOL offenses and under minimum custody, and they were not to be escorted by armed guards.

In the section on the use of force the manual states that when it becomes necessary to use force, it should be exercised according to priorities of force and limited strictly to that degree deemed reasonable and necessary under the particular circumstances.

The manual has six degrees of force which are listed in descending order. The use of firearms is listed as the last and most desperate means to stop an infraction. I refer to page 53 of the manual where it states:

1. Use physical restraint. 2. Show of force. 3. Riot control formations. 4. High pressure water. 5. Riot control agents. 6. Firearms.

The use of firearms is listed as the last and most desperate means to stop an infraction.

In the Presidio case the guard used his shotgun first, without any training or presighting the weapon or attempts at restraint.

The manual further outlines in detail the methods for use of a firearm and notes that it should be used when there is no other means of prevention of the attempt to escape. When this situation arises the guard first alerts other personel by blowing a whistle or sounding an alarm. Then he calls in a loud voice for the prisoner to halt. If he does fire, the guard is to fire only and I repeat only when the prisoner has freed himself of all barriers or confinement and then not try to kill him. In this case Bunch was 20 to 60 feet away and had not left the confinement area. The guard used the weapon as a first rather than as a last resort. He did not attempt to use other restraints. His warning shouts were not audible to other prisoners standing around. He acted in a manner completely in opposition to the manual of procedure and to the other safeguards which should be used. It is becoming increasingly clear that the personnel in this stockade should be cited for illegal action and not the prisoners.

I would refer here also to page 28, AR 633–5 and 633–6 which particularize the use of force at Army confinement facilities. The manual is very clear on how to handle demonstrations. This is not an unusual thing. It happens all the time. You try to reason with the prisoners. These regulations set forth the methods for countering demonstrations. The manual stresses preventive action. In other words, it states that the leaders are to be segregated from the others and the personnel are to be dispersed, and so forth. In the Presidio case the confinement officer admitted at the pretrial hearing that he was aware of the pending demonstration the night before but did nothing to prevent it. He was aware of the ringleaders but yet took no preventive action. Yet, he admitted his plan of action was that they would be charged with mutiny. I would call this entrapment. Yet the confinement officer at the stockade, the officer immediately in charge of the prisoners, probably let the demonstration get out of hand. He probably, and with prior consideration, refused to follow the standard operating procedures so as to inflame the situation, he probably guided the situation so as to create an incident and to permit it to get out of control. This is an example of the most dangerous and most deplorable conduct on the part of the U.S. Army that I have ever had the misfortune to observe.

Again, I must say that the wrong persons are on trial in this case.

Mr. Speaker, to sum it up, we find that almost every action taken during and before the Presidio demonstration was completely at odds with the standard operating procedures.

I would like to ask to be included in the RECORD at this point a portion of Army regulation 633–5, a nonclassified document, particularly section VI. dealing with use of force at Army confinement facilities which appears on pages 28 and 29.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

The material follows:

SECTION VI. USE OF FORCE AT ARMY CONFINEMENT FACILITIES

45. General. The instructions in this paragraph reflect the policy concerning the use of force at Army confinement facilities and will be incorporated in appropriate orders, plans, and instructions at all Army confinement facilities. In any situation, only such force will be employed as is reasonably necessary under all attendant circumstances.

a. No person will lay hands on a prisoner except in self-defense, to prevent an escape, to prevent injury to persons or property, or to quell a disturbance. In controlling or moving an unruly prisoner, sufficient custodial personnel should be used to preclude the necessity for striking or inflicting bodily injury on the prisoner.

b. In the event of an attempted group or mass breakout from a confinement facility, a riot, or other general disorder, it will be made evident to the prisoners concerned that authority prevails, that order will be restored, and that means are available to restore it by the vigorous application of force, if necessary. If the situation permits, an attempt will be made to reason with the prisoners engaged in any disorder prior to the application of any force. This is not to be interpreted as requiring bargaining with or making concessions to prisoners while in a state of revolt.

If reasoning fails, or if the existing situation does not permit reasoning, a direct order will be given the prisoners to terminate the disorder. This order should not be given until it can be enforced effectively by application of such priorities of force as the situation may require.

c. When it becomes necessary to use force, it should be exercised according to priorities of force and limited strictly to that degree deemed reasonable and necessary under the particular circumstances. When firepower is utilized, the aim should be to disable rather than to kill. The application of any or all of the priorities of force listed below, or the application of a higher numbered priority without first employing a lower numbered one, will depend upon and be consistent with the situation encountered during any particular disorder. Priorities of force are:

(1) Show of force.

(2) Use of high pressure water and/or riot control agent (CS) (normally not to be used to secure control of an individual prisoner). Use of riot control agent (CN) is authorized until supplies are exhausted.

(3) Use of physical force, other than weapons fire (riot control formations are not considered feasible within confinement facilities; however, suitable adaptations may be utilized).

(4) Fire by selected marksmen.

(5) Use of full firepower.

d. Appropriate commanders will take necessary action to incorporate in appropriate plans, orders, and instructions their specifically designated representative(s) authorized to direct the use of firearms in the event of a riot or other disturbance.

e. An incident which involves the taking of hostages and/or demands for concessions does not preclude the application of force. However, such incidents will be reported immediately to the appropriate commander and, if the situation permits, prior to the application of any force.

46. Use of firearms at confinement facilities. Instructions in this paragraph reflect policy concerning the use of weapons to prevent an escape from a confinement facility. These instructions will be incorporated in

the guard orders at all Army confinement facilities, particularly those orders pertaining to perimeter and tower guards:

a. Each perimeter and tower guard will be provided with a whistle (M-1 Thunderer) or such other means of alarm as may be suitable.

b. The use of firearms to prevent an escape is justified only when there is no other reasonable means to prevent escape.

c. In the event a prisoner attempts to escape from the confines of the facility, the guard will take action in accordance with the following priorities:

(1) Alert other guard personnel of the attempted escape by blowing three short blasts upon his whistle or by sounding such other alarm signal as is suitable.

(2) In a loud voice, twice call upon the prisoner to halt.

(3) Fire upon the prisoner only at such time as he has freed himself of all barriers of the confinement facility and is continuing his attempt to escape.

(*a*) Location of barriers will be determined by the physical arrangement of each confinement facility. Normally this will include barriers such as fences or walls enclosing athletic, drill, and recreational areas, unoccupied prisoner housing areas, and areas in which administrative buildings are located.

(*b*) A guard will not fire upon an escapee if his fire will endanger the lives of innocent bystanders.

(*c*) When necessary to fire the guard will direct shots at the prisoner which are aimed to disable rather than to kill.

47. Use of firearms on employment details. Instructions for the use of firearms by guards on employment details are generally the same as those for the use of firearms at the confinement facility proper. Caution and good judgment control the use of firearms in preventing the escape of prisoners.

a. Firing on a prisoner to prevent his escape is justifiable only as a last resort.

b. If a prisoner attempts to escape, the guard calls "HALT!" If the prisoner fails to halt after the call is repeated once, and if there is no other effective means by which to prevent the escape, the guard fires on the prisoner to disable rather than to kill him.

Mr. LEGGETT. I would ask additionally that portions of FM 19-60, the Department of the Army Field Manual, Confinement of Military Prisoners, be included in the RECORD at this point, particularly section 2 on page 15 dealing with personnel pointing up the training that stockade personnel are to receive, through page 17.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

The material follows:

SECTION II. PERSONNEL

33. General

The assignment of personnel to duty at stockades is in accordance with TOE 19-316D, TOE 19-500D, TOE 29-500D, tables of distribution, and/or Department of the Army manpower authorization criteria. TOE 19-500D, which is a cellular-type TOE, has provisions for various sizes and types of stockade teams although it does not provide for Mess Teams or Automotive Maintenance Teams. These may be obtained from TOE 29-500. TOE 19-500 may be used to supplement other TOE units when required.

a. Personnel assigned or attached to a stockade come into close contact with prisoners who may be emotionally unstable; therefore, individuals selected for this type of duty should be mature, stable, and experienced in leadership and discipline.

b. Circumstances at stockades may require that some personnel be attached for duty. In this event, they should be attached for a minimum of 1 month. These personnel are normally used as tower or prisoner guards. They must be trained in their basic weapon. In addition, they must have received familiarization training with the weapons which they will use while on this duty.

34. Confinement Personnel

The following confinement personnel, as prescribed by AR 210-181, are included within the assigned strength of each stockade:

a. Officers of the Military Police Corps as confinement officer and assistant confinement officer.

b. A provost sergeant.

c. Guard supervisors.

d. Assistant guard supervisors.

e. Guard commanders for each guard relief.

f. Cell block and compound guards.

g. Turnkeys and gate guards.

h. Administrative, mess, training, and supply personnel.

35. Responsibilities of Key Personnel

a. Confinement Officer. The confinement officer is responsible for the administration and operation of the stockade and the confinement aspects of the hospitalized prisoners wards. His major responsibilities include, but are not limited to—

(1) Command of personnel assigned or detailed to the stockade during their duty hours.

(2) Custody, control, administration, and correctional treatment of prisoners.

(3) Safeguarding and disposition of prisoners' personal property and funds.

(4) Providing for the employment and training of prisoners.

(5) Providing for the training of personnel assigned or attached to the stockade.

(6) Coordination and liaison with unit commanders to obtain their assistance in the rehabilitation and training of prisoners who may be returned to duty.

(7) Coordination, liaison, and mutual assistance to command staff members relative to the installation confinement program.

b. Assistant Confinement Officer. The assistant confinement officer is normally responsible for the operation of the custodial and correctional treatment branches of the stockade. He also acts as the confinement officer in the latter's absence.

c. Provost Sergeant. The provost sergeant is the senior noncommissioned officer assigned to a stockade. He assists the confinement officer in the administration and operation of the stockade, particularly in the—

(1) General supervision of assigned or detailed enlisted personnel.

(2) Administration of the stockade and enforcement of pertinent regulations.

(3) General supervision of prisoner employment assignments.

(4) Reporting of incidents which affect the custody or morale of prisoners.

(5) Daily checking of control measures within the stockade and hospitalized prisoners ward.

36. Criteria for Selection of Enlisted Personnel

a. Criteria which personnel assigned for duty to a stockade must meet in Military Occupational Specialties 951, Military Policeman and 952, Confinement Supervisor are prescribed in AR 611-201. It is desirable that detailed personnel meet these criteria whenever possible.

b. It is desirable that personnel have 2 years of active duty prior to assignment, or have police or confinement experience from a civilian occupation held prior to military service.

37. Training

a. The specialized nature of duty at stockades requires that assigned or attached personnel be specially trained in the custody, control, and correctional treatment of prisoners. Each member of the stockade staff should be fully trained in his own job and trained as an understudy in other key positions. Further, he should understand the philosophy of confinement and his responsibilities in implementing it. Selected personnel should be sent to service and/or civilian schools to further their knowledge of confinement operations.

b. A formal, continual training program should be established for assigned personnel. A suggested training schedule is attached as appendix IV.

c. Personnel assigned and/or detailed to guard duties at a stockade should receive special training in accordance with paragraph 37*b*, AR 210-181. Where appropriate such training should be developed in order to enable guard personnel to better understand human behavior.

d. Training programs must be progressive in order to satisfy the requirements of confinement personnel based on their experience, position, and rank or grade. They must utilize a multi-disciplinary approach, or one which treats subjects from all or several of the disciplines or study areas concerning them, e.g. a study of human behavior should include, as a minimum, the effects of biological, psychological, and sociological factors on its development. A study of prisoner programs should include discussions of prisoners' interests and abilities, and institutional needs and capabilities versus an ideal program. The mental hygiene consultation service, the chaplain, the education division, and other staff agencies may be requested to provide assistance in the planning, preparation, and administration of this training.

e. Commanders responsible for the operation of confinement facilities will insure that assigned and detailed personnel are properly trained to perform their duties. Confinement officers and provost marshals should continually strive to develop expertise through on-the-job supervision and recommendations to appropriate commanders.

38. Confinement Specialist Career Program

The Military Police Confinement Specialist Career Program permits qualified, selected enlisted personnel to advance from grade E-3 to grade E-9 through a progression of on-the-job and service or civilian school training and experience. In this program, selected individuals who have demonstrated the desire and the aptitude for this type of work are assigned to duties in which their skills and experience can be utilized to the best advantage of the service.

Mr. LEGGETT. Also, Mr. Speaker, I ask unanimous consent to include in the RECORD section X of the manual.

The SPEAKER pro tempore. Without objection it is so ordered.

There was no objection.

The material follows:

SECTION X. EMERGENCY PLANS

106. General

a. The confinement officer, in cooperation with the provost marshal and other staff officers, prepares and maintains emergency plans for the apprehension of escaped prisoners, fire prevention and evacuation, and quelling riots and disorders. These plans should be reviewed periodically to insure complete coverage and up-to-date information.

b. He should anticipate emergency situations, such as those discussed in this section, by thorough prior planning and coordination, including preparation of appropriate procedures to be followed, assignment of job positions, training of personnel, and rehearsals to insure the adequate and timely implementation of emergency plans.

c. It is essential that the installation provost marshal and military police units support the stockade in implementing these plans.

107. Apprehension Plan

a. General. Escapes may occur at any stockade through deficiencies in physical facilities, personnel, or both. However, they can be prevented in most instances through the training of custodial and guard personnel and continual review of physical facilities and restraints. An understanding of the more common motivations for escape aids confinement personnel in recognizing symptoms of these factors and taking preventative action. Some of these motivations are—

(1) *Bad news from home.* Death or illness of close relatives and financial difficulties are frequently motives for escape. Bad news is often noted during the inspection of mail; it should be referred promptly to the confinement officer.

(2) *Harassment by guards.* Even with the careful selection of custodial and guard personnel, a guard might be guilty of deliberately or unconsciously harassing a prisoner by taunting, insulting speech or actions, or causing unnecessary actions by prisoners. This motive can be prevented or alleviated by careful supervision of personnel who come into close contact with prisoners.

(3) *Release anxiety.* This occurs occasionally just before the expiration of a prisoner's sentence to confinement. Symptoms of this state of mind are nervousness, irritability, frequent questions about release, and moodiness. This motive can be alleviated through counseling and prerelease interviews.

(4) *Satisfaction of physical urges.* Prisoners who are addicted to narcotics, who are chronic alcoholics, or who possess abnormal sexual urges may experience physical or psychological reactions shortly after their confinement. This may be a motive for escape. Report nervousness, irritability, or symptoms of narcotic or alcoholic withdrawal to the confinement officer. Frequently, medical treatment is required to alleviate the condition.

b. Preparation and Coordination. The apprehension plan should be fully coordinated with all units and agencies concerned, including coordinated training of personnel and periodic tests of the effectiveness of the plan. As a minimum, the following provisions are included in the plan:

(1) Maintaining a map of the installation which reflects the provisions of the apprehension plan.

(2) Securing the remaining prisoners.

(3) Notifying the confinement officer, the installation provost marshal, and other personnel designated in the plan.

(4) Posting guards at critical points along probable escape routes outside the stockade.

(5) When escape has been effected through damage to buildings or fences, securing the avenues of escape until the necessary repairs have been accomplished.

(6) Taking a roll call of prisoners to determine the identity of the escaped prisoner.

(7) Planning for pursuit, including search parties and areas of search.

(8) Obtaining from the personal property of the escapee and the stockade files information and photographs which might aid in apprehension.

(9) Coordinating with the installation provost marshal to expedite execution of the plan and notification of civil authorities.

(10) Investigating the escape to determine the person responsible for the escape and the means of escape.

Mr. LEGGETT. I would ask also that section 111 with respect to demonstrations be included in the RECORD at this point and I would ask next that section 114, be included in the RECORD at this point.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The material follows:

SECTION XI. TYPES AND CONTROL OF DISTURBANCES

111. Types of Disturbances

a. Disorders. Disorders may be unorganized or organized. They do not possess the violent nature of riots; if they are not controlled promptly, however, they may develop into riots either through leadership and organization or by a natural development through group hysteria.

(1) *Unorganized.* Unorganized disorders are characterized as being spontaneous in nature. They begin as the result of actions of an individual or for the reasons listed for unorganized riots (*b* (1) below). Their prompt control is essential.

(2) *Organized.*

(*a*) *Demonstrations.* Demonstrations are the actions of a group of persons whose behavior, while not violent, is in conflict with persons in authority. They are characterized by unruliness and vocal expressiveness without violence. Demonstrations are organized to express dissatisfaction with food, clothing, living conditions, treatment, or other conditions.

(*b*) *Refusals to work or to eat.* Prisoners collectively or individually may refuse to work or to eat as a means of harassing stockade personnel or in an attempt to gain concessions. The prompt isolation of participants from the main prisoner body and the segregation of these individuals from their ringleaders usually control this type of disorder.

(*c*) *Work slowdown.* Prisoners may deliberately slow down their work to delay the completion of employment projects or to harass stockade personnel. Disorders of this type can be controlled in the same manner as outlined in (*b*) above.

(*d*) *Damage or destruction of property.* Prisoners frequently damage or destroy property to harass stockade personnel or to impede or prevent normal operations. Identification, isolation, and segregation of personnel involved usually control this type of disorder.

b. Riots. Riots may be unorganized or organized.

(1) *Unorganized.* Unorganized riots are characterized at their inception as being spontaneous in nature. They may begin as a holiday celebration, a group singing, or other type of gathering which might lead to group hysteria. Under determined leadership, the pattern of such a disturbance may be changed to that of an organized riot.

(2) *Organized.* Military prisoners can readily form themselves into quasi-military groups. These groups are capable of developing plans and tactics for organized riots and disorders. Organized riots are usually instigated for the following purposes:

(*a*) *Escape.* A riot may be organized either as a diversion for an escape attempt by selected individuals or small groups or for a mass escape attempt. Rapid isolation of the scene of the disturbance precludes such attempt to a large degree.

(*b*) *Grievance protests.* Grievance protests may be organized as riots. Under normal circumstances a riot for this purpose is not of an extremely violent nature initially; however, it becomes violent as the leaders attempt to exploit any success of the riot or weaknesses of the stockade.

114. Use of Force

When it becomes necessary to use force, it should be exercised according to priorities of force and limited strictly to that degree deemed reasonable and necessary under the particular circumstances. The application of any or all of the priorities of force, or the application of a higher priority of force without first employing a lower priority, depends upon the situation encountered during a particular disorder.

a. General. Specific instruction on use of force should be incorporated in appropriate orders and plans at the confinement facility. In applying any measure of force, only that degree of force deemed necessary under all attendant circumstances may be used.

b. Measures for Use of Force. The following measures may be applied in controlling prisoners. They will be applied in whatever order is appropriate to the situation which requires their use:

(1) Physical restraint.
(2) Show of force.
(3) Riot control formations.
(4) High pressure water.
(5) Riot control agents.
(6) Firearms.

c. Physical Restraint. The restraint of a prisoner by a laying on of hands will be utilized only in self defense, to prevent an escape, to prevent an injury to persons or property, or to quell a disturbance. In controlling or moving an unruly prisoner, sufficient custodial personnel must be used to preclude the necessity for striking or inflicting bodily injury on the prisoner.

d. Show of Force. A show of force consists of demonstrating to personnel engaged in a riot or general disorder the personnel, equipment, and facilities that are available for use in quelling the riot or disorder. It emphasizes to participants in the riot or disorder that authority prevails, that means are available to restore order by the vigorous application of force, and that order *will* be restored.

(1) This force consists of sufficient personnel and equipment to apply the measures of force required by the situation.

(2) If the commander decides that the riot or disorder has not reached the state of overt violence whereby lives and the security of the facility are in danger, he attempts to reason with ringleaders of the riot or disorder prior to the further application of force.

(*a*) He informs them of the forces, equipment, and facilities available to re-establish control and of the futility of continuing the riot or disorder. (This is not to be interpreted as condoning bargaining or making concessions.)

(*b*) If this fails, he issues an order to personnel engaged in the riot or disorder to terminate their actions.

(*c*) If the actions listed in (*a*) and (*b*) above fail to achieve the desired results, or if it is deemed impossible to reason with ringleaders or personnel involved in the riot or disorder, he immediately applies stronger measures of force.

e. Employment of Riot Control Formations. Riot control formations should be used to disperse and segregate personnel involved in a riot or disorder in order to regain complete control of the situation.

(1) The riot control formations and tactics outlined in FM 19–15 may be used as a basis for composing formations suitable for use in the individual confinement facility. The basic principles and techniques for employment of these formations remain the same. Their strength and configuration will be dependent upon the size, location, and design of the facility.

(2) In preparing emergency plans, each responsible officer should determine those formations he requires. They should be rehearsed as often as practicable (par. 109).

f. Use of Water. Water from firehose may be effective in moving groups on a narrow front, such as a cell block passage or a narrow area between buildings. It may be used to force a group to abandon an open area such as a recreation yard, if used in cooler months of the year, when the discomfort of drenching is magnified by low temperatures.

(1) Water under high pressure must be used with caution because it can damage sensitive portions of the body such as eyes and ears.

(2) When employing water in flat trajectory, its full force should be directed toward the lower torso and legs of participants in the riot or disorder.

(3) To provide protection of equipment and personnel being used to re-establish control, water under high pressure should only be used against participants in a riot or disorder in conjunction with riot control formations.

(4) When the confinement facility does not have high pressure water facilities and/or equipment available to it, arrangements should be made with the installation engineer officer for use of such equipment when required. Arrangements should include qualified operators. These plans should be included in the emergency control plan (par. 109).

g. Employment of Riot Control Agents. Riot control agents are used only on the authority of the installation commander or his representative. A copy of orders designating a representative should be included in the emergency control plans (par. 109). Riot control agents, like water, should be used in conjunction with riot control formations (*f*(*3*) above).

h. Use of Firearms.

(1) *To prevent escapes.* The following concerns the use of firearms to prevent an escape from a confinement facility and should be incorporated in guard orders, particularly those of perimeter and tower guards. The use of firearms to prevent an escape is justified only when there is no other reasonable means to prevent the escape. If a prisoner attempts to escape from the confines of the facility, the guard detecting the attempt acts according to the following priorities:

(*a*) He alerts other guard personnel of the attempted escape by blowing three short blasts on his whistle or by sounding other appropriate alarm signals.

(*b*) In a loud voice, he calls twice for the prisoner to halt.

(*c*) He fires only when the prisoner has freed himself of all barriers of the confinement facility and is continuing his attempt to escape. The guard aims to disable rather than to kill the prisoner.

(2) *On employment details.* Instructions for the use of firearms by guards on employment details are generally the same as those for the use of firearms at the confinement facility proper. Caution and good judgment control the use of firearms in preventing the escape of prisoners.

(*a*) Firing on a prisoner to prevent his escape is justifiable only as a last resort.

(*b*) If a prisoner attempts to escape, the guard calls "HALT!" If the prisoner fails to halt after the call is repeated once, and if there is no other effective means by which to prevent the escape, the guard fires on the prisoner to disable rather than to kill him.

(3) *To control riots or other general disorders with selected marksmen or full firepower.* Fire by selected marksmen or full firepower is used only on the order of the installations commander or his representative. A copy of orders designating representatives should be included in the emergency control plan (par. 109). Firepower will be used only as a last resort in accordance with AR 210–175. An individual using firepower runs the risk of committing a homicide in violation of the Uniform Code of Military Justice (see par. 197b, Manual for Courts-Martial, United States, 1951). When firepower is used the aim will be to disable and not to kill.

(*a*) *Use of firepower by selected marksmen.* Use selected marksmen to fire only on groups and individuals in a riot or other general disorder who are committing acts which endanger the lives of other prisoners or personnel being used to quell the riot or disorder, or against prisoners who are attempting to take advantage of the situation to escape.

(*b*) *Use of full firepower.* If the responsible officer determines that the riot or disorder has progressed to the point where the lives of the security force and the security of the stockade are seriously endangered and all other means of control have been ineffective, he may utilize the full firepower of the security force as directed by the installation commander or his representative. When firepower is used, the aim will be to disable and not to kill.

Mr. VAN DEERLIN. Mr. Speaker, the case against the Army in its handling of the Presidio mutiny trials has been summed up best by one of the Army's own officers, Capt. Richard J. Millard.

In his pretrial investigation report, Captain Millard found that the Army had overreacted in bringing mutiny charges against the six suspects whose depositions he took. The element of "intent to override military authority," necessary to sustain such charges, was simply not present, the captain said.

In view of the Army's capricious handling of the charges against these 27 men, the angry public reaction could hardly be much of a surprise to the Pentagon's top legal officers.

One has only to recall names like Sacco and Vanzetti, or the Scottsboro boys, to realize how quickly a nation's conscience can be aroused by injustice of this sort.

Fortunately, the Army now seems to be feeling the heat of public indignation, and some of the incredible penalties meted out to these young men are being reduced.

Perhaps all these young men will eventually be treated in accordance with the traditional principles of Anglo-Saxon law. But until they are, serious questions about the quality of military justice are going to remain unanswered.

Mr. BURTON of California. Mr. Speaker, for the past 5 months I have watched closely, and with increasing concern, the handling of the trials of 27 young men charged with mutiny at the Presidio of San Francisco stockade.

On October 11, 1968, Pvt. Richard Bunch was killed in that stockade. On October 14, 27 of his fellow prisoners protested and sat down during a rollcall to call attention to the problems which exist at that stockade. My office has been represented at the pretrial investigation which resulted in a recommendation by Capt. Richard J. Millard, which states in part:

> This case has been built up out of all fair proportion. To charge Zaino and the others with mutiny, an offense which has its roots in the harsh admirality laws of previous centuries, for demonstrating against the conditions which existed in the stockade is, in my opinion, an overreaction by the Army and a misapplication of a statute which could lead to a further miscarriage of justice.
>
> There is ample testimony in this case to show that the conditions in the stockade prior to 14 October were not up to standards we should expect. Of special significance in this case is the fact that the DD510 procedure for expressing grievances, as implemented prior to the demonstration on Monday the 14th of October, was shoddy and inefficient.

In spite of this recommendation, 6th Army Headquarters decided to press ahead with general court-martial proceedings and charged these men with the most harsh charge of mutiny. The first trials were held resulting in convictions and imposition of sentences up to 15 years at hard labor.

My district office attempted to discuss this matter with General Larsen at the Presidio—to no avail.

I have expressed my concern to Secretary Resor and to Secretary of Defense Laird. Just yesterday, I received a response to my letter to Secretary Laird which concluded by saying in part:

> If at a later time, upon careful review of all the facts and circumstances of the cases, the Secretary concludes that any of the sentences are excessive in relation to the offense committed, he is prepared to exercise his power of clemency.
>
> I appreciate your concern that the sentences in the first three cases to reach decision appeared excessive in relation to the nature of the offense as reported in the press and elsewhere. It is perhaps significant that the fourth trial, which was transferred to Fort Irwin, resulted in a much lower sentence of four years. I hope that this development, together with the information contained in this letter, will allay some of your concern.

I have learned that the Department of the Army only today reduced the sentence of Pvt. Nesery Sood to 2 years at hard labor. This is a beginning. It is a indication that the injustice of the situation is being recognized.

As the cases of those already tried and convicted move through the automatic appeal process, it is hoped that there will be a realization that these men have been improperly charged. The appeal procedure permits a finding of guilt of a less serious offense.

It is equally true of the charges against those who still must stand trial. The charge of mutiny simply is improper by any reasonable standard and should be altered to a lesser charge more related to the action taken by these 27 men.

My concern at this point in time, Mr. Speaker, is the well-being of the 27 men charged with mutiny. There are broader questions involved, certainly. The situation which existed at the stockade of the Presidio of San Francisco and which led up to these events must be investigated and certainly correction is in order.

The very broad question of procedure under military justice is also certainly of concern. But, I reiterate, my prime concern at this point in time is the well-being of these 27 young men. That they are now being faced with the charge of mutiny and the imposition of excessively stern sentences is unthinkable and, I believe, overreaction to the situation on the part of those most directly involved at 6th Army Headquarters.

I am encouraged by the response to my letter to Secretary Laird expressing a willingness to exercise the power of clemency, if it is concluded that the sentences are excessive in relation to the offenses committed.

I am relieved by the first reduction of sentence under appeal.

I am deeply concerned that the 27 young men, all of whom were in the stockade because they could not cope with the situations in which they found themselves within the Army, for a variety of reasons, do not have their problems compounded, their personal lives ruined, in a ceaseless round of attempting to fix accountability and justify decisions already made.

I seek justice for these 27 young men. Their case points up many broader issues, but they cannot be permitted to be the victims while these issues are debated. Justice will be best served by the expeditious resolution of the cases of these 27 men and I most certainly believe a reduction in the charges which face them and the sentences which have been imposed, is most necessary. It is, after justice has been accomplished for these 27 men, that the broader questions of conditions of our stockades and military prisons and whether justice can, in fact, be achieved under the Uniform Code of Military Justice must be fully reviewed and considered.

Mr. DON H. CLAUSEN. Mr. Speaker, it is a sad day for me and a sad day for America when we in the Congress must concern ourselves with basic justice in the U.S. Armed Forces. That, however, is the case with 27 soldiers at the Presidio of San Francisco in California who have been charged with and are now being tried for mutiny.

Therefore, it is with regret and great reluctance on my part that I must address myself today to the need for a comprehensive congressional investigation of the facts and circumstances that led up to the decision to try these men for mutiny.

I say this because I feel the Congress must become aware and concerned whenever it becomes apparent that certain individuals within our military services are attempting to decide for themselves or their subordinates what constitutes justice.

I hasten to point out at the outset, however, that what one general does or what 27 prisoners in an Army stockade do, is not necessarily indicative or reflective of the fine record and proud heritage of the U.S. Army. As individuals, however, such people can and do set in motion those events that shape the future, and it is for this reason that I rise today to add my voice to what is already being called a miscarriage of justice at the Presidio of San Francisco.

As a former naval officer and longstanding member of numerous veterans organizations, I am acutely aware that there are, and of necessity must be, inherent differences between civil and military justice. I further acknowledge that good order and discipline must be preserved in our military service units, and I would never knowingly undermine the authority and prerogatives a commander must have to maintain a high degree of discipline spirit within his organization.

By the same token, however, there are human and constitutional limits on how far anyone can go in trying to make an example out of an American citizen. The days of "decimation" in the military have long passed and the military knows this full well. In addition, our generals and admirals have long known that they cannot be indifferent to human needs or the basic tenets of justice and fairplay on which this country was founded.

An individual wearing the uniform of the United States does not give up any of the basic rights of American citizenship—he merely assumes some added responsibilities and hardships other citizens do not necessarily share. And, carrying this a step further, a soldier confined to a military stockade is still an American citizen entitled to full protection and equal justice under the law.

Having said that, consider these facts. On October 14, 1968, a group of soldiers already in confinement at the Presidio of San Francisco stockade staged a sit-down protest. They sang songs, chanted slogans, and refused to go back to work when directed by competent authority.

From the evidence presented, they were unarmed and at no time used force or threatened violence in any way.

The entire demonstration lasted approximately 30 minutes at which time it was broken up by a group of military policemen smaller in number than the protesters.

Now, Mr. Speaker, these are the essential facts as to what took place on October 14, 1968.

Does this sound like a mutiny? From what you have heard, can you possibly imagine that such an offense would warrant or merit 15 years at hard labor and a dishonorable discharge from the service?

Without a doubt, the crime of mutiny is difficult for many of us, even those of us who are veterans, to place in proper perspective. The reasons for this, no doubt, are that, first, mutiny is almost exclusively a military crime; second, it is extremely rare in American military history; and third, in most people's minds, it normally connotes the use of force or threat of violence; however, this is not necessarily essential to substantiate a charge of mutiny.

What is essential to substantiate such a charge, however, is an element of proof that, I submit, does not exist in this case and the basic reason I believe an injustice is being done to 27 military prisoners at the Presidio of San Francisco. Article 94 of the Uniform Code of Military Justice defines a mutineer in these words: "Any person subject to this code who with intent to usurp or override lawful military authority," and so forth.

Mr. Speaker, I have studied this case as closely as anyone can from the information that has been made available and I have yet to detect any evidence that there was "intent to override" military control of either the stockade or the Presidio of San Francisco.

Thus, the question has been raised as to why these men were charged with mutiny. That question, Mr. Speaker, becomes terribly important when you consider that the charge of mutiny, potentially, is punishable by death. And, while we are assured the death penalty is not at issue here, I find this a rather specious argument for not speaking out against what I believe will prove to be a very dangerous precedent if left unchallenged.

Some have raised the question of congressional restraint so as not to interfere with due process of law or further imperil the 27 men involved. Others have said that the sentences will undoubtedly be reduced when reviewed anyway, so why get involved in the question of judicial wisdom?

My answer to that question is this. On February 25 of this year, I wrote the Secretary of the Army asking that the court-martials be halted until he, the Secretary, could conduct an on-the-spot investigation of the facts and circumstances leading up to the decision to charge these men with mutiny. My purpose in doing this, is so that the American people and we in the Congress can get at least a few of the pertinent questions answered that are clouding this entire case, such as:

First. Was the demonstration at the Presidio stockade on October 14, 1968, a spontaneous protest by a group of mistreated prisoners—or was it planned, organized, and directed from outside the walls of the stockade and outside the confines of the Presidio itself?

Second. Was the October 14 demonstration in protest to conditions at the stockade, the shooting of a fellow prisoner, the war in Vietnam—or all of these things?

Third. Did San Francisco attorney Terrence Hallinan, as alleged, enter the stockade in the guise of a clergyman prior to the disturbance on October 14 and prior to the shooting of Richard Bunch? Did he, in fact, propose to one or more of the prisoners that, if they staged such a protest, he would see they received free legal representation?

Fourth. What validity is there to charges that stockade conditions included overcrowding, lack of food, inadequate medical care, mixing of psychiatric patients, numerous suicide attempts, brutal treatment, and poorly trained guards? And, if valid, what, if any, recourse was available to or sought by the prisoners to gain redress of these grievances prior to October 14?

Fifth. Is it true that some among the 27 who have been charged with mutiny, actually attempted to leave the demonstration once they learned what they were being charged with, but were prevented from doing so by a few hard-core demonstration leaders?

Sixth. Is it true, as reported, that the 27 charged with mutiny are now undergoing a systematic pattern of harassment at the Presidio stockade?

Seventh. Is it true that General Larsen, commanding general of the 6th Army, is using a "mysterious Major X" to bargain with the counsels concerned in an attempt to "get the general off the hook"?

Mr. Speaker, these and other charges surrounding this alleged mutiny should be thoroughly investigated before one more soldier is court-martialed under this unrealistic, unfair, and inappropriate charge.

Public indignation is growing over this travesty of justice and, as a result, I have no recourse but to join those who are calling today for an exhaustive investigation of this entire episode by the Congress.

In summary, let me make one point as clear as I possibly can. These 27 men charged with mutiny are by no means innocent of wrong-doing. Even some of the parents of the accused men who have written me readily acknowledge this fact. That is not the question here at all. The question is, as I see it, Should we in America remain silent when citizens of

this country fail to receive equal justice under the law, whether it be military or civil law?

In recent weeks, I have received many letters from concerned, responsible people who are just plain shocked that Americans can be charged with an offense calling for the death penalty on merits such as are evident here. I have heard from servicemen who tell me that they were planning on making the service a career until this incident arose, and I have heard from Army officers on active duty and from retired veterans of many wars who are frank to admit that this is going too far.

Certainly, discipline is important in the military—it is not only important, it is absolutely vital. But, you do not achieve discipline through injustice or respect for the military authority by making examples out of people, especially when the stakes are as high as they are in this case.

During the last fiscal year, enough American servicemen went absent without leave to man 10 combat divisions with 15,000 men each. During that same period, desertions reached 53,357—an increase of 10,000 within a year.

I think it is time the Congress concern itself with this question and, in my judgment, we should begin with the so-called mutiny at the Presidio of San Francisco.

Mr. KOCH. Mr. Speaker, ever since the tragic series of incidents began at the Presidio in San Francisco last fall, much public attention has been focused on the deplorable conditions existing in military stockades and the treatment and well-being of its prisoners. These facts have been well-documented by many of my colleagues in both the House and the Senate. I am here today to voice my deep concern and shock with the facts which have come to light.

At the Presidio, there have been descriptions by both the guards and the prisoners of overcrowded and unsanitary conditions. Accompanying this have been charges of insufficient food for and mistreatment of the prisoners—especially those in the segregation areas of the stockade.

There has been inadequate attention to the mental hygiene of the prisoners, and psychiatric care has been less than satisfactory.

There are strong indications of insufficient training for the stockade personnel who are in charge of the prisoners. The circumstances surrounding the shooting of Richard Bunch pose the question: Is there a need to have armed guards for these military prisoners, the majority of whom are in the stockade for offenses no greater than a.w.o.l.? Why, too, are these guards armed with shotguns, even though they have been trained only for rifles? Have they been suitably trained and conditioned to the special needs of such prisoners—many of whom are in need of some kind of psychiatric care? The high rate of alleged suicide attempts at the Presidio, well-documented by the Army, strongly suggests the lack of proper mental hygiene programs for the prisoners.

How widespread are these conditions? Even if they are partially true, I find the situation totally unacceptable. The facts cry out for an impartial investigation by an appropriate committee of this Congress.

I have been disturbed and outraged by the severity of the charges against those 27 prisoners at the Presidio who were peacefully protesting, on the stockade grounds, against intolerable conditions such as I have indicated above. To bring charges of mutiny—which can even carry the death penalty—is an insult to our sense of social justice. I have sent an inquiry to Secretary of the Army, Stanley Resor, asking that he furnish me with a detailed reply to allegations that the charge of mutiny was unfounded and that a lesser charge would have sufficed.

Mrs. MINK. Mr. Speaker, I wish to join my distinguished colleague from California (Mr. LEGGETT) in expressing my grave concern over the plight of the 27 prisoners at the Presidio who were charged with mutiny, some of whom were tried and sentenced to serve 15 years at hard labor. While I am also gratified to learn that the Judge Advocate General of the Army has reduced the sentence in the case of Private Sood from 15 years to 2 years, I believe that this entire situation should be thoroughly investigated by an appropriate committee of the House.

One of the 27, Pvt. Linden Blake, age 20 years, is of particular concern to me as his mother is a resident of my State of Hawaii. I agree with Capt. Richard J. Millard's recommendation that the charge of mutiny was ill-founded and not based upon the facts in the case.

I believe that the House should read carefully the information that has just been supplied us by Congressman LEGGETT, and in furtherance of his efforts to provide this House with pertinent information, I include the following public letter sent to me by Mrs. June Blake, the mother of Linden Blake, at this point in the RECORD:

FEBRUARY 20, 1969.

To the MOTHER OF A SON:

He may be just a few weeks old, and you're still in that absorbed state that involves the "Wish to Hell he'd sleep through the night" stage, while at the same time you can wake to full painful alertness if he so much as lets out with a whinney in his sleep.

Or maybe that's all a dim memory and you're enjoying the classic prerogatives attached to enjoying your son's son. Better read on—I'm going to talk about MY son in a minute, and he has a brilliant, gallant, eighty year old grandmother of his own. What's happening to my son isn't just my own problem. If it were, I'd shoulder it privately and *you* wouldn't know about it.

I have many friends and acquaintances who are mothers of sons, both here and where you are. At the present time I'm living on one of the heavenly outer islands of Hawaii, which is just about as different from the other 49 states as you can get. Brown eyes and brown skins are big here, but Aloha means love, warmth and active kindness and a lot of other intangibles. Last week I attended a luau in honor of Benjamin Pali's first birthday. His mother got some help fixing the poi and lomi salmon from the five older children, but it was a labor of love on her part. At the hotel where I work I lunch every day with my fellow employees—I'm the only haole; my luncheon compañeros are mostly of Japanese descent (give or take a little.) The people may be different from you, but the conversation isn't—it generally boils down to about the same kind you have with the girls in your apartment building or your neighbors at Leisure World. Your children (or grandchildren), unspoken love for them and the necessity for principles they eventually have to be strong enough to handle.

And, Philip Wylie notwithstanding, most of the mothers of sons whose paths have crossed mine were all too aware that a man must have his own strengths and that when the time comes, what he carries inside him, his inner conviction that what is right is right, carries him over that invisible line into good manhood. Isn't that the way you feel?

And so did I. I raised three fine children on Dr. Spock and doing what comes naturally when you feel love and compassion and are sickened by cruelty and hatred. As I look back, I guess you could sum it up in a theme that ran like a ribbon through those funny, awful, wonderful years. "*You* know the difference between what's right and wrong; inside of you you *know*, kid! And, if it's good and right for you—use your courage. The only thing that's separating you from this houseful of beloved pets is what you carry up there in your head. Man's inhumanity to man is wrong. To hate and kill is wrong."

Maybe I sound like a Senior Hippy, now that I look back on it. But isn't this just about what you've been earnestly trying to instill into *your* children? ("I don't care if Linda's mother *does* let her stay out all night—you know the difference between what's right and wrong! Or "You don't take the car without asking just because the keys are in it—You know what's right and wrong!)

Sound familiar? Women's magazines and series of newspaper articles by learned savants all earnestly impart the same message "Teach your children love and kindness, and to control their destructive aggressions."

Well, to all this I'm sorely tempted to say ———, or whatever passes as the polite equivalent for it in your world. Because at this moment I'm split by a schism that is tearing me up. Because I tried to impart to my loved son the meaning of the word "Principle," he is at the moment spending the twentieth year of his life in a military prison, with the hopeless prospect of another 15 years or so there. At the age of 35 maybe he has a chance, permanently warped in mind and spirit, of re-emerging into a world with his beautiful youth gone forever, a useless wreck inflicted on a country and family that betrayed him by handing him a bunch of keys to life that didn't fit the lock.

Lindy was drafted when he was 19 years old, since he wasn't enrolled full-time in college, and, as far as I could see, was spending most of his time growing from 5'6" to 6'4". I know for sure he isn't stupid; ever since the first I.Q. tests were bounced around in the Los Angeles City School System, I would be called into the Principal's office and solemnly informed that "This son of yours has a rather superb mental capacity—We wondered if you were aware of his potentials?" I assured them each time that I would do everything in my power to see that he ultimately went to Cal Tech or whatever—so—I guess that his superb mental capacity must have been resting on its laurels while his bone structure caught up. (Sound familiar? Surely, all you mothers of busy grown-up sons couldn't have been so fortunate as to have escaped this hair-tearing period. As a matter of fact, when I look back on my own 18th and 19th year, I don't see how my parents survived the ordeal. Surely—surely—all of you didn't produce paragons of studious virtue who plunged head-long into pre-dental or whatever!)

At any rate, drafted he was, and his uneasy conscience was already kicking up. At this

point the Army decided to make him a baker. This drew whoops of laughter from his siblings, but I sighed with relief. Lindy wasn't trying to avoid serving his draft-time, his only mental stipulation was that he simply could not kill another human being.

Now, I'm going to have to state what I know to be fact, and what I've heard secondhand.

Fact: Upon graduation from baking school he was given a three-week leave, and ordered, at the end of that time, to proceed to Vietnam via Oakland. He was also told verbally, that since the Army needed combat soldiers more than bakers, he could draw his own conclusions.

All right, now, mothers of sons—How do you handle this one? I didn't necessarily have to agree with his principles, but *they were his!* He came to me and we talked through the night. Do I suddenly tell him, after nineteen years of inculcating into his naturally gentle nature the fact that when he felt something was right for him he should summon the strength and courage to handle it—that this was nothing but inspirational moonshine?

Do I say "Split to Canada, Lindy, spend the rest of your life a hunted man forever, never able to return to your loved mountains and home?"

Do I say "Take a chance, Lindy, follow those orders and go to Vietnam; lots of things can be done obliquely, don't butt your head against a brick wall! Maybe you can con your way into a soft back-of-the-lines position and make some personal loot on the black market!"

Or do I say "Get in there and kill those yellow bastards, kid! You don't believe in it, but forget all that stuff—that was kid crap. Of course, you may be maimed or killed—but you're a Soldier, Man—Show it! It's only murder if you kill a fellow American in a fit of passion or anger—Not those faceless men, women and children on the other side of the world!"

Fact: Lindy spent two days of painful self-examination, wandering through his loved Santa Monica Mountains, where he'd spent a wonderful boyhood watching trap-door spiders and deer drinking from the creeks. He finally came back to me like a little boy who couldn't handle any more, and asked me to drive him to the airport and get him on the plane to Oakland. It was an experience in wordless control on both our parts I hope I never have to face again.

Fact (Verified by communication from the U.S. Army): When he arrived there he requested many times to be given a Conscientious Objector's application and each time was refused because he did not belong to a specific religious organization. He disobeyed embarkation orders, and was placed in the now infamous Stockade in the Presidio of San Francisco, to await trial for disobeying orders.

Second Hand: When a fellow-prisoner, a young, mentally deranged boy committed suicide by asking the guard to shoot him as he tried to escape, my son was an eye-witness to the episode, and participated in what the Army chooses to call "Mutiny", and what the attorney who is trying to assist the unfortunate "Mutineers" terms a sit-down strike. Unfortunately, the Army has decided to make this group an example for other military dissenters.

Fact: I know nothing about the sincerity or mental condition of the other boys into whose lot my son has been thrown, except that the intolerable conditions under which they are existing can bring forth nothing but heartfelt pity for them all.

I know my son—And at a time when the new President of the United States is calling for an end of the Draft itself, he faces an irrevocable blight on his life.

So, I say to you, mothers of boys—Is it worth it? Is the matter of survival more important in the hypocritical world we seem to be living in today, than the teachings of a religion that seems to be outmoded in this sad era for Mankind?

If I were doing it over, would it be better to say in effect—"Look out for yourself, Kid, do what you have to do to get where you want to go in this jungle—just be cunning and don't get caught!"

Where do you stand?

JUNE BLAKE.

Mr. RYAN. Mr. Speaker, I commend the gentleman from California (Mr. LEGGETT) for taking this time so Members can express their concern over the mutiny trials now in progress at the Presidio Army base in San Francisco.

In order to ascertain the facts surrounding these trials, and to solicit the Army's motives in charging the 27 young men involved with mutiny, I wrote to the Department of the Army asking for information on the Presidio incident and the subsequent trials. The Army answered my inquiry by providing a fact sheet on the facts of the incident sparking the mutiny charges and the subsequent investigation and prosecution of the matter by the Army. The information provided in that fact sheet and the extreme severity of the sentences imposed prompted me to urge Secretary of the Army Stanley Resor to make a careful review of the situation at the Presidio to determine whether or not these men were being subjected to cruel and unsual punishment.

I urged this action upon the Secretary of the Army for several reasons. First, on the basis of the facts supplied to me by the Army, the incident in question—which was by the Army's own admission a peaceful, 30-minute sit-down designed to call attention to conditions of overcrowding and undernutrition in the stockade—does not appear to warrant the charges of mutiny. Admittedly, by Army regulations, their action was unlawful. But the nature of their protest action, and the fact of the considerable evidence of deteriorating morale at the stockade over several months—including the suicide and several other attempts—raises serious questions about the charges.

Second, two of the three investigating officers in this case themselves recommended a reduction of charges against the accused men.

One of the two investigating officers whose recommendation was rejected, Capt. Richard N. Millard, recommended additionally that four of the six prisoners subject to his investigation be administratively discharged on the basis of psychiatric examination. The third officer recommended that the accused prisoners be charged with mutiny, an offense for which the maximum punishment is death. He did not ask for the death penalty, however.

The recommendation of the two officers that the accused men be tried for willful disobedience were rejected by the reviewing officer, Lt. Gen. Stanley Larsen, commander of the 6th Army. He approved, instead, the single recommendation for charges of mutiny and referred the case for a court-martial. General Larsen's decision to press on with mutiny charges—in spite of the evidence offered by Captain Millard that at least four prisoners were in need of psychiatric care—seems more stringent than the facts of the case warrant. The fact that the 27 protestors offered no resistance and, moreover, that the incident ended after less than 30 minutes of singing and chanting, hardly justifies the invocation of charges so severe that they carry a maximum penalty of death.

Third, the sentences which have been meted out to those soldiers who have already been tried are unduly harsh. Four of the men charged with mutiny already have been given sentences ranging from 4 to 16 years at hard labor, and 18 additional men will come to trial within the next 2 weeks. These sentences are particularly harsh in view of the Army's admission that there have been 51,000 willful desertions from the Army in the past year alone, and that the average offender has received no more than a 6-month sentence for this infraction. In his testimony before the House Armed Services Committee last week, Gen. William Westmoreland, Chief of Staff of the Army, stated that he felt desertion was a more serious infraction than the sit-down carried out by the 27 accused men at the Presidio. If the opinion the Chief of Staff of the Army is not shared by the lower echelon officers responsible for charging mutiny, perhaps the Army needs to overhaul its command system as well as its punishment schedule.

Mr. Speaker, I urge the Secretary of the Army thoroughly to reexamine the facts of this case with an eye toward determining whether or not these men have been subjected to cruel and unusual punishment.

If the reviewing officer had not referred these cases for trial as noncapital, these men might be on trial for their lives. The fact that military law has some purposes which go beyond the function of our normal civilian legal processes should not be allowed to justfy unusually harsh punishments in the name of "discipline" or "order." Existing tensions in the Army would be far more speedily resolved if the Army investigated stockade conditions such as those which have sparked the Presidio demonstration, rather than prosecuting for mutiny the 27 young men who brought these conditions to public attention.

Mr. COHELAN. Mr. Speaker, I want to thank the gentleman for the brilliant statement that he has made and commend him for the time that he has taken to apply his very substantial legal talents to the research of this problem.

Mr. Speaker, Congressman LEGGETT and I have taken this special order to bring to the attention of the House several serious questions of military justice and the management of military prisons.

On October 11, 1968, a prisoner on a work detail from the San Francisco Presidio stockade was killed by a shotgun blast fired by a guard as the prisoner allegedly attempted to flee.

On October 14, 1968, 27 prisoners at the Presidio stockade staged a sit-down demonstration to present a list of grievances and to request an explanation of the killing of one of their fellows. These

27 men have now been charged with mutiny. Four of the men have thus far stood trial. All have been convicted. Their sentences range from 4 to 16 years. These men are now assigned to the Fort Leavenworth Federal Penitentiary.

These very serious events have brought to light a host of questions regarding the management of military prisons and the administration of military justice.

I would like today to take just a few moments to raise what I believe to be the most serious of these questions.

First, there is the important question as to whether a sitdown demonstration staged in a stockade to dramatize grievances can fairly be deemed to constitute a mutiny. Attendant to this question is whether, in the exercise of good judgment, one would find it appropriate to bring mutiny charges for this conduct if, in fact, it could be deemed a mutiny.

It should be remembered that mutiny is the highest offense known to military law. It should also be remembered that mutiny traditionally implies the intent to override military authority, while in demonstrating to present a list of grievances there is an explicit recognition of the authority of the military to bring about the correction of those grievances.

Moreover, it should be remembered that these men were incarcerated in a stockade. They did not try to escape. They did not try to take over the operation of the stockade. They did not try to apprehend or interfere with any of their captors. At worst, their conduct was to willfully disobey in order to dramatize the severity of their complaints.

The maximum penalty for willful disobedience of an order is 6 months. But the maximum penalty for mutiny is death. And in the present cases, sentences of 14, 15 and 16 years imprisonment have been meted out.

To give you some idea of how extreme these sentences are, you should keep in mind that the average sentence given to the 51,000 deserters from the Army last year was only 6 months. You should also know that men who refuse induction into the armed services receive sentences averaging 2 years, and that even those in the service who refuse to go to Vietnam receive only 2-year terms on the average.

Demonstrators in campus or civil rights activities have usually received even lesser sentences.

Thus there is a clear disparity between the severity of the penalties imposed in these cases and the penalties regularly imposed for similar or even more serious behavior.

I, for one, believe that these long sentences are simply unconscionable. In my view they must be reduced substantially, and I have personally and in writing expressed this view to the Secretary of the Army.

I will at the close of my remarks insert in the RECORD a copy of that letter.

This matter would be serious enough if it constituted merely the misapplication of mutiny charges and inordinate sentences. But these items are by no means all there is to this case.

One must ask whether it is a wise policy to arm prison guards with shotguns, especially when those guards have not been trained in the operation of such deadly weapons.

One must ask whether it is proper to use deadly force to stop a fleeing prisoner when the offense for which he was confined was itself not a capital offense, and when the fleeing prisoner is unarmed.

One must ask whether it is wise to have prison guards who are not trained as correctional specialists, and whether if they are trained, that training is adequate.

One must ask, too, whether when a prisoner is killed by a guard, wise judgment would not require that all the prisoners be fully informed of the circumstances of the killing so that wild and unfounded rumors could not pervade and poison the prison atmosphere.

Moving to the conditions at the stockade, the trials of these men brought forward sworn testimony of most unsatisfactory conditions.

One man testified under oath:

> I have seen toilets backed up and human excrement floating in the shower area.

The captain in charge of the stockade testified under oath:

> Standard capacity of the stockade is 88. On 1 August the population was 105 and on 14 October the population was 140. It is a generally increasing trend with some exceptions. When we reach Emergency capacity within seven days we are supposed to take action to reduce the population. Prior to 14 October it sounds reasonable that we were in Emergency capacity for 56 days.

A sergeant from the military police at the stockade testified that on October 14 rations were drawn for 104 men. Yet on that day there were 140 men in the stockade by the captain's figures. Moreover, the guards, eight or nine of them, were fed out of the rations drawn for the prisoners. Thus at least 148 men were being fed on rations for 104 men. This would seem to be undeniable evidence of inadequate food supply.

Thus the trials disclosed sworn evidence of extreme and prolonged overcrowding, unsanitary conditions, and insufficient food. These are matters which must be corrected.

The Army has responded to many Members of Congress by providing copies of a so-called fact sheet on the Presidio situation. Yet even in these statements the Army does not deny that the stockade was severely overcrowded, or that inadequate numbers of rations were drawn, or that the conditions were unsanitary. The Army merely states that overcrowding has now been reduced, that high calorie meals were served and that on the average over a full month period an adequate number of meals were drawn, and that some of the prisoners were responsible for the unsanitary conditions.

In sum, it seems that there can be no denying the bad conditions which existed at the stockade at the Presidio.

In addition to these physical evidences of unsatisfactory conditions, there are several instances of poor operational conditions.

Only one trained correctional specialist was assigned to the stockade, even though three such specialists were required by Army directives. The officer in charge of the stockade was a 25-year-old young man who had no correctional training of any kind. There was no psychological testing of guards to assure that they were fit for the type of sensitive work to which they were assigned.

These deficiencies in trained stockade personnel resulted in less than optimal programs of recreation, rehabilitation, and correction. In fact, for a time there was no outside recreational facility for the prisoners, and indoor recreation too was extremely limited.

These personnel training deficiencies also resulted in contact between prisoners with more or less serious psychological disturbances and guards who were not capable of dealing with these aberrations constructively.

Further still, the personnel in charge of the stockade had no effective grievance procedure in operation. This fact more than any other is probably responsible for the demonstration.

After all, if the prisoners had no effective way to make their complaints known, it is only reasonable to assume that the complaints would fester internally until, unmitigated by correction, they exploded in some concerted act like a protest demonstration.

I have tried in these few minutes to paint a broad sketch of the conditions in the Presidio stockade—overcrowded, underfed, unclean, with time on their hands, with no grievance procedure, with untrained and insensitive management personnel—it seems to me to be no little wonder that the prisoners staged a demonstration.

I think that we should try to learn from this demonstration and take this opportunity to investigate stockade conditions throughout the country in order that we might make the necessary improvements.

In particular, I think we should have the appropriate committees of the House look into the adequacy of the physical conditions in our military prisons—including the age and size of facilities, the adequacy of recreational facilities, the sufficiency of food, the condition and sanitation of latrine and shower facilities. I also think the appropriate committees should investigate the policies which presently govern stockade management—especially those concerning the arming of guards and the use of weapons, the training of stockade personnel, the provision of regular grievance procedures, the emphasis on rehabilitation of prisoners, and the adequacy of psychiatric care for prisoners.

These are serious and general problems—ones which demand our attention and concern. However, I would not want our more general concern to diminish the attention we give to the excessive penal sanctions meted out against those 27 young men who are charged with mutiny because they dramatized these grave conditions.

Our first priority should be to do whatever we can to bring home to the appropriate Army officials the gravity we attach to the case of these 27 men. Their treatment has been unfair. Their sentences are overlong. The Army, which already has trouble in recruiting officer

personnel and in maintaining wide public respect for its judicial proceedings, has exposed itself to vigorous public indignation. Only by relieving the sentences of these young men can these inequities be rectified and public respect restored.

Our second priority should then be to learn the lesson these young men have brought to public attention; namely, our military prisons demand thorough congressional scrutiny.

Mr. Speaker, I ask unanimous consent to insert at this point in the RECORD a letter directed by me and several other Members of the Congress to the Honorable Stanley Resor, Secretary of the Army, on this particular subject matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The material referred to follows:

HOUSE OF REPRESENTATIVES,
Washington, D.C., February 18, 1969.

Hon. STANLEY RESOR,
Secretary of the Army,
Washington, D.C.

DEAR MR. SECRETARY: On October 11, 1968 an Army private interned at the San Francisco Presidio stockade was shot and killed while running from a guard. Three days later, 27 other prisoners in the stockade staged a sit down demonstration to present a list of grievances including explanation of the killing, fears of stockade guards, stockade conditions and racial discrimination. The demonstration consisted of standing aside from formation, sitting on the ground, singing "We Shall Overcome," "America the Beautiful" and other songs, chanting for the presence of the commanding officer, the press and others, and presenting a list of grievances. The officer in charge apparently listened to the list of grievances, but did not reply to them. When the prisoners continued their demonstration, the officer responded by reading the Mutiny Act, first in person and then over a loud-speaker. Finally the demonstrating prisoners were carried off the field and incarcerated.

As a result of these actions, three young men have been convicted of mutiny and sentenced to terms averaging 15 years at hard labor. Twenty-four other men still await their day before the courts martial on the same charges.

We recognize that sound management requires strict discipline in any military force. We recognize, too, that lack of discipline among prisoners may be more difficult to deter if serious penalties are not administered for lack of discipline.

Yet, however mindful we are of the demands of military discipline and the adherence to military law, we are not convinced that the interests of justice, fairness or public respect for military proceedings are served by the prosecutions, convictions and lengthy sentences for mutiny in these cases.

The armed services have, in recent years, experienced numerous incidents of protest demonstrations. To our knowledge, none of these have resulted in mutiny convictions. Moreover, we note that servicemen who have committed clearly more heinous acts than engaging in a sitdown strike have been committed to much less severe penalties. Moreover, it is not clear that grievance demonstrations constitute the serious effort to over ride military authority which is traditionally associated with mutiny.

These prisoners are young men. Some of them are old enough to fight for their country, but not yet old enough to vote. To sentence them to internment for the next fifteen years is to deprive them of their most productive years. Some of these men have wives and families, and again the deprivation is severe. Some of these men have histories of psychological problems. Some have tried to commit suicide. Some have admitted to a great deal of confusion in connection with their participation in the demonstration. Almost all have described the fears and high tensions that existed in the stockade after the killing of a fellow prisoner without a complete explanation to the stockade population. The sworn testimony taken in the course of the proceedings shows there was at least some basis in fact for their grievance claims, although it is understood that some of the unsatisfactory conditions were only temporary and that others were caused by certain of the prisoners. In short, a non-violent sit down demonstration to present grievances conducted by young and sometimes troubled prisoners in a stockade where tensions ran high after a killing of one of their fellows would, in fairness, not seem to merit charges of the very highest military crime.

One further point influences our view. It is extremely important that the public trust and respect military judicial proceedings. If these proceedings are not respected, they will be regarded as kangaroo courts and will bring ridicule and embarrassment to the armed services. In an age when non-violent demonstrations are rather commonplace public suspicion is aroused by charges of mutiny and the imposition of fifteen year sentences for conduct that would normally be expected to meet with relatively mild retribution. This suspicion is reinforced when the first military officer to review the case notes that several participants have psychological problems and suggests that discipline consist of less than honorable discharge or a special court martial, and this officer is overruled and mutiny charges are brought before a general court martial. Public confidence is further depreciated when the interests of groups supporting the prisoners are allowed to pervade the proceedings. This public confidence is also eroded when officers make statements linking the demonstrators to anti-Vietnam war sentiments and publicly criticize civilian counsel retained to defend the demonstrators.

In sum, Mr. Secretary, we believe that mutiny charges are inappropriate in these cases and that 14–16 year sentences under these circumstances are inordinately long.

Accordingly, we ask you to remit these sentences and to reconsider the mutiny charges proferred against those demonstrators who have yet to go before their courts martial.

Your prompt and personal attention to this serious matter is appreciated.

Sincerely yours,

JEFFERY COHELAN,
Member of Congress.

(This letter was also signed by Congressmen DON EDWARDS, JEROME WALDIE, and PHILLIP BURTON).

Mr. COHELAN. Mr. Speaker, with great thanks I yield back the balance of my time.

LONG ISLAND CONGRESSMEN INTRODUCE NATIONAL CEMETERY SYSTEM AND BURIAL ALLOWANCES BILLS

The SPEAKER pro tempore (Mr. EDMONDSON). Under previous order of the House, the gentleman from New York (Mr. HALPERN) is recognized for 5 minutes.

Mr. HALPERN. Mr. Speaker, today three of my able and distinguished colleagues from Queens, Mr. ADDABBO, Mr. DELANEY, and Mr. ROSENTHAL, have joined with me to cosponsor legislation which would go a long way toward insuring for our veterans the dignity they so richly deserve when they are laid to rest.

The first bill provides for the establishment of a national cemetery system under the Veterans' Administration. This system is urgently required in view of the haphazard, unplanned establishment and expansion of our national cemeteries which has resulted in an ever-increasing shortage of burial sites for those who have earned the privilege of interment in these cemeteries.

The warnings are clear as to the seriousness of the problem. An order limiting burials in historic Arlington National Cemetery recently pointed to the need for congressional action.

Another prime example of this heightening crisis is Pinelawn National Cemetery on Long Island. When Pinelawn was established in 1937 it was estimated that this would provide gravesites for veterans until 1975.

In recent years, however, it has become apparent that this projection was far too optimistic, and current estimates indicate that the closeout date is almost upon us. Without expansion, Pinelawn is not likely to serve 1970.

Thousands of acres of Government-owned land is available on Long Island for the expansion of Pinelawn. The time to plan such expansion is now, not on the eve of another crisis.

And there are many other national cemeteries throughout the Nation whose future should be outlined in a well-defined plan, also.

Our bill is designed to resolve the heightening national cemetery crisis by eliminating the present outdated system of divided and overlapping jurisdictions and by providing the means to expand existing sites and create additional ones.

This measure would transfer to the Administrator of Veterans' Affairs jurisdiction over existing national cemeteries presently parceled out to three other agencies.

Further, the bill would direct the Administrator of Veterans' Affairs to plan a system of national cemeteries and to create additional ones so that the capacity and distribution of national cemetery sites shall at all times be sufficient to assure burial in the national cemetery for those who so desire.

The second bill introduced today is a measure to boost the present $250 burial allowance for veterans to $400. The high cost of dying, which eventually every family must sadly face, must be recognized by the Government. The present figure is far from realistic and should be increased.

The bill further provides that the burial allowance not be denied to any veteran because of the existence of other burial or death benefits public or private. The hard-pressed family should not be so penalized.

Passage of both these bills is vital if we are to be able to continue to properly pay tribute to the men who fight for the honor and freedom of our country.

THE ABM DEBATE

The SPEAKER pro tempore (Mr. EDMONDSON). Under previous order of

the House, the gentleman from Wisconsin (Mr. REUSS) is recognized for 10 minutes.

Mr. REUSS. Mr. Speaker, the debate on the ABM has just begun. In the March 22, 1969, issue of the New Republic, Prof. Robert Rothstein of the Johns Hopkins University suggests that ABM proponents may be seeking to escape a central dilemma and restraint of our time—the lack of an acceptable defense against nuclear attack, and thereby to restore options for action available to our military in the pre-nuclear age. He also suggests that the ABM is the latest example of our propensity to seek technological solutions to difficult political problems. But as he points out—

> The confidence and sense of security necessary to maintain the international system in a state of reasonable stability cannot be achieved by weapons developments in and of themselves.

I commend this thoughtful article, the first of two on the ABM by Professor Rothstein, to my colleagues. The text of the article follows:

REFLECTIONS ON THE ABM DECISION

(By Robert Rothstein)

The argument on ABM over the past ten months represents one of the few occasions in the postwar years when informed public discussions may have significantly affected the outcome of a national security policy decision. As of this writing, the President's decision has not been made public. The odds are about even, however, between delaying for a year, or proceeding some way along to one or another version of a "thin" deployment.

I suppose it is something of a small victory that proponents of the ABM have been forced to scale down their demands. Still, it may be a transitory victory, for the latest, more modest Pentagon proposals are pale reflections of what many ABM advocates really have in mind. In fact, the Sentinel system (Spartan and Sprint missiles with attendant radars) was not even designed to be used in the fashion implicit in the particular kind of limited deployment that Secretary of Defense Laird has been advocating.

Irrespective of the details of Mr. Nixon's decision, it is important to understand the underlying themes of the debate, for the issue of missile defense is going to be with us for the foreseeable future. On defense policy, involving as it does technical and secret matters, our political system can be manipulated by highly committed groups within the bureaucracy who push their points of view beyond the possibility of compromise. ABM shows this. So does the history of the plan for a multilateral nuclear force (MLF). Other elements of the bureaucracy may oppose the committed group, but they are frequently united only in opposition to it, and not in support of a reasonable alternative. Public opponents tend to be one argument behind official proponents, as the latter take advantage of their control of sources of information. The opposition's only real chance of success is to raise sufficient hue and cry so that the President withdraws a policy for which no real consensus can be formed. President Johnson did that with the MLF.

The military, defense contractors and some technical experts in the national security field, plus a number of Congressmen, have been the leading advocates behind the current ABM proposals. Some of their ostensible arguments will be discussed in what follows; a parallel effort will be made, however, to understand the reasons for their attachment to the ABM.

When we think about the revolutionary impact of nuclear weapons, we usually think about their terrifying capacity for destruction. Yet for the military, something else may be more important: *there has been no acceptable defense against nuclear attack.* Whatever our military leaders might promise about our capacity to inflict damage on the Soviet Union, they could not (at least after 1954) promise simultaneously to protect the United States from grievous retaliation. Deterrence, therefore, has had to take precedence over defense. Rather than concentrating on building forces primarily designed to fight (and "win") a major war, we have had to concentrate on building a force designed to influence the other side's willingness to go to war at all.

The military has not found it easy adjusting to this new state of affairs. They have traditionally been trained to concentrate on matching or exceeding the capabilities of any potential enemy, and to leave estimates of his intentions (or attempts to influence them) to others. Moreover, the military's primary role has always been protection of the homeland, as well as the creation of a force capable of "winning" any conflict at an acceptable level of cost. Insofar as possible, they seek to achieve their goals by "seizing the initiative," avoiding situations in which we are "bled to death" by the apparently inexhaustible "cannon fodder" of the enemy. These notions are wholly out of joint with a world in which strategic weapons are built *not to be used but to be manipulated,* in which both sides play an elaborate and dangerous charade, in which the notion of "winning" has been supplanted by notions of "parity" or "sufficiency," in which the aims of each side are themselves ambiguous. In such circumstances one can understand the frustration of the military men, especially those old enough to have been educated before these propositions became part of the conventional wisdom. (I am using the term "military" as a convenient shorthand: there are some military men who do not fit the mold I have fashioned, and there are many civilians who do—especially when they are appointed to Congressional committees dealing with military affairs.)

Both the military and their critics agree that nuclear war is possible, although the military would undoubtedly rate that possibility much higher. They disagree in their reaction to that possibility. For the military, if war is possible, it is criminal not to buy all the defense one can get in order to limit its worst effects. For many civilian critics, the possibility that war will come has led, conversely, to a concern with influencing the intentions of the enemy, so that he will remain deterred. One does not, from this point of view, buy defensive systems which can upset stability and which, in any case, are only marginally effective. If war is a possibility, an ABM *might* save lives (whether it will in fact do so depends on whether arms levels have gone up to enable each side to overwhelm the other's ABM); but installation of an ABM, without prior agreement on an arms freeze, might also destabilize the strategic balance and lead to ever higher levels of "assured destruction." The same proposition—war is possible—produces very different practical decisions, depending on whether your intellectual frame of reference leads you to a bias in favor of either deterrence or defense.

Underlying all of this is, I believe, a strong psychological reaction on the part of the military. If the ABM works, or if we believe it works, it has the potential of restoring to the military some of the autonomy and independence they have lost. A *successful* ABM implies a wholly new ball game, because the danger of a destructive attack on the United States would have been at least sharply reduced. It would also give us greater freedom in handling future Koreas (or Vietnams or Berlins?): one need not be overly concerned about the dangers of escalation. If the notion of "winning" cannot be revived, in the case of a major nuclear war, we at least wouldn't have to accept any more local humiliations. Thus, the ABM is important to the military not only because of its presumed capacity to limit damage in the event of an attack or an accident; it is also critical in terms of its ability to influence the initiation of offensive actions by our forces (both nuclear and conventional). Put another way, the Joint Chiefs of Staff, prime advocates of a "thick" ABM system, believe that it would "continue the Cuba power environment in the world." In their view, our strategic nuclear superiority has allowed us to exploit our tactical superiority. If that superiority were in doubt or diluted by fears of "having an arm torn off" in a nuclear exchange, we could be hamstrung on a local level.

Contemplate, for example, a situation in which Chinese troops swept into India, and we attempted to slow them up by threatening or initiating retaliation against Chinese nuclear installations. Our ABM could then be a very significant factor, assuming that some remnants of the Chinese nuclear force survived our attack. Admittedly, it is difficult to imagine the Chinese creating a situation in which such action on our part looked reasonable to us. Nevertheless, some of our military are discussing "scenarios" such as this, for they are preoccupied with the specter of Chinese aggressions that we are unable to deter because we fear Chinese nuclear strikes against us.

A defensive system, in sum, is especially attractive to a group whose traditional role has been fundamentally altered not just by nuclear weapons, but by the fact that we could stop an attack only by threatening an even larger one. The similarity here to the debate several years ago on civil defense seems to me to reinforce the argument. Again, on an objective level, the struggle concerned estimates of the likelihood of war and about the effect of various civil defensce measures on our ability to either deter or defend against a Soviet attack. But on another level, the argument was about the possibility of *using* our weapons *if* our population was protected.

Whether its proponents really believe in the virtues of ABM deployment on the basis of a considered strategic judgment, or whether it represents, as I think, a kind of reflex judgment on the potential of the ABM for restoring a more traditional strategic environment, the military and some technocrats believe there are technological solutions to strategic problems. (As a subsidiary theme, one might also note a certain fascination with what Oppenheimer, in reference to building the hydrogen bomb, called the "technically sweet," that is, a kind of aesthetic pressure to develop the most advanced tools merely because one is able to do so.) Ultimately, however, there are only political solutions to the problems created by nuclear weapons. The confidence and sense of security necessary to maintain the international system in a state of reasonable stability cannot be achieved by weapons developments in and of themselves. This is especially true when there is no sure and safe way to eliminate the possibility (some would say probability) that the next round of technology will undermine the stability of the preceding one. The fear and uncretainty engendered by knowledge of this prospect can only be controlled by agreements outside of it, not by manipulation of developments within it.

Our propensity to seek technological solutions to difficult political problems is well-known. The strategy of massive retaliation, the emphasis on "more bang for the buck," on regaining the initiative by retaliating when we chose and on substituting nuclear

technology for ground forces—all these are illustrative. The popularity a decade ago of the concept of limited nuclear war is another illustration; it ran afoul of our allies' understandably negative reactions, as well as the fact that the Soviets also had tactical nuclear weapons. An excessively technological orientation tends to concentrate attention too narrowly on ways and means and to obscure more important questions of purpose and intent. In the ABM debate, we can see the dialectic at work in the Defense Department's reaction to the outburst of criticism against its decision; it has tried to obscure the issue by suggesting that all will be well if only the sites for the missiles are redeployed away from urban areas (or at least urban areas that protest volubly enough).

One might argue that in the last analysis debates about military hardware are not really very significant, that what counts is not force structures and the like but rather the intentions and intelligence of the statesmen of the great powers: if they are willing to accept restraints on their behavior and to assess their responsibilities at least in part in reference to a general concern for stability, then war is unlikely. I find this point of view only partially tenable, for the characteristics of the available military systems surely condition the nature of decisions taken. The impact of mobilization schedules on the outbreak of World War I is a case in point. And the Cuban missile crisis ought to limit optimism about the willingness of reasonable men to seriously contemplate nuclear war—and in somewhat dubious circumstances.

I would also feel more confident about the argument that it is intention and will which are decisive, if it were not for the nature of the present leadership of the Defense Department. Anyone who takes the trouble to read the writings of Mr. Laird and Assistant Secretary of Defense G. Warren Nutter on these matters is bound to come away troubled. The Duke of Wellington's comment as he looked over his troops before the battle of Waterloo comes to mind: "I don't know whether they scare the enemy, but by God, they scare me."

THE RELATION OF OUR TEXTILE INDUSTRY TO EUROPEAN COMMON MARKET'S TRADE POLICIES

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

Mr. FISHER. Mr. Speaker, recently, my distinguished colleague, the gentleman from Illinois (Mr. FINDLEY), drew the attention of the House to the European Common Market's plan to levy prohibitive consumption taxes on vegetable oils, oil seeds, cake, and meal. These taxes would drastically reduce U.S. soybean exports and impose economic hardships on many American farm communities. As I myself represent an agricultural region, I understand very well the gentleman's apprehensions and join him in urging our Government to take action to prevent this injustice. But I cannot join him in his subsequent effort to marry the soybean tax problem and textile trade policy. I believe him to be seriously misinformed in this respect as well as in regard to the condition of our textile industry, which provides virtually the sole market for American wool growers.

It cannot be argued that U.S. efforts to secure reasonable textile trade controls have induced or will significantly strengthen the EEC's determination to protect its agricultural sector. As is common knowledge, the EEC has never embraced free trade in agricultural imports competitive with the produce of its own farms and it is not about to do so now On the contrary, a highly protective trade policy with regard to agricultural products is considered to be crucial to the EEC's political survival, as the French have made very clear on numerous occasions. The EEC agricultural ministers have been discussing vegetable oil taxes for some time and for the same reasons that lay behind their earlier discussions regarding the fate of American poultry exports to Europe. U.S. textile trade policy has had absolutely nothing to do with these discussions and doubtless will have little influence over their outcome. I see little to be gained, therefore, by suggesting that the fate of U.S. agricultural exports to Europe hangs on the question of textile trade policy.

The gentleman quoted with approval a New York Times editorial which presented essentially the same argument in regard to Japan. The United States, according to the Times, should not seek a reasonable textile agreement with the Japanese because this would strengthen protectionist sentiment in Japan.

Mr. Speaker, this had to be written with tongue in cheek because it would be difficult to find any major non-Communist trading country that is more protectionist than Japan already is. Japan imports raw materials, foods, and technology from us because these items are not available at home, not because she is committed in any sense to free trade. It is ironic in this connection that the same newspaper reported some weeks ago the return of yet another disappointed and frustrated American trade mission sent by the President to negotiate freer trade relations with the Japanese. This mission was offered meaningless concessions on commodities the Japanese do not consume in significant volume but otherwise returned empty-handed. And Japan has consistently enjoyed the highest economic growth rate in the world since the mid-1950s.

I think it relevant at this point to note that Japan has accepted extremely restrictive quota agreements with the EEC nations, especially in textiles, largely because the market which interests her most is ours. Perhaps some reasonable controls over textile imports by country of origin would induce the Japanese to bargain more vigorously with other countries so that the United States would not have to continue absorbing a grossly disproportionate share of her textile exports.

Turning now to the condition of the American textile industry, I want also to discuss the matter of textile industry profits. The American Importers Association, as quoted by the gentleman from Illinois, compares the level of textile industry profits in two widely separated base years, notes that total profits doubled between them and concludes that the industry is therefore in good shape. No mention is made of the fact that 1961 was a bad year for textile mill products while 1968 was a year of feverish prosperity and inflation in the U.S. economy.

In other words, the Importers chose base years which, while comforting to their argument, are not economically comparable. Profits might very well have tripled between these base years without generating any useful information at all about the condition of the industry in 1968 and, what is more important, its prospects for the future. The same is true of the 1967–68 profit comparison made by the Importers Association, since 1967 was also a bad textile year.

Furthermore, the level of profits in a given industry does not mean very much unless it is related to the volume of investment involved and to the performance of profits in other industries. Since 1961 the textile industry has invested enormous sums of capital in new equipment in a vain effort to keep up with rising labor costs and growing imports of cheap-labor textiles. Consequently, the industry's rate of return on equity has shown little improvement since 1961 notwithstanding the increase in total profits to which the Importers Association refers. The fact is that the textile mill products industry in 1968 ranked below all other major U.S. manufacturing industries in respect to the rates of return on both sales and equity. This is very significant since textiles must, in the long run, compete with all other industries for capital and other resources. The usefulness of random statements about the level of profits in widely separated base years is further reduced by the impact of inflation. Who would argue, for example, that $10 million worth of 1968 profits would purchase as much in new equipment and new jobs as it would have purchased in 1961?

Mr. Speaker, we hear demands on all sides that policymakers in education, military affairs and foreign relations discard their adherence to sweeping generalities in the light of the changed conditions in which we live today. Pragmatic policy responses to these problems are said to be essential under today's conditions. I submit that the same thing is true in regard to the formulation of textile trade policy. The United States cannot afford, I submit, to be the only major industrial Nation which does not care what happens to its great industries and their workers.

COMPREHENSIVE HEALTH PLANNING

(Mr. BLANTON asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BLANTON. Mr. Speaker, recently our colleague, the gentleman from Tennessee's Fifth District, RICHARD FULTON, was cosponsor, along with the Nashville Area Chamber of Commerce and the Tennessee Department of Public Health, of a statewide conference on comprehensive health planning.

The conference was considered by those who attended to be an outstanding success and was a significant first step in Tennessee's efforts to make meaningful the comprehensive health planning programs which have been passed by the Congress through the Partnership for Health Act and subsequent amendments which, as a member of the House

Committee on Interstate and Foreign Commerce, I was privileged to have the opportunity to participate in writing.

Shortly after the Nashville conference, Congressman FULTON was invited to give the principal address at the first annual meeting of the American Academy of State Directors of Comprehensive Health Planning, which was held on March 6 here at the Washington Hilton Hotel.

In his address, Congressman FULTON pointed out the opportunities which lie ahead in the area of comprehensive health planning and the work which must be done to make these opportunities a reality.

Mr. Speaker, under unanimous consent, I include a copy of Mr. FULTON's remarks in the RECORD at this point and commend it to our colleagues for their consideration:

COMPREHENSIVE HEALTH PLANNING: THE CONGRESS AS A PARTNER

(Address by Hon. RICHARD FULTON)

Dr. Cashman, Mr. Boyd, distinguished guests, with my responsibilities in the Congress as a member of the Ways and Means Committee to attend the current hearings on tax reform and the demands on my time back home to contribute to and participate in last week's conference on comprehensive health planning, I was forced to ask for a little assistance in the initial drafting of my address this evening.

Overall, the first draft was a good one, and I want to commend those who contributed to it . . . without mentioning any names because I don't want them to be given too much credit if you receive my remarks favorably. Conversely, should you take exception to or in some way be offended by what I will say, then I certainly wouldn't want them singled out for blame and reprisal:

As I said, the first draft was a good one. I made relatively few changes except for the first page, and those changes were not really substantive. They simply involved the eradication of some rather terrible jokes which were intended to put you at ease. After reading them, I was more concerned that they would frighten you away.

* * * * *

I am particularly pleased to be with you tonight because you are the people who, by your responsiveness to that task ahead, are going to determine whether or not this concept of comprehensive planning is going to become a viable reality. You have a responsibility to do this.

If you will, and I am certain you have, commit yourself to the task, it will be done.

The Congress also has a commitment to your job. This can be found in Public Law 89–749. The legislation passed in 1966 which established comphehensive health planning. It is my strong feeling that in making the partnership for health an instrument of national policy, the Congress and the President set in motion one of the finest programs yet devised for improving the level of individual and community health throughout our Nation.

The Congress also incurred a continuing responsibility toward this program. Such legislation is not a single-shot approach and the evidence of this was the enactment, in 1967, of the partnership for health amendments. The United States Congress, therefore, is committed and is your partner in this effort.

But legislation without implementation is like a verbal contract, not worth the paper it's written on, with respect to the implementation of this legislation, the work already done at the state and community levels is little short of fantastic.

Within the short space of some eight months after Federal funding had become available, every state and territory had moved. Sixty-nine area wide agencies had been funded. Advisory groups and boards were organizing and, of greater importance, were beginning to move toward the essence of implementation of substantive planning.

Some highly significant facts have begun to emerge from this activity. In the first place, the partnership for health is not, in law or in fact, a Federal program. Rather, it is a people-directed program. It embodies, as its basic tenets, the root values which we, as Americans, have so long esteemed.

Some of these can be identified as "self-determination," "cooperation," "coordination," and "motivation to action, to help ourselves by helping our communities."

This program is, in the truest sense, an effort on the part of the Federal Congress to reinvest in the States and communities that spirit of community action which is vital to the presentation of our governmental and societal structure.

Perhaps the more correct term is "retention", retention of responsibilities, of prerogatives, of opportunities.

The role of the Federal Government is to stimulate State community action and provide dollar support to States and communities to assist them in planning for their own health needs.

But this takes support of the people.

In the case of the partnership for health, the people have responded, with the result that the program has received an overwhelming public mandate. Oh, this is not to say that everyone involved or affected is enthusiastic in his support.

There are still those who, to use the old cliche, "View with alarm." There are still those who see this program as a threat to their personal or professional security.

This is unfortunate because it impedes the progress of the program.

It was my pleasure, a week ago today, to see this new program in action in my own State of Tennessee. The occasion was a statewide conference on the partnership for health, co-sponsored by the Nashville area chamber of commerce, the Tennessee Office of Comprehensive Health Planning, and myself.

Some 700 community leaders throughout Tennessee attended the conference which was directed toward producing specific activities, at the community level, which would support comprehensive health planning in Tennessee.

Despite an intensive and almost exhaustive conference agenda which extended from 8:45 in the morning to ten o'clock last Thursday night, the ideas expressed, the suggestions discussed, and the specific recommendations submitted were of high quality.

It was a fascinating experience to observe the extent to which the people of one State, Tennessee, subscribed to the goals and objectives of the partnership for health . . . and exhibited their determination to make it work.

I am confident that the recommendations submitted will be carried out.

I am well familiar of the leadership in Tennessee which has brought the program to its present level of implementation with the very capable staff direction of Dr. Homer Hopkins, the executive director of the Tennessee Comprehensive Health Planning.

But staff cannot accomplish that which only people can make happen. The extent to which health service providers and consumers in Tennessee have begun communicating and cooperating with each other toward the goal of improving individual and community health can only be described with superlatives.

I recall vividly some of the remarks made by the conferees in the afternoon workshop sessions, and I would like to repeat just a few. They included such statements as, "This program has been a long-time coming, but it is the only thing that will do the job . . ." "This program has got to work, and we have got to make it work . . ." "The key words in this program are 'communications,' 'coordination,' and 'cooperation'."

It was, and is, a most rewarding experience for a legislator at the Federal level who voted for and supports the partnership for health.

Because what is happening in Tennessee is taking place in the other States and communities which have joined as partners, have made their commitments, and are now going about the difficult business of comprehensive health planning within their States and communities.

You, as staff directors, as community leaders, as Federal agency employees of the executive branch, each of you has a compelling responsibility.

Each of you, in a very real sense, is a member of this new and growing partnership. Our responsibility is to the people.

The establishment of the new American Academy of State Directors of Comprehensive Health Planning is a forward step of vital importance.

Through your new association, communications linkage can be established and maintained to work toward the objective of providing information, as professionals, of the latest developments in your important field.

This, in turn, activates greater coordination and cooperation on all fronts and at all levels, including the Federal legislative level.

I think we will see, as your new association develops, a manifestation of the old axiom, "The whole is greater than the sum of the parts."

Because you represent a broad constituency of State and community leaders who, in turn, are the representatives of the national constituency: more than 200-million Americans.

You are the doers, and you must, in turn, become the communicators.

Because it is to you, the representatives of the people of your States and communities, that we in the Congress must turn for information and guidance in shaping future legislation which affects your program.

I am looking forward to working with your chairman, Jack Boyd, and with other representatives of the academy.

It would be less than realistic to assume that no further legislative action by the Congress is required.

The program is too dynamic. If it is to realize its potential, the Congress must discharge its responsibility as a partner at the federal level.

I believe I speak for the majority of my colleagues when I say that we will be responsive to your reasoned recommendations.

This, then, is the role and the responsibility of Congress as a partner. Each of us has a commitment, an involvement, and a very definite responsibility to make this thing work.

I view this responsibility as an opportunity, an opportunity to better serve people in my job as an elected official.

From meeting some of you, from having talked to Dr. John Cashman and staff members of the division of comprehensive health planning in Bethesda, and from having participated in the Tennessee conference. I have a strong conviction that mine is a shared feeling: That others view the partnership for health as an opportunity to serve.

As Dr. Cashman said in his keynote address at the conference in Nashville last week, "the stakes are high, but no higher than they have been. The time? Perhaps later than it should be. The opportunities? Unlimited, if we are to think in terms of that which we can do. The rewards? Ill-defined, as yet, but we must, if we are to move forward, motivate ourselves to strive toward the goal.

"And that goal, I would remind you, is

this: The highest level of health attainable for every person."

Stimulated with a charge such as this from a man of such conviction and determination as Dr. Cashman, we will, I think, get on with the job.

And we will, I think, do that job well.

LEGISLATION FOR GREATER FLEXIBILITY IN IMMIGRATION

(Mr. CELLER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. CELLER. Mr. Speaker, I have today introduced a comprehensive immigration bill to establish rational new preference categories by which immigrants can seek admission to the United States.

Experience has demonstrated that existing preferences of the Immigration and Nationality Act are out of balance with our avowed immigration policy of reuniting families and offering preference to skilled aliens who have much to offer the United States. Moreover, countries of Western Europe—Ireland, for example—have been denied an equitable opportunity to send immigrants to the United States. The Irish will procure decided relief.

This will, in seeking the necessary revisions, move toward a greater flexibility in our immigration law. We, in our tradition, must make it possible for those who cannot come to the bosom of a family or within a preference; that is, the young, the brave, who follow a star, to come to enrich our culture as many did before. These from Ireland, England, Italy, the Scandinavian countries have much to give, and we have much to receive.

My proposal will relieve the mounting pressure for immigration reform by wiping out the long waiting list for relative preference visas, and, with a new preference system, all intending immigrants will henceforth be able to compete for visas on a fair and reasonable basis.

A drop down of visa numbers from one preference to another will eliminate wasted visas and will insure a full utilization of visa numbers and the availability of visas for young new-seed immigrants who seek an opportunity to come to our great country. More than 60,000 visa numbers, it is estimated, will drop down to ease immigration opportunities for persons unable to secure visas.

The new immigrant provisions are complemented by changes in the nonpreference categories to authorize the admission of fiancées of U.S. citizens and permanent resident aliens, the admission of skilled temporary workers whose services it has been determined are urgently needed to fill employment gaps, and by objective refugee provisions.

Specifically the bill provides:

First. Admission outside of quotas for brothers and sisters of U.S. citizens who are beneficiaries of petitions filed prior to January 1, 1969.

Second. Immediate relative status—nonquota—for unmarried sons and daughters of U.S. citizens.

Third. Immediate admission for children accompanying their parents who are beneficiaries of a petition filed by a U.S. citizen son or daughter. Under existing law such children are classified as brothers and sisters under the fifth preference and in many instances have a long wait for a visa and are not able to accompany their parents.

Fourth. New preferences:

First preference status for married sons and daughters of U.S. citizens and spouses, unmarried children of permanent resident aliens, which preference will receive 25 percent of the overall ceiling of 170,000;

Second preference status for the highly skilled and professional will receive 25 percent of the numbers plus unused numbers of the first preference;

Third preference status for skilled laborers for which a shortage of employable and willing persons exists in the United States will receive 25 percent of the numbers plus any unused numbers of the first and second preference; and

Fourth preference status for aliens principally engaged in religious duties, aliens who will not seek employment in the United States, and investors, which preference will receive 15 percent plus any unused numbers from the first, second, and third preferences.

Unused numbers: 10 percent of the total or 17,000, plus unused numbers from the first, second, third, and fourth preferences, will be available to nonpreference qualified immigrants in the chronological order in which they qualify. There is a proviso within this group that 25 percent of the numbers available for nonpreference immigration shall be available to qualified immigrants who are under 25 years of age. The labor certification provision will not be applicable to this latter category.

Fifth. Labor certification procedures are simplified. Labor certification will no longer be necessary for a professional or a very highly skilled alien. The skilled alien will be able to file his own petition in an occupational category and will no longer have to have a specific job offer.

Sixth. The new refugee section will authorize the Attorney General to parole refugees who have fled from communism, from persecution or fear of persecution, or who have been uprooted by natural calamities or military operations. This new section has a built-in provision for retroactive adjustment of status after the refugee has been in the United States for 2 years. The existing law has proved to be inadequate in that refugees are now counted against a country's quota. This provision will meet emergency situations and will not cause any intending immigrant to have to wait because a number had to be used for a refugee.

LEGISLATION MAKING JUDICIAL RETIREMENT MANDATORY AT AGE 70

(Mr. MIZE asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MIZE. Mr. Speaker, I have cosponsored legislation which would establish mandatory retirement at age 70 for Federal judges. This proposal would insure, as much as humanly possible, a vigorous and decisive Federal judiciary throughout the United States.

Article III, section 1, of the Constitution creates the U.S. Supreme Court, and further charges the Congress with the duty of creating "such inferior courts as Congress may from time to time ordain and establish."

In carrying out these responsibilities, Congress has enacted legislation providing that no person may serve as chief judge of the circuit court after attaining the age of 70 years. This provision became effective on August 6, 1958.

In passing this judgment, Congress reasoned that the circuit courts would be better served by younger, more energetic men as chief judges. The bill which I advocate today, H.R. 7507, would extend that same reasoning to the entire Federal bench of the lower courts. It would require all Federal judges to retire from full time, fully active status upon attainment of the age of 70 years.

FOUR POINTS OF AMPLIFICATION

Mr. Speaker, in supporting H.R. 7507, I wish to make four points clear:

First. In order to be entirely fair, mandatory retirement provisions will not apply to those judges currently serving the Federal courts. This bill applies only to those judges appointed subsequent to its enactment.

Second. In my judgment, this proposal should not apply to the Justices of the U.S. Supreme Court. That Court was specifically established by the language of the Constitution. The doctrine of separation of powers is so essential to our liberties and system of government that mandatory retirement provisions applying to the Supreme Court can be properly implemented only by constitutional amendment.

Third. This proposal complements existing procedures and statute law. Retired judges will continue to serve on a limited basis, just as do those judges who voluntarily retire today. Retired judges will retain the emoluments of office and will serve in semiactive capacities. They will continue to hear cases as their health and strength permit.

Title 28, United States Code, section 371(b), provides:

> Any justice or judge of the United States appointed to hold office during good behavior may retain his office but retire from active service after attaining the age of 70 years and after serving at least ten years continuously or otherwise, he shall, during the remainder of his lifetime, continue to receive the salary of the office. The President shall appoint, by and with the advice and consent of the Senate, a successor to a justice or judge who retires.

In *Booth* v. *United States*, 291 U.S. 339 (1934), the Supreme Court, in discussing this provision, states:

> By retiring pursuant to the statute a judge does not relinquish his office. The language is that he may retire from regular active service. The purpose is, however, that he shall continue, so far as his age and his health permit, to perform judicial service, and it is common knowledge that retired judges have, in fact, discharged a large measure of the duties which would be incumbent on them, if still in regular active service. He does not surrender his commission, but continues to act under it. He loses his seniority

in office, but that fact, in itself, attests that he remains in office.

Fourth. Finally, this proposed legislation will serve to increase the capacity of the courts to try the ever-increasing number of cases which come before them. In addition to having younger men on the bench, the courts will have the services of the retired judges, who will work at their best speed.

Clearly, one of the greatest difficulties in the law today is the great delay of justice in too many cases. Defendants whose trials are delayed for months cannot provide the type of vigorous defense which clearer memories insure. Prosecutors are hampered by the same timelag. By enacting this legislation, we will permit the courts to accomplish more. Their work will improve both quantitatively and qualitatively.

I urge all of my colleagues to favorably consider H.R. 7507, a bill to make mandatory the retirement of Federal judges at age 70.

RESOLUTION IN HONOR OF AMELIA EARHART AND JOAN MERRIAM SMITH

(Mr. MIZE asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MIZE. Mr. Speaker, I am the sponsor of a joint resolution in honor of Amelia Earhart and Joan Merriam Smith, two of America's most distinguished aviatrixes.

These gallant ladies, through personal achievement in the air, brought great credit to their country and new prestige for the fairer sex. Their individual accomplishments are an important part of the heritage which has led to American excellence in the air and in space. It is proper that the Congress recognize the courage and contribution which marked these two most remarkable careers.

The challenge which they saw as their own is really the challenge of free men and women everywhere: to achieve, through indomitable will and individual initiative, the seemingly impossible goal.

As with all great spirits, Miss Earhart and Mrs. Smith did not rest upon the laurels of their successes. They continued to seek new horizons—the quest, sadly, cost them their lives. The legacy which they left behind enhances the dignity of every human being, for clearly their efforts—though intensely personal—were undertaken on behalf of all of us for all time.

AMELIA EARHART

Mr. Speaker, Amelia Earhart was born in Atchison, Kans., my hometown. She was the first woman to fly the Atlantic Ocean solo, accomplishing this feat in May 1932. She was blown off course on this flight and was forced to land on a field in Ireland. Amelia descended from her plane and announced, "I'm from America." An Irish farmer responding to her question as to where she was, announced, "You're in Gallagher's cow pasture."

She went on to Paris to receive the French Legion of Honor. Later, back in the United States, President Hoover presented her with the Geographic Society's gold medal, which had never before been awarded to a woman.

She later became the first person to fly from Hawaii to the U.S. mainland, the first to fly the Atlantic twice, and the first to fly nonstop from Mexico City to Newark, N.J., considered most difficult in those early days of aviation.

She lost her life in 1937 attempting to complete an around the world flight at the equator. She died attempting to locate Howland Island, a dot in the vast reaches of the Pacific Ocean. The world mourned her untimely passing, for she epitomized the courage of a new breed of emancipated woman from an emancipated Nation.

JOAN MERRIAM SMITH

Joan Merriam Smith's lifelong ambition was to accomplish the equatorial flight which cost Miss Earhart her life. She finally succeeded in May 1964, and became the first person to fly round the world solo. She landed her rapidly deteriorating light plane at Oakland, Calif., after a journey of over 27,000 miles. Mrs. Smith was killed a short time later when the wing of a rented aircraft failed in flight. She crashed into a mountainside in California. For her gallant flight around the world she was awarded the 1965 Harmon International Aviation Trophy posthumously.

Mr. Speaker, the resolution which I sponsor would officially recognize the historic aviation achievements of Mrs. Smith and Miss Earhart. It would authorize the Postmaster General to give due consideration to the issuance of a stamp in honor of Mrs. Smith and the Civil Air Patrol-U.S. Air Force Auxiliary of which she had been a cadet member. It would further recommend to the President the names of both aviatrixes for consideration of the awarding of the Presidential Medal of Freedom posthumously. It would further decree that the 12th of May, each year, be designated as Amelia Earhart-Joan Merriam Smith Aviation Day in honor of their memory.

Mr. Speaker, I should like to close this statement with a poem which Amelia Earhart, a citizen of Kansas and the world, wrote for us all. It reflects her most personal thoughts on courage, a commodity which she and Mrs. Smith lacked not at all:

COURAGE

(By Amelia Earhart)

Courage is the price that Life exacts for granting peace.
The soul that knows it not
Knows no release from little things:
Knows not the livid loneliness of fear,
Nor mountain heights where bitter joy can hear
The sound of wings.

How can life grant us boon of living, compensate
For dull gray ugliness and pregnant hate
Unless we dare
The soul's dominion? Each time we make a choice, we pay
With courage to behold the resistless day.
And count it fair.

Mr. Speaker, I urge all Members to give favorable consideration to this joint resolution.

WIDOW'S EQUITY BILL

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

Mr. TALCOTT. Mr. Speaker, I have introduced H.R. 9076, a bill which would establish an equitable survivor's annuity plan for active and retired members of the armed services. This measure would replace the present unjust annuity option, and will provide for surviving spouses at a level equal to that available for civil service retirees.

We honor the men in the armed services with words of gratitude for a job well done, but too often do not put this gratitude into meaningful effect. Here is an opportunity to establish an annuity program which would relieve the serviceman's worries about an adequate standard of living for his surviving spouse and would offer another incentive to the young man who is contemplating a military career. There is no reason why the retired civil servant should be able to participate in a sound annuity program, while his military counterpart cannot do the same.

The present annuity system, established in 1953 by the passage of Public Law 83–239, the Uniformed Services Contingency Act, and known as the retired serviceman's family protection plan—RSFPP—has been amended again and again, but it remains an ineffective and complex measure. On the ultimate test of acceptability—the degree of voluntary participation—the RSFPP has been a failure. Only some 15 percent of eligible persons have joined the plan, while over 90 percent of our civil servants have enrolled in their annuity program.

There are other advantages to my bill over the present RSFPP. These include Government participation in the cost of the program, simplified administrative procedure, and additional provisions by which an unmarried retiree could provide an annuity to a specified person having an insurable interest in the retiree. This all adds up to bringing the serviceman up to a retirement level now enjoyed by civilian employees—certainly a desirable result.

Mr. Speaker, I urge my colleagues to support this needed legislation.

PUERTO RICO'S GOVERNOR SPEAKS OUT

(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, it gives me a great deal of pleasure to bring to the attention of this body an interview-article by the Honorable Luis A. Ferré, the new Governor of the Commonwealth of Puerto Rico.

His views appeared in the March 17 issue of U.S. News & World Report; it is a forthright and realistic statement by a man, who I am proud to call a friend, on the issues that face the Commonwealth at the beginning of his term of office.

Governor Ferré is one of the most dedicated public servants I have had the honor to know. Over the years I have had

many opportunities to see this man in action; whether in victory or defeat, his words and deeds have been those of one committed first and foremost to the best interests of his beloved Puerto Rico.

Many commentators of the American political scene have unfortunately forgotten about the most amazing of political comebacks of the 1968 electoral season with their concentration on President Nixon's successful campaign for the White House.

Governor Ferré had been defeated four times for Governor of the Commonwealth of Puerto Rico before his 1968 election triumph. But he never bowed as a gallant fighter for Puerto Rico, nor dampened his inspiration, nor created any bitterness with his fellow citizens. His campaign for the governorship was devoid of the "class hatred" struggles of so many other campaigns and the result has been an entirely new and healthier atmosphere in Puerto Rico about the government, the economy, and the future.

Mr. Ferré makes a number of points which should be studied by the Members of the House and the Senate, particularly those dealing with Castroism, but I want to quote one portion of his remarks dealing with a subject dear to my heart—statehood for Puerto Rico. The Governor says:

Statehood is the ultimate achievement of all U.S. citizens. You can't be a full-fledged citizen without the rights that go with statehood.

We would vote in elections for President of the United States—something we cannot do now. We would elect two members of the Senate and about six members of the House of Representatives. The young Puerto Ricans who serve in the U.S. Armed Forces would feel they are serving at their own wish because they had a hand in electing the Members of Congress who voted on the draft and defense matters. That is very important.

Mr. Speaker, I could not agree more, nor have I heard the case for Puerto Rican statehood stated better or more succinctly. I include the interview referred to above to immediately follow my remarks in the RECORD:

PUERTO RICO—WILL IT BE THE 51ST STATE?

(Interview With the Commonwealth's Governor)

(Now Puerto Rico has a new Governor, Luis A. Ferré, who wants to make the island into the 51st State. The change would have a major impact on U.S. relations with Latin America and on huge American investments in Puerto Rican business. When might statehood come? What would it accomplish? These are some questions Governor Ferré answers in this exclusive interview, held in the conference room of "U.S. News & World Report." He also suggests a new U.S. policy for dealing with Castro's Cuba.)

Question. Governor Ferré, is Puerto Rico moving toward full statehood, like Alaska and Hawaii?

Answer. I have always been for statehood. The commission that was set up back in 1962 to study the status of the island said we will be able to assume the responsibilities of statehood, without harm to our economy, by 1980. And that is my position.

We should have another plebiscite, such as the one held in July, 1967.

At that time a majority voted for Puerto Rico to continue as a commonwealth instead of a State. But the vote for statehood was 39 per cent—the largest ever.

I think another vote should be taken before our regular election in 1972. To my mind, two thirds of the voters would have to be for statehood before Congress would act. Once the matter is put up to the members of Congress, with a showing that a clear majority of Puerto Ricans want statehood, I'm sure the attitude will be receptive.

Question. What's the point in statehood? Hasn't it been argued that you would lose some of the advantages you have as a Commonwealth?

Answer. Statehood is the ultimate achievement of all U.S. citizens. You can't be a full-fledged citizen without the rights that go with statehood.

We would vote in elections for President of the United States—something we cannot do now. We would elect two members of the Senate and about six members of the House of Representatives. The young Puerto Ricans who serve in the U.S. armed forces would feel they are serving at their own wish because they had a hand in electing the members of Congress who voted on the draft and defense matters. That is very important.

There are other things that might be better from our point of view. Take old-age assistance, for example. We can't get in Puerto Rico the full amount that all States get on medicaid.

I must say that, in general, there has been a kind and generous attitude toward us in Congress. But I don't think we should be dependent on the generosity of Congress. We should have the rights that other citizens have.

Also, our becoming a State will give us a dignity and equality in developing a better understanding with South America. I think there is a feeling that maybe the Latin Americans have a special friend in Puerto Rico.

This feeling may even be permeating Cuba. If so, this will be better for us than any armed intervention in Cuba.

Question. Speaking of that, how do you think the U.S. should handle Castro and the Communists down there?

Answer. We have to take a more active part in trying to help the Cubans get out of the mess they're in. We are too passive about the situation.

I don't means that we should go in militarily. But the time is getting ripe for some kind of move to help the Cubans rid themselves of Castro.

It might help to resume relations with the Castro Government on the theory that when we have more-normal relations with Cuba we will be in a better position to assist the Cuban people.

Question. Help them how—through trade and economic contacts?

Answer. That might help. We need to support those in Cuba who are not sold on Castro. If those people keep leaving, there will be nothing left but indoctrinated Cubans. Somehow, we should make it possible for anti-Castro people to stay in Cuba, and for the refugees to go back so they can work things out for themselves.

People are getting tired of Castro. He has built up a system that is oppressive, and the people resent it. I know that from hearing from those who come out. How long Castro remains in power depends on how soon somebody there can offer the Cubans an alternative.

Question. To get back to your own program, Governor, what will happen to manufacturing in Puerto Rico if you become a State, and your companies are subject to the federal income tax—from which they are now exempt?

Answer. A transition agreement could be incorporated into the statehood law. It might, for example, provide for the federal income tax to be applied gradually—say, 10 per cent the first year, 20 per cent the next year, and so on.

Of course, at some point there would have to be the same federal taxes in Puerto Rico as in all other States. But Congress has never admitted a State without taking steps to assure that there would be no damage to its economic structure. You know, special considerations were involved in the admission of Hawaii and Alaska.

The important thing is to bring in industries that are suited to Puerto Rico, and are sound.

Tax exemption does not make an industry sound. If you don't make a profit, tax exemptions don't do you any good. There is no sense in attracting marginal industries to Puerto Rico.

There have been some industries on the island that shut down and left as soon as their exemption from the Puerto Rican income tax expired. You see, the exemption from the Commonwealth tax lasts 10 years in some cases, 17 years in others. After that, an industry still is not subject to the federal income tax, but it has to start paying our local income tax. Now, these industries that leave as soon as the tax exemption ends are not really the kind of industry we like to get.

We are now getting a different type—a type that takes a long-range view of its investment in Puerto Rico.

Alcoa, for example, is considering a new investment in Puerto Rico. General Motors has been approached. We have General Electric and the Radio Corporation of America doing a number of things. Air Products & Chemicals is planning to build a large industrial-gas facility on the island. Oil refining and petrochemicals are expanding rapidly. We are considering opening up copper mining. Fish canning is developing quite substantially.

Question. Are you dependent on outside capital?

Answer. About a third of the money for new industries is generated in Puerto Rico. That means two thirds comes in from the mainland.

Question. Are you going to revise your tax incentives to try to attract long-range investment from the mainland?

Answer. We will have a complete revaluation of our tax-exemption program to see how it can be improved.

We feel there must be more participation by industry in meeting social responsibilities on the island. For example, I have just proposed that incoming industries be required to pay the federal minimum wage in exchange for tax exemptions. I think private industry should be required by law to pay regular Christmas bonuses.

The way many companies operate today, they do not participate enough in helping to solve our social problems. That is not a sound situation—and it is not good for the industries themselves.

There are many ways in which private companies can make a contribution in place of paying taxes—by supporting projects to prevent pollution, by training workers, giving endowments to schools and universities, and so on. We feel there should be more of this sort of thing.

MAKING CLIMATE PAY OFF

Question. Are you sure you still will be able to attract capital if Puerto Rico becomes subject to the federal income tax, and wages rise close to the level of those on the mainland?

Answer. Very much so, because we have one natural resource that we are going to develop fully—climate. Puerto Rico has a tremendous attraction to tourists. With these new jumbo jets on the way, we are going to have large numbers of tourists from Europe.

We have only developed a little bit of Puerto Rico around San Juan for the tourists. But we intend to develop the rest of the island, which has miles and miles of beautiful beaches. We are going to develop hotels

with lower rates, so that tourists who don't have much money to spend can enjoy a vacation in Puerto Rico.

Income from tourism was around 250 million dollars last year. We figure it can go up to a billion, maybe 2 billion. That, of course, would create a larger local market and a broader base for industry.

We are considering that Puerto Rico may be a base for companies aiming at the South American market. Companies should think of setting up plants in Puerto Rico instead of Europe because of the balance-of-payments problem.

Question. Have you got enough jobs for everybody?

Answer. We still have 13 per cent of our labor force unemployed. We have a good pool of labor, but it has to be trained. We are developing a massive program of education in vocational and technical fields. We are counting on the help of industry in developing these things.

Another thing we are trying to do is to improve our agriculture, which is in very bad shape. You see, the government let agriculture go to pieces in Puerto Rico while it was building up industry. Take sugar, for example. We have a quota of 1.3 million tons of sugar, but we only produced 600,000 tons last year.

Question. Do you have the climate and soil to grow more of your own food on the island?

Answer. Definitely. We have plenty of rain, although it is not properly distributed. We have to find some way to move water from one side of the island to the other. Studies on this are under way.

Also, we should have better experimental stations and more technical help for the farmers. And we need to raise the wages of farm workers from the present 50 or 55 cents an hour to a $1 an hour. The present wages are too low, considering what the cost of living is now. We need to get the pay up so we won't have so many poor people flooding into the cities from the rural areas. This is one of the things that keep our unemployment at a high level.

CASTRO AGENTS: CONTAINED

Question. Haven't you had some firebombings and "New Left" troubles in Puerto Rico? Mightn't that frighten away industry?

Answer. These bombings are a part of the Castroite attempts to upset the government, to upset the investment climate, try to scare the insurance companies. But they haven't served their purpose. Our police are quite capable of containing these Castro agents. A few have infiltrated, but they don't get anywhere.

We had a little superficial trouble at the University of Puerto Rico, but we haven't had any riots. I don't think we have to worry much about the leftists, or about Castro. Castro doesn't fool the people of Puerto Rico.

Question. What would you say will be the chief difference between your administration and your predecessor's?

Answer. Three things, mainly:

First, I don't believe in creating class hatred. The outgoing government came to power on the basis of social tensions—attacking the "sugar barons," the rich people, and so on.

Second, we don't want any more government by crisis. We are establishing an advisory commission to develop long-range programs and to recommend task forces to deal with special problems—in agriculture, education, health, taxes, and so on. We will be able to look at our problems scientifically, with the most up-to-date methods. The commission, for example, will have two codirectors—a professor from the Massachusetts Institute of Technology and a professor from the University of Puerto Rico.

Finally, we will develop a feedback system for getting the reaction of the public to our proposals. I plan to utilize television as a medium to keep in constant touch with the people. We are going to make a film to explain the plan for a copper-mining industry, to give the public, over television, all the facts about this controversial project. It will be a kind of "fireside moving picture," in place of the "fireside chat." People will know what we plan to do, and I will have their reaction right away through the feedback system.

Up to now we have only had a one-party system in Puerto Rico. Fortunately, that's all over. Now we have the two-party system, and it's going to operate very well.

AS APRIL 15 APPROACHES

(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, one of the extra added burdens carried by the American taxpayer is his occasional necessity to borrow money to pay his obligations to the Government. In effect, Mr. Speaker, because of interest payments, another tax. And this year the load is tripled because of the surtax.

Some banking institutions are advertising their services to the taxpayer and I agree with the editorial in the March 14, Wall Street Journal, that finds such advertisement "distasteful." But considering the load we put on the taxpayer, what alternative does he have? Is it not time we lightened the load on the average American taxpayer? If we did, I believe he could meet his obligations without incurring another tax. I have asked to have the Journal article follow my remarks:

TAX FOR NOTHING

The ad depicts "The April 15th Nightmare": The frazzled taxpayer menaced by the monstrous shapes of City Taxes (red), State Taxes (yellow), and Federal Taxes (green). The message: Instead of getting the dreads, get an income-tax loan from Such-and-Such Bank.

The circumstances the ad reflects are pretty distasteful all around—not new, of course, just getting steadily worse.

We wish that banks did not feel impelled to encourage people to go into debt to pay their taxes, but the sad part obviously is that so many people have to do just that. At all levels of government the tax-takers are taxing ferociously and desperately seeking more They can't seem to get enough for their multifarious undertakings, including a great deal of wasteful and unnecessary activity.

With population and the welfare rolls—and practically everything else—growing, it looks like still stiffer levies in the years ahead. At what point does the load become too big for incentive and vigorous economic activity to be sustained?

Oh well, let's not get the blues as we get on with the returns. Happy Taxgiving Day, everyone.

AMERICAN LEGION IS 50 YEARS OLD

(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 American Legion was 50 years old last Saturday and it is appropriate that I pause a moment to pay tribute to an organization that has been one of the outstanding driving forces behind legislative efforts on behalf of those who have fought and died for our country.

As a member of the House Veterans' Affairs Committee for 14 years, I can truly attest to the ability and dedication of my fellow Legionnaires who over the years have unselfishly contributed their time and talents to improving the veteran's status.

I salute an important organization, and wish it well on the beginning of its next 50 years.

TAX REDRESS FOR "PUEBLO" CREW

(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 congratulate my colleague from the State of Washington (Mrs. MAY) for her compassion and foresight regarding the plight of the *Pueblo* crewmen. I concur with her comments that the treatment accorded these men by the IRS would be a grave injustice. Congress has a responsibility to correct it.

I am pleased to add my name to the list of Members in both Houses who seek redress for the member of the *Pueblo* crew from my district and his shipmates.

TRIBUTE TO ROGER L. STEVENS

(Mr. THOMPSON of New Jersey asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. THOMPSON of New Jersey. Mr. Speaker, with the departure of Roger L. Stevens from his position as chairman of the National Endowment for the Arts, the Nation has lost an able public servant, and the arts have lost an effective spokesman in the Federal Government.

As an author of the 1965 legislation establishing the National Endowment for the Arts, I recall vividly the skepticism of many about the wisdom of establishing a Federal agency to support the arts. Some expressed the fear that Federal support would entail Federal control; others alleged that Federal support would result in subsidizing mediocrity; some were dubious whether a Federal agency could venture into the delicate and sensitive area of the arts without creating other kinds of unwanted problems. In addition to these special problems, the Endowment also faced the normal problems which any agency faces in its first years of existence—attracting staff, organizing its operations, and beginning its work.

The Nation and the arts were fortunate that in this situation, where strong leadership was needed, Roger Stevens accepted the position as the Chairman of the National Endowment for the Arts. From his background in business and in the theater, Mr. Stevens brought to his job great energy, enthusiasm, vision, and persuasive skill. But most important, he brought the leadership which the job required. He gathered an exceptionally talented staff, and began to work.

Because of other pressures on the Federal budget, the Foundation was never

able to receive funding adequate to the needs it was asked to meet. But even with the stringent budgetary limitations, Mr. Stevens was able to undertake exciting initiatives in supporting the arts. He quickly became the leading spokesman in Government for the arts, and he reminded us frequently that a Nation which neglects the quality of its cultural life can never be truly civilized. Music, the theater, the dance, painting, literature—all areas of art felt the impact of the new Endowment for the Arts.

Mr. Stevens was insistent in his belief that although the Federal Government must assume responsibility for supporting the arts, our States, our local communities, and our private sector also have a critical responsibility. He acted upon this belief. Under his stewardship, the Endowment for the Arts achieved great success in stimulating interest in the arts in our States and communities. The Endowment was able to generate substantial private contributions to match the Federal money appropriations, its resources were skillfully used as seed money to help worthy projects get started.

During hearings before the Special Subcommittee on Labor, Mr. Stevens explained his goals this way:

> We must assist both the producers as well as the consumers of art. We must make it possible for those who wish to make careers in the arts to pursue such a career. . . . We must also make the arts available to audiences throughout the country, not merely in our highly developed metropolitan areas.

The activity of the Endowment in its first 3 years served to advance these goals admirably.

In my judgment, Roger Stevens' leadership was instrumental in the auspicious beginning made by the National Endowment in carrying out its congressional mandate. Mr. Stevens discharged his responsibilities in Government in the same distinguished manner which marked his earlier career in private life: with imagination, vigor, integrity, and success. I am confident that all of my colleagues who had the privilege of working with Mr. Stevens share my great respect for his ability and achievement, and join me in wishing him well in his future undertakings.

I wish to insert a recent editorial from the Washington Post on Mr. Stevens' departure:

ROGER STEVENS DOFFS ONE HAT

The National Council on the Arts, which is the Federal Government's three-year-old experiment in direct financing of the creative arts, could not have had a more effective first chairman than Roger L. Stevens. As a successful businessman who himself had met many a payroll, he was just the man to assure a wary Congress that spending for "culture" was sound. His entrepreneurial talents led him to make skillful use of Federal funds as a lever for prying open other sources of support for the arts, public (among the states) and private. His taste, at once intelligent and catholic, kept conservatives and avant garde alike from abusing his administration of the $6-million-a-year Arts fund. Mr. Stevens, who remains as chairman of the Kennedy Center, has a comprehensive view of the financial problems of the arts and it is characteristic that as he leaves the Council he should plan to set up a private foundation to do similar work.

Mr. Stevens's accession to the Arts Council chairmanship was a result of his standing as a Democratic Party fundraiser; his departure is a result of the Republican Party's assumption of power. Some of his admirers, who are not necessarily political partisans, now wonder whether the Republicans can match him. The answer must be yes. There are surely a good number of qualified Republicans. As Mr. Stevens has noted, Republicans dominate the ranks of the country's artistic patrons. They obviously have as much interest as anyone else in furthering the Federal role in advancing national cultural excellence.

THE FISCAL SHOE PINCHES THE REPUBLICAN FOOT

(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, it is my understanding that our Republican brethren have a panting desire to raise our national debt limit. I must profess astonishment at this upcoming exercise in financial acrobatics the administration proposes to engage in.

Previously, when Democratic administrations asked for such leeway from Congress, the air was rent by shouts of fiscal outrage and warnings of impending economic collapse if we dared perpetrate such an atrocity upon mankind, apple pie, and the Treasury. Puerile cliches and thumping non sequiturs flew through the congressional air from self-appointed guardians of our public purse. But now the shoe ever so tightly pinches the Republican foot. It is their turn to seek to raise the debt limit. Loudly they proclaim its essentiality if the Republic is to be saved from the infidel. Any who oppose them in their avowed course will undoubtedly be called enemy aliens who are subverting the state, who should forthwith be deported.

Past administrations have patiently sought to explain social needs which required such debt limit raises. I pant for enlightenment from the oracles of the Nixon administration.

I come into town to buy an occasional gold brick or two, and will listen with fascination to their reasoning. Will Mr. Nixon give as his reason the need for still more weapons? An ABM system to protect the ABM system? More tanks that will not function? More planes that will not fly? More useless ABM missiles? More timesheets for lawyers at the Department of Justice? More cash for Marshall Ky's Paris cocktail parties?

Will we be convinced? Shall the mice save the drowning cat? Let us tune in tomorrow to hear the case presented by guardians of fiscal responsibility and a balanced budget.

BILLIONS FOR THE CANNON KINGS, BUT NOT ONE CENT FOR HUMANITY

(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, in recent weeks the cannon kings of America have emerged victorious in their efforts to gain more billions from the Government, always at the expense of the people. Further, they have not only evaded responsibility for past nonperformance in military procurement, but have even been given more money for unworkable projects.

The proposed main battle tank of the Army has become a gigantic cropper, producing a few useless prototypes after 8 years and between $1 and $2 billion spent. Staggering sums have gone down the drain with the Navy version of the TFX. Next we have the momentous decision by President Nixon to continue with a "limited" ABM system, which gives the cannon kings a blank check on the Treasury.

What about the people? What about the poor? What about those who hunger amidst plenty? What about the slums? What about pollution? What about housing? What about transit? What about hospitals and education?

Billions for the cannon kings, but how much to rebuild our cities? Billions for defense, but how much to rebuild the lives of millions of Americans caught in the slum trap? Billions for defense, but how much for migrant workers who feed us? Billions for obsolete, ineffective defense systems, but how much for 19 million hungry Americans to ease their pain, suffering, and wretched squalor?

A society is known by its priorities. What comes first, guns or butter? Do people have first call on resources and wealth of society, or do its munitions makers and military people?

Unrestrained military power leads to despotism. Are we embarking on that shadowy road leading to enshrinement of unlimited military influence in our society?

Shall we deprive the dispossessed of hope and their portion of our American dream? Let those who enshrine Mars, god of war, know that the grapes of wrath have not yielded all their bitter vintage.

AN ABM DEFENSE AGAINST CHINA? WHAT ABOUT THE NEW MENACE FROM MONACO, SAN MARINO, ANDORRA, AND LICHTENSTEIN?

(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, the cannon kings have sold us a useless ABM system. Their foot is now in the door. With this blank check on the Treasury, they will proceed to perpetrate the potentially largest military boondoggle in history upon us. All in the name of defending us against the menace posed by Red China.

I am astounded that they have not recognized the immense peril America faces from another quarter. Lurking deep in the mountain ranges of Europe is a growing, sinister menace to America.

A consortium of ministates, composed of Monaco, San Marino, Andorra, and Lichtenstein have merged their resources and come up with a new, infinitely deadly type of bow and arrow. Armed with such a terrifying weapon, which even now is almost a mass production,

hordes of invaders from these ministates are preparing to crash over our borders in an irresistible tide. Armed to the teeth in this manner, they pose a threat which immediately must be countered. A super ABM, TFX, MBT, M-16 or something-or-other must be designed, created, and mass produced to protect us. This is a job for the Pentagon and the cannon kings. Hang the expense is our cry, which industry will joyfully echo, having long ago mastered the art of murdering dollar estimates.

Delay could be fatal. Armed with this terrible new weapon, we might be taken unaware and defenseless, at the mercy of their frightening war machine.

Our quick reaction will make these potential aggressors hesitate before attempting aggression. Even the warmongering admirals of the Navy of Monaco and the generals who command the vast land legions of Lichtenstein will pause if we act fast. Our swift reaction would give us added power at the negotiating table with them. Knowing we were working on and installing a weapons system to counter their new bow and arrow would place an ace up America's sleeve.

Before challenging the logic regarding a potential invasion of America by these peaceful ministates, examine the peculiar reasoning applied to the ABM. Useless against existing sophisticated missile technology, it lacks scientific plausibility. In short, a senseless, futile program that will milk taxpayers like so many dairy cows.

Building a defense system against the armed forces of these small states is as bereft of sense as the decision to build a "limited" ABM system.

FREEDOM IS NOT FREE—CAN WE ACCEPT THIS CHALLENGE OF FREEDOM?

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, we are very proud of what the Veterans of Foreign Wars have done, not only in war but in the interest of our country in days of peace. The patriotic contributions of this great organization are almost innumerable. One of VFW's magnificent programs is the program entitled "The Voice of Democracy Awards." This program encourages high school students in the various districts of VFW to write essays on a patriotic subject. Recently I had the immense pleasure of attending a Voice of Democracy Awards banquet at Hialeah in my congressional district in which the Veterans of Foreign Wars of the Fifth District of Florida honored the three top seniors of this Voice of Democracy Contest in the Fifth VFW District. The chairman of this program who put on this great awards banquet was a distinguished member of Veterans of Foreign Wars, a great and dedicated American and my longtime friend, George Prim, of Opa Locka, Fla. I was inspired to hear the young lady who won first place in this Fifth VFW District contest, Miss Annetta Patrice Koonce, age 15, from the 11th grade of Miami-Carol City Senior High School, deliver her eloquent essay. Miss Koonce showed a mastery of her subject and delivered her essay with moving sincerity and conviction. She is a fine example of America's youth and she exhibited the sort of love for her country which members of VFW have exhibited in their gallant service and which we hope will be the sentiment in all the hearts of our younger generation.

Mr. Speaker, I include Miss Koonce's essay entitled "Freedom Is Not Free—Can We Accept This Challenge of Freedom?" in the CONGRESSIONAL RECORD following my remarks and I highly commend it not only to my colleagues but especially to the youth of America.

Second place in this essay contest was won by Miss Pamela Hess, age 15, 11th grade of the Convent of Sacred Heart-Carroulton.

Third place in the contest was won by Mr. Fred Williams, age 18, from Miami Northwestern Senior High School.

The speech follows:

FREEDOM IS NOT FREE—CAN WE ACCEPT THIS CHALLENGE OF FREEDOM?

(By Annetta Patrice Koonce, of Carol City, Fla.)

The price of freedom. The most challenging issue to our present day society. Are we willing and able to accept this challenge? We know our freedom was conceived by the blood of our founding fathers, and wrought by the hand of strife. It is *this* freedom which they have so revered for us, that calls us to a challenge so greatly. It is by their blood, and their lives, that we live in a Democratic Society today. The challenge we face is our Democratic Society itself.

America was conceived as a free nation. And as it exists today, it is literally in the same state. But the challenge presented to us is to defend this freedom. Are we willing to walk head high into the face of dangers threatening our freedom, to take the good with the bad, the bitter with the sweet? This is our challenge. This is the challenge to our freedom.

Columbus triggered the birth of a new and powerful nation. A nation which has grown more and more powerful in the ensuing years. Today, it stands at it's pinnacle of world domination. It's success in erasing hunger, ignorance, and disease shall not be excelled in history. It's contributions to mankind constitutes staggering and determined achievements, it's record is one of ceaseless, driving progress which has helped run the entire gamut of human relations and human accomplishments.

Yes, this is America. A nation conceived in liberty and dedicated to the proposition that all men are created equal.

This is America a free nation.

I've stated previously that our Democratic Society itself presents the greatest challenge to us. But why and how? To say the least, it's a challenge because freedom is not free. But how could this be a challenge. It challenges us to rebuke supprescious and restraining forces. It challenges us to fight sometimes unknown dangers to insure the security, freedom, and well being of the generations to come.

What shall our course of action be? Shall we stand by and weep as the coward, as our freedoms melt away? Or shall we rise up and fight in the name of our families, our generations to come, and God the Father Almighty? Shall we fight personal fear to fight for our freedom? Shall we insure for the coming generations that they shall never see the stars and stripes fall to the ground, and the flag of suppression and restraint flourish over our nation?

Your challenge, and everyone elses is: What shall we do? This is the challenge as presented to every man, woman, and child living in a Democratic Society.

Tomorrow, science will have moved forward yet one more step, and there will be no repeal from the judgment which will then be pronounced upon our nation. The judgment to no longer remain free.

Not all your tears, not all your suffering! not all your victories on land or sea can move back the finger of fate. "The hand having writ, moves on". (Charles Dickens.)

We live in a lactic world of change. Our generation has gone from radio to television, from an earth-bound race to one which men orbit the globe, from bombs that could destroy a block, to bombs that could destroy mankind.

The fact exemplified here, is that time is running out on each and every one of us. From the very start our freedom has sounded a clarion call, a call which we must obey. In fact our freedom is the existing proof of the sacrifices made by one generation to the next.

What shall we leave as our legacy to the future? We all know changes of great magnitude such as of previous times are taking place in the American Economy today; and they are having a forceful impact upon the life of every person, organization, and institution, in this country.

Our Legacy to the future should be a state of ultimate Democratic Rule. The accomplishment of such is not even close to being easy. But the concerted efforts of Americans shall help keep us one step ahead of restraints two.

As the Red queen in Alice in Wonder Land said "Now you must run twice as fast to stand still".

This is our duty and our obligation to the future, we must run and work twice as fast to stand still as a free nation.

Spcnsored by Veterans of Foreign Wars and Auxiliary Post 8119, Miami, Florida.

THE CARE PROGRAM IN THE DOMINICAN REPUBLIC

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, we all know that the CARE program has done much to lighten the burden of need and hunger among the people of the world. Recently I had an opportunity through the kindness of Wallace J. Campbell, president of the Foundation for Cooperative Housing in Washington, D.C., of seeing and learning something of what is being done in the Dominican Republic through the CARE program. This program has meant much to many in this great Latin American republic and I think my colleagues and those who read this RECORD will be pleased to see even a brief summary of CARE's record of achievement there.

Much more remains to be done for I saw appealing need in many children in my visit to the Dominican Republic. I hope therefore that America will further open its heart to CARE and through CARE to many more people who can share in the care of America.

Mr. Speaker, I ask that a summary of this organization in the Dominican Republic be included following my remarks:

THE CARE PROGRAM IN THE DOMINICAN REPUBLIC

During my recent visit to the Dominican Republic to participate in the VII Inter-American Savings and Loan Conference I had

the pleasure of becoming acquainted with some of the very important and exciting activities of the CARE organization in that country. I have seen programs of the Cooperative for American Relief Everywhere (CARE) in various Latin American countries and other parts of the world and feel the efforts which these private relief institutions are making, represent significant contributions towards alleviating much of the misery in the less developed countries.

In the case of Dominican Republic, I learned that major emphasis is being placed upon the school feeding program which began in 1962 with 100,000 students and now provides nourishment for 400,000 Dominican students. This represents about 75% of the children that attend elementary schools, and statistics show that thanks to the program, enrollment has increased from 30% to 40%. All of this is carried out in cooperation with the School Feeding Department of the Ministry of Education. During only the scholastic year 1968–1969, 22 million pounds of food were used in this dramatic and far-reaching program.

In its maternal and child feeding program, the local CARE organization, in cooperation with the World Health Organization (WHO), the Pan American Health Organization (PAHO) and the Ministry of Public Health, are providing milk through the Food for Peace Program to 40,000 expectant and nursing mothers. This integrated program embraces educational classes for mothers, physical examinations for children, along with investigations of the participants by qualified social workers.

A signal program of which I would particularly like to take note here is the "self-help program" of this organization. I was interested to learn that during the past several years, 36 schools had been constructed by CARE assistance through donations from the American people. This is not a give away program! But rather, it uses the proven self-help approach in which members of the community are closely involved in providing raw materials and sweat equity. Most of the construction, I learned, was supervised by our Peace Corps Volunteers or employees from the Dominican Office of Community Development.

In another area, the school garden program was called to my attention. It is complementary to the CARE school feeding effort and is administered together with the Department of Education and the 4-H Clubs and includes the provision of agricultural implements and new varieties of seeds for school and community gardens. CARE also brings potable water to rural communities by providing manual water pumps which have been installed in many rural villages on the island.

CARE/MEDICO is an exciting example of what the medical fraternity can bring to the less priviledged countries of the world. The main objective of the MEDICO program in the Dominican Republic is to create facilities equipped with specialized personnel which can serve as a basis for a national training program for Dominican medical teams, technicians and nurses in the fields of orthopedics, neurology, therapy, post-operative care and hospitals administration. Continuously rotating teams of orthopedic specialists make visits for one entire month to assist and advise in the running of the new Orthopedics program established at the Jose Maria Cabral y Baez in Santiago.

I would like to conclude by stating that the efforts which are being made by this private, international welfare and economic development organization represent a very important complementary effort to our entire international assistance programs. In many ways it can be more effective than governmental aid in that it carries out its programs through the time proven people-to-people approach.

MARKETING EXCELLENCE OVER THE GLOBE

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, you know we are all delighted to see those deserving of honor honored and particularly when they are our esteemed friends. I was, therefore, very happy to see that the American Hotel Journal of December 1968 carried on its front cover the photograph of Leonard Hicks, chairman of the board of the Leonard Hicks organization and made Mr. Hicks the subject of its lead article under the heading, "Leonard Hicks, Chairman of the Organization Whose Name Stands for Marketing Excellence All Over the Globe." Leonard Hicks' father, Leonard Hicks, Sr., became my devoted friend in the late 1930's and remained a cherished friend until his recent death. Leonard Hicks, Sr. had an illustrious name in the hotel and motel business of America and the world. He was once president of the American Hotel & Motel Association. He was a great civic leader in Chicago and later when he came to reside in Florida. On my office wall at home is a photograph of Leonard Hicks, Sr., with others and me and President Truman at Key West in 1948.

Leonard Hicks, who I am proud to say lives in my congressional district, as a great motel and hotel man has established and developed the Leonard Hicks organization which is one of the world's largest hotel representing firms with offices in many parts of the world.

This article in the American Hotel Journal explains how Leonard Hicks has been able to develop this great organization. It tells the story of the distinguished and dedicated man which is Leonard Hicks. It also reveals his deep humanitarian interest and his sincere dedication to the cause of his fellow man.

This was deserved praise for Mr. Hicks whose friendship I am proud to enjoy. His life, I think, is an exemplary one, and what he is and has been will be an inspiration to many other young American men to make their own dreams come true. I am very much pleased, therefore, Mr. Speaker, to present this outstanding article in the American Hotel Journal for inclusion in the CONGRESSIONAL RECORD after my remarks, and I commend it as another fine example of an eminent American business career to my colleagues and my fellow countrymen:

LEONARD HICKS, CHAIRMAN OF THE ORGANIZATION WHOSE NAME STANDS FOR MARKETING EXCELLENCE ALL OVER THE GLOBE

In many cases an organization is the lengthened shadow of one man, the Chief Executive, whose abilities are reflected by his organization.

Leonard Hicks is clearly an original; a man who occupies a unique place in hotel sales management. For a quarter of a century he has been a prominent leader, author and editor on hotel marketing, offering sound judgment in an era that has seen a new field born and lifted to the pinnacle of importance in the hotel industry.

The Leonard Hicks Organization is one of the world's largest hotel representation firms. In 1967 they booked $66,956,551 worth of business into client accounts. In 1968 they will easily exceed that total.

The Hicks group consists of fifteen corporations with eleven luxurious branch offices stretching from Honolulu to London. Six affiliated offices are located in the Pacific. This covers seventeen cities in eight countries on four continents; area coverage encompasses another hundred major cities in the U.S., U.K. and Canada.

Leonard Hicks has a home in Miami and apartments in Chicago, New York, Washington and Bahamas. He is fascinated by the world of travel. The world is his hobby and he has traveled 2,300,000 miles of it.

It is no great secret that the Leonard Hicks organization is one of the more spectacular success stories of recent years but Hicks is unemotional about his success. He is grateful but not overawed about it. He learned his trade well and did well by it. He was National President of the Hotel Sales Management Association as the same his father, the late Leonard Hicks Senior, was President of the American Hotel and Motel Association. He is a third generation hotelman but the first to enter the field of Sales and Marketing. He started the representation firm in 1945.

Leonard Hicks Senior was one of the most popular hotelmen of his era. He was a man who genuinely liked everybody and was liked by all.

The younger Hicks is cast from a different mold. He has a long and frequently unforgiving memory. He likes professionals and his dedication to perfection is often less than diplomatic. He has no compunction in sweeping out of the way people who refuse to improve. In his organization he makes the final decisions for the tangible present and the less certain future. He refuses to fit into a social mold. He isn't anti-social but he hates to waste time—particularly on trivia and people who dwell in detail on the irrelevant. (In his spare time he has written five books, donating the copyright of each to the Hotel Sales Management Association.) "You apply your time according to your priorities," he said. "No matter how well you are organized, there just isn't enough time to do all of the things you want to accomplish."

Hicks has developed sight reading to the point where he can cover a tremendous amount of reading matter in a relatively short period of time. He is a perfectionist, possessing enormous concentration. He is a secure person, neither moody nor tempermental. He is a happy person, leading a relatively quiet existence divided between work and family. He doesn't consider long hours a sacrifice (to his family perhaps)—to himself, not at all.

A vigorous, energetic individual with a zest for life and competition, Hicks was an outstanding athlete at one time, holding championships in boxing, golf, handball, track, tennis, bowling and swimming. He is a strong believer in physical fitness, swims 100 laps of his pool each morning and gets a light workout, steambath and massage every evening after work. All Hicks executive personnel are encouraged to belong to athletic clubs with the company picking up the tab. "A corporation," says Hicks, "is a living organism. It keeps changing all the time. Therefore a good deal of time is not only spent on new developments, but on manpower. The better condition that manpower is in, the better results you can expect."

The Hicks home (besides a swimming pool and steam room) has its own barber shop where the same barber has been cutting Leonard's hair for the past ten years. He explains the reason for this innovation this way. "The barber stops by on his way home so think of the time I save. His shop is a good 45 minutes from my office whereas my home is right on his way home."

Leonard's wife, Dorothy, is an accomplished portrait artist who studies every year in Italy

(generally at the same time he visits each of his offices and many of his accounts.) She has a studio at home and has had showings both in Chicago and Miami.

Having no children of their own, they recently adopted fifteen orphans, each from a different country where they will remain until their education is completed. "Then we can probably find a spot for them in our various offices around the world, if the work is to their liking," explained Hicks. "In many of the countries they come from where poverty is severe and their chances to earn a decent living are slim. We hope to give them a dream—and hope—in the future. With proper education they can turn these dreams into realities and their desires into solid achievement. The answer lies in their own personal motivation. All we can supply is the opportunity."

Hicks' first real estate deal in the islands turned out to be a bonanza. He paid $2.80 an acre for land in one of the islands on which acreage has increased ranging from $750.00 to $40,000.00 an acre. The deal included several miles of land. While Hicks is a man of wealth in the broadest sense of the word, he feels that real success is measured in accomplishment. "The joy of doing a job well is what really counts in any walk of life," says Hicks. "I am an emotionally happy man. . . . that is what counts."

He recently added a theatre to his enlarged Miami office where sound color films and slides can be shown to travel agents to orient them in behalf of the Hicks represented properties.

The Hicks group has just acquired an interest in one of the larger data processing systems in Florida with IBM 360-40. "We are merging computerization into our organization slowly," said Hicks. "It can only do what we tell it and at this time we have not been able to tell it a better or more accurate system than we are now using. A lot of data processing companies and transportation groups are releasing claims and counterclaims that this system or that one will solve *all* problems for *everyone*. We have seen most of these systems demonstrated. Some are good domestically but leave much to be desired for overseas use. We cannot recommend any of these systems at this time. Computerization has a lot of possibilities in our industry but most of it is still in the future. In the meantime, it serves no purpose to plunge into it unless it can actually improve on your current system. In most cases, as in ours, it cannot at this moment."

In the fall of 1967 the Hicks group established its own management company, affiliating on certain projects with the International Hotel Management Company headed by C. deWitt Coffman. Ray Watson, former General Manager of Chicago's Ambassador East and West, has joined the Hicks management division in the capacity of Vice President.

Hicks believes the greatest satisfaction in business is working with the people who made it what it is. "We started from nothing and built it up over the years—and had a good time doing it."

Hicks gives a lot of credit to his Executives and personnel. Joe Daniels in Chicago (President) has devoted his entire career to the field of representation and has been with the organization 19 years. Bill Keenan (Senior Vice President) in New York took over what Hicks terms was an "unsatisfactory" office and "made it one of our best."

Other corporate officers include Dan Botkiss (Vice President) Washington office, Art Erwin (Vice President) Chicago office, Dick Paltenghi (Vice President) San Francisco, Wynne Boll (Treasurer) Chicago, Luella Kimball (Coordinator) Miami, Rick Rickard (Asst. Vice President) Miami, and John Miller (Asst. Vice President) Honolulu.

In other executive positions are Bill Batey, Sales Manager, Chicago and Jim Harre, Sales Manager in New York. Henry Ross is Manager of the London Office.

The Hicks organization puts the emphasis where it belongs—on people. They provide an atmosphere in their offices where personnel can develop to their fullest potential.

Employee benefits are a part of the basic function. Hospitalization plans have been in effect for years. A Profit Sharing Plan last year paid eligible employees 8% of their yearly salary. This year a Cost of Living Bonus plan has been added.

"Transportation will continue to shrink the world," says Hicks. "The impact of such transportation on selling, in terms of territorial coverage, regional management and the alignment of sales forces, will be unequaled in the history of business. If you look at the Dun and Bradstreet failure record you will find that inadequate sales account for about 40% of yearly business failures. Sales education has become a life-long necessity. The process of learning is not easy. It takes time, determination, and a sincere desire to acquire knowledge, plus the willingness to work for it. Training should not be designed merely to train a salesman, but to improve his ability to sell."

Hicks feels that the sales and marketing business is both satisfying and rewarding. "Representation and Management are people-oriented functions. Therefore, we need to build successful personal relationships with clients in order to establish teamwork that is essential to successful marketing."

Critical of himself, he also requires maximum effort from all who work with him. "People who work hard find us as loyal to them as they are to us. People who don't carry their weight create a distracting influence and we have no room for them. Our organization didn't get where it is by accepting an 'average' performance. 'Average' people have contributed nothing to our success in the past and could contribute even less to our future. We want people with ambition," says Hicks.

And always accompanying him, wherever he goes, is the maxim passed on to him by his father . . . "Success is a journey, not a destination."

NIXON SHOWED HIS WISDOM

(Mr. RHODES asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. RHODES. Mr. Speaker, that the President of the United States offered an acceptable solution to one of the major problems of his administration is borne out by the favorable press reaction on his decision concerning the deployment of the antiballistic missile. There is no doubt that this was a difficult decision to reach since there are always many sides to a matter which concerns the people of so large a part of the world. Again, however, the President showed his wisdom and mental honesty in facing up to the problem and taking the action he felt to be in the best interest of the security of our Nation.

The following comments from the press throughout the United States are proof of the acceptance and appreciation generally manifested for his forthright decision.

[From the Washington (D.C.) Evening Star, Mar. 15, 1969]

NIXON PUTS SAFETY OF UNITED STATES FIRST

(By Gould Lincoln)

President Nixon has boldly told the world and the peace-at-any-price people in this country he puts the safety of the United States first. At the same time he insisted this is a move for peace—for without our safety there will be no peace.

His decision to go ahead with the deployment of an ABM system, known as the Sentinel, with important changes, announced at yesterday's press conference, he described as a protection of our nuclear deterrent. As such it is designed to prevent, not encourage, war. It will help preserve the peace.

He admitted frankly that the ABM deployment faces a hard fight in Congress—particularly in the Senate. But he expects to win the fight after the issue has been thoroughly debated.

And so Nixon has come to grips firmly with his first major problem in foreign policy. In addition, he showed himself determined to deal equally firmly with the Vietnam war, now being escalated by the Communists of the North and the Viet Cong, Hanoi's front in the South. He told the press that his practice is not to repeat a warning. His warning delivered a week ago was he would take "appropriate" steps. What action he will take in response to the present Communist offensive he declined to reveal at this time, and if he retaliates he will do so without announcing his move in advance. He still believes the Paris talks will be effective and produce peace in the end.

He announced he proposed to deploy the Sentinel ABM not around our cities, as provided in the Lyndon Johnson proposal enacted by Congress last year, but in country areas; that it will be a "phased" system rather than a fixed one, subject to annual review, designed particularly as a defense against a possible Chinese Communist attack during the next ten years, but having its implications for the Russian Communists, too.

In a measure, Nixon has departed from precedent, for the history of the United States since World War I and the days of Woodrow Wilson has been a series of magnificent gestures for world peace. Wilson's League of Nations, though rejected, by a group of hard-nosed members of the Senate, was the first.

In every instance real peace has been blocked by Fascists, Communists, and whatever, down to the present day. This, however, has not prevented America's search for the most elusive bird in the world—the bird of peace.

President Harding, who followed Wilson in the White House, called the Washington Arms Conference, designed to put an end to wars through the limitation of naval armaments. The strong nations of the world were urged to limit or do away with those naval vessels used for offensive war.

No one who was present at the opening of the Washington Arms Conference will ever forget the moment when Secretary of State Charles Evans Hughes announced the intention of the United States to do away with and to halt building the greatest and most powerful Navy the world had ever seen, as its earnest of peaceful intentions. It was indeed, a magnificent gesture—but doomed in the end to failure. Calvin Coolidge and his Secretary of State, Frank B. Kellogg, did their best too for peaceful international agreements.

Although the German Kaiser passed out of the picture and a National Socialist republic was set up in Germany, the war hounds came to the front again when Adolph Hitler grasped power, overthrowing the government and setting the Germans on another effort to conquer the world. The great depression hit the world, including the United States, and we had other things to think of besides world peace.

We were rudely jolted, along with the rest of the world, when Hitler finally made his move and with air power, panzer divisions and submarines overran Belgium and France and struck terribly at Great Britain.

Franklin D. Roosevelt at Yalta made his plans for peace after war, conceding much to Stalin at that conference and to the Rus-

sians when he held back and permitted them to take Berlin.

Harry S. Truman hosted the United Nations conference in San Francisco where the charter was written which was to establish world peace. He later sponsored the Marshall plan under which we poured out billions of dollars to permit the warring nations, both friend and foe to rebuild. And to prevent a third world war Truman refused to let our air forces bomb the Chinese Communists and their supplies beyond the Yalu River in the Korean war.

Gen. Eisenhower was a persistent searcher for peace— and he kept it. He held back, however, from rooting out Castro in Cuba allowing the Communists a foothold in the Western Hemisphere. John F. Kennedy followed suit. Lyndon Johnson sought peace in Vietnam always, although building up our forces there, even to the extent of withdrawing from the presidential race in 1968.

[From the New York Daily News, Mar. 15, 1969]

NIXON BACKS THE SENTINEL

At a news conference in Washington yesterday, Richard M. Nixon made by far the most momentous announcement he has yet made as President of the United States.

Mr. Nixon said he had decided, after due deliberation and consultation, that the U.S.A. must have an array of Sentinel antiballistic missiles, deployed by 1973.

Object: To defend certain Minuteman missile sites and our bomber bases and command and control authorities against nuclear assaults by Red China and/or Soviet Russia.

The new President made this decision in defiance of the Kremlin's loud objections, the caterwauling of U.S. "liberals," and the squawks of atomic scientists who are wizards in their own field but children as regards politics and military matters.

We are delighted, reassured and greatly encouraged by this courageous Nixon decision.

Sentinel is not 100% insurance against casualties in a nuclear showdown. But it is the best thing of the kind in sight just now, and it most likely can be improved as time goes by.

Too, this decision is in line with one of Mr. Nixon's more important campaign promises.

The promise, we mean, that sure, he would discuss matters with Soviet Russia if elected, but only from positions of strength, not of weakness.

This Sentinel decision should show the Kremlin's two-headed dictatorship that the new U.S. President is not going to be intimidated or hornswoggled by Communists or, presumably, anybody else. Even Peking should get this message, dumb and doddering through Chairman Mao Tse-tung seems to be nowadays.

Altogether, we think yesterday was a great and memorable day in U.S. history.

It remains to be seen whether majorities in both Houses of Congress will have the short-sighted, unpatriotic gall to throw any monkey wrenches, financial or otherwise, into the President's Sentinel plans.

Such a thing seems almost unimaginable, but we shall see.

[From the Washington (D.C.) Daily News, Mar. 15, 1969]

NIXON'S FIRST BIG ONE AND HE DIDN'T MUFF IT

(By Jerry Greene)

WASHINGTON, March 14.—Had there been any lingering doubt from Pocatello to Peking that President Nixon was a take-charge guy, he dumped it at the White House today in a manner as significant as his antiballistic missile decision itself.

The President was cool, confident and crisp. He walked into the East Room with a slight, friendly smile for acquaintances. Then, in his fourth press conference, standing easily before a microphone, hands clasped before him, his face turned serious.

"I am announcing a decision," the President said. And he continued: "I have concluded . . . I ruled them out . . . I have made the decision . . . It will be my policy as President to issue a warning only once . . ."

This was Nixon's first big one and he didn't muff it. Nor was he pressured into hasty action. He waited until he thought the time was right and he came through with positive pronouncement.

He accepted the challenge pitched at him by the same bloc of Senate liberals, largely but not entirely Democrats, that helped drive Lyndon Johnson out of office. The lines are now drawn.

REALLY NO ROOM FOR SERIOUS ARGUMENT

Nixon didn't raise his voice. He didn't resort to histrionics. He made an occasional quick gesture with his hands as he sought to explain in matter-of-fact terms that what added up to the first major decision of his presidency was something so logical there wasn't really any room left for serious argument.

This was a carefully prepared show, with the same attention to groundwork detail that characterized the Nixon campaign and his operations thus far in the White House—with time out for normal human error, such as the short-lived appointment of Willie Mae Rogers, the Good Housekeeping lady.

The President, using no notes, did not follow the three-page text of his decision statement. He had no need to. His outline of reasoning left no important point untouched and the much shorter oral version gained in impact and emphasis.

Comparatively few questions were asked about ABM deployment, for the President's explanation covered the field. In response to a few probes, Nixon exhibited acquaintance with technical matters, and he tossed in quite casually what doubtless had been until that moment a highly classified piece of information. This was that by our count, Russia has 67 antiballistic missile sites dug in around Moscow. The actual number had not been disclosed previously.

What was impressive about this Nixon performance was his grave but far from funereal dignity, his quiet attitude of assurance and determination.

UNDERCUTS OPPOSITION IN ASSORTED DIRECTIONS

Nixon, of course, did not expect to wipe out opposition to the ABM or to his decision, particularly in the Senate. He was mindful of the frenzied, televised pressure built to a peak in the early days of this week by hearings before Sen. Albert Gore (D-Tenn.) and his Foreign Relations subcommittee. He conceded that he expected "very spirited debate" over the issue when the Senate gets around to voting on authorization and appropriations for the ABM.

But an examination of his statement reveals quite clearly that Nixon was adroit in the preparation, that he undercut the opposition neatly in assorted directions.

For the sincere doubter of the ABM. Nixon had the assurance that "this decision has not been an easy one." He did not give the objectors a rude brushoff, although there has been scant question about his intentions from the outset.

For the worried city-dwellers who wanted no nuclear warheads stored nearby, he lifted the dread and moved the missiles to isolated areas.

For the fearful, the President had evidence that he did not intend to leave this nation "naked" under the threat of missile attack from either Red China or Russia.

For the peace-seekers, professional and genuine alike, Nixon had the pledge of strong efforts toward disarmament talks with Russia for a continual review of the decision, for flexibility.

The President's conciliatory tone toward the Kremlin, his firm insistence that he intended no provocation, gave additional weight to his posture of reasonableness.

SOMETHING THERE FOR EVERYBODY

By reducing the program planned by the outgoing Johnson Administration, Nixon cut back on this element of Pentagon spending by nearly $900 million next year, a move certain to gain some support from senators largely concerned by armament costs.

Thus there was a little bit here for almost everybody, and ample flexibility to swing a number of wavering votes in Congress.

The Senate anti bloc, of course, won't let up. Gore and his televised subcommittee can be expected to hammer away, seeking to build more pressure and beat the ABM appropriation. But these people will know they have been in a battle with a take-charge guy when the final vote is taken. And Nixon has a pretty fair platform on which to make his case. He laid it out this morning: "It is the responsibility of the President of the United States, above all other responsibilities, to think first of the security of the United States."

On that stand, he'll win his case.

[From the Nashville (Tenn.) Banner, Mar. 15, 1969]

NIXON PUTS SECURITY FIRST IN ABM DECISION

"The gravest responsibility I bear as President of the United States is for the security of the nation." That realization wasn't merely stated by President Nixon in yesterday's press conference; it was demonstrated in the decision disclosed, for deployment of a modified anti-ballistic missile system—a safeguard program geared to defense needs discerned by informed assessment.

This is the most important decision he has made since his inauguration: and reason supports it, in contradiction of the head-in-sand dissenters who choose to discard defensive preparedness and rely instead on the flimsy premise of Soviet mutual disarmament gestures.

This is no step-up of the arms race.

President Nixon does not spurn negotiated agreements looking—in fact or in theory—to enforceable covenants if and when. He urged ratification of the nuclear non-proliferation treaty, approved by the Senate Thursday; but he is well aware of nuclear hazard which mischance, or enemy miscalculation could trigger—or which unpreparedness in this ABM category would invite. And he does not choose to expose his nation to that multiplied risk by prolonging the Pollyanna gamble.

As a realist—fully posted on the Communist policy record—he knows the score on perfidy in that quarter. It is no secret that in the past 25 years, of 52 major agreements reached with the Russians, the Soviet has broken 50. And reason just naturally balks at taking such covenants—however ceremoniously drawn and sealed—at face value. While negotiating and extending opportunities for good faith, intelligence dictates keeping the guard up.

The modified ABM system prescribed has been designed so that its defensive intent is unmistakable. That was definitely recognized by the Soviet prior to the President's announcement of yesterday; for he had communicated the intent, and the official response there was that it was not considered an escalation of the arms race, but purely a defense mechanism. It is equally clear that Mr. Nixon does not propose to disregard the threat from across the Pacific, implicit to growing nuclear capability on the part of Red China.

As a matter of fact, Soviet Russia herself is sensitive to danger from the latter—and has cited it in justification of the increasing ABM deployment around Moscow.

It would be doubly absurd, and tragically if not fatally blind, on America's part to ignore the double dose of recognized dangers from both directions.

As Democratic Sen. Henry Jackson, of Washington, observed in backing the Nixon program, Russian authorities have spelled out the view that its equivalent as deployed on Soviet soil is not an offensive weapon. Further, that the USSR has acknowledged the Red Chinese threat, with explanations that it would require these installations even if U.S.-Soviet differences were totally resolved.

It is significant that both this leading Senate Democratic liberal, and the liberal Republican Whip, Sen. Hugh Scott, of Pennsylvania, have endorsed the anti-ballistic missile program yesterday presented. It is no surprise that Republican Senator Percy, and fellow doves on the other side of the aisle, are wildly shooting at it. What these don't know about basic security policies—outside the self-induced trance-line of wishful thinking—would fill all the Congressional Records the Government Printing Office could publish.

The program spelled out yesterday relates to deterrence of aggression. Instead of attempting to ring American cities with these devices, the President has moved for protection of land-based retaliatory forces against a direct attack by the Soviet Union.

Simultaneously the program would defend the American people against the kind of nuclear attack which Red China is likely to be able to mount within a decade; and protect against the possibility of accidental attack from any source.

As he emphasized, the best way to save these lives is by intelligent security steps to prevent war. The system proposed is for that deterrence— by assuring a surviving, retaliatory striking power.

The deployment will cost money, though less than the amount itemized for it in the Johnson budget for the ABM "thin line" proposed by that administration.

America cannot afford to spend less than it takes to reasonably assure national survival: and until such time as the Communist threat is deterred by Free World preparedness, this program must continue.

President Nixon has laid the facts of the case squarely on the line, for the nation and the world to see. With his decision no reasoning mind can disagree.

[From the Philadelphia (Pa.) Inquirer, Mar. 15, 1969]

SAFEGUARD PROGRAM FOR ABM

In any discussion for or against the proposed antiballistic missile system, national security has to be the paramount issue. It is on the basis of that security that President Nixon has made his decision to go ahead with a modified and flexible ABM program.

His decision, arrived at only after the most searching examination of all options open to him, from massive and ever-increasing deployment of antimissile sites to abandonment of the whole defensive program as worthless, was not an easy one, as he told the members of the press at his televised news conference on Friday.

But the decision was his to make, and he would not submit to the easy "out" of delaying action one way or the other, for further "research," leading to postponed deployments of a year or more—which could prove to be too late.

What President Nixon proposes is a "safeguard" system which is intended to guard against any Communist Chinese nuclear attack that can be foreseen over the next 10 years. The changed Sentinel program would primarily assure the security of the nation's missile and bomber forces and would provide protection against any irrational or accidental attack of less than massive magnitude from Soviet Russia.

The first two ABM sites are scheduled to be in North Dakota and Montana to protect Minutemen missile bases. The Nixon proposal will require a budget of about $800 million originally, compared with the $1.8 billion the Johnson Administration's would have initially cost. Ultimate expenditure is expected to reach about $6 billion to $7 billion, as more sites are added.

Opposition to any ABM system has already been widespread and vociferous, and the President looks for a close vote on his proposal in Congress. But he presented his case well at the news conference, and his conviction, earnestly expressed, that "this system is the best we can provide for our nation's security," is bound to have great weight, in Congress and out.

[From the Indianapolis (Ind.) Star, Mar. 15, 1969]

COMMENTS ON SURVIVAL: DECISION TO USE ABM IN DEFENSE CALLED PATRIOTIC

(By Michael Padev)

WASHINGTON.—President Nixon made a courageous and patriotic decision yesterday—to build a modified defensive ABM system, subject to periodic changes, in accordance with new world developments.

The decision was courageous because it ran contrary to the very active opposition of so-called "scientific" opinion on the subject.

For many weeks now, many prominent United States scientists, generally associated with liberal and left-wing U.S. political circles, had maintained that the U.S. ABM system was not necessary for U.S. defenses, and that its build-up would harm meaningful disarmament negotiations between the U.S. and Russia.

Before going any further on this issue let us see what the ABM problem is all about.

ABM stands for anti-ballistic-missiles.

These are the missiles which the U.S. defense establishment would fire against any possible enemy missile attack. The ABM missile would intercept the enemy missile and would destroy it in mid-air, before the enemy missile is able to inflict massive damage and destruction to American targets.

The Johnson administration had adopted a so-called "thin" ABM system of defense. This included several anti-missile defense systems, situated near major American cities.

President Nixon has reversed this decision. American cities, Mr. Nixon said yesterday, cannot be adequately defended against a first strike by a possible Communist aggressor.

For this reason Mr. Nixon will locate the U.S. ABM defenses near the American counter-attack missile installations. This is the U.S. defense system which would be activated as retaliation in case a Communist enemy would attack the U.S. with atomic weapons.

President Nixon's policy to defend the American retaliatory system makes real sense.

This is the best way to guarantee future peace. From now on, any Communist enemy would know that even if it attacks America in a surprise first strike, it would face instant destruction. This is, indeed, a real deterrent to any Communist atomic attack.

President Nixon cannot possibly abandon the U.S. ABM system altogether, as some of his left-wing and "liberal" critics would like him to do, because this would give Soviet Russia and her Communist allies a great advantage in the international diplomatic game.

On the other hand, no one—not even Soviet Russia—can possibly say that the American ABM defense methods, recommended by President Nixon, are "aggressive" or "provocative." They are, in fact, purely defensive—they aim to protect the U.S. retaliatory capabilities. They would not be put into effect unless the U.S. is attacked by enemy atomic missiles.

Clearly, as President of the United States, Mr. Nixon has performed his patriotic duty—he has made certain that the U.S. would be able to defend itself, in case of sudden and unprovoked nuclear aggression.

Moreover, President Nixon explained that there was nothing "final" in his present decision. The ABM system will be reviewed regularly—perhaps every six months or so. If the international situation gets better, the system will be changed, according to circumstances.

[From the Cleveland (Ohio) Plain Dealer, Mar. 15, 1969]

NIXON'S CASE FOR A MODIFIED ABM

President Richard M. Nixon's decision in favor of a modified antiballistic missile system was difficult to make and probably will result in vigorous congressional debate but it is based on three acceptable selling points:

It stresses the defensive objective of the system which is designed to deter outside aggression.

It is realistic, facing squarely the unhappy but hard fact that it would be impossible to protect all or any large cities completely in case of enemy attack.

It attempts, by compromise, to avert an out-and-out battle with the Senate group which regards the antiballistic missile project as too expensive, too ineffective and too provocative.

The choice puts the accent on defense. Mr. Nixon would modify the Sentinel ABM system proposed by President Johnson's administration and concentrate on protecting, first, the United States missile and bomber force from a quick knockout. Initial defensive installations reportedly would be in Montana and North Dakota.

Admittedly, the decision was in the damned-if-you-do and damned-if-you-don't category, even though it is classified as a minimum program geared for 1973 operation and subject to change. However, the President heard all sides and all shades of political, scientific and military opinion before making up his mind. It cannot be said he wasn't well informed or did not avail himself of all knowledge on the subject.

In announcing his decision to advocate spending between $6 and $7 billion for antiballistic missile deployment, Mr. Nixon made it plain he is counting on the Soviet Union to recognize the defensive nature of ABM and not to consider it a reason for increasing its own arsenal of weapons. He admitted this is in the nature of a calculated risk taken "in the interest of peace throughout the world."

Red China, he said, is a potential military threat to world peace which keeps the U.S. and the Soviet Union wary.

He was candid in saying that although "every instinct motivates me to provide the American people with complete protection against a major nuclear attack, it is not now within our power to do so." This is patently true. A massive city defense system would have to be perfect to be effective in cutting civilian losses significantly in case of nuclear attack. The President's best advice was to push for a missile defense that would do the basic job of protecting this nation's retaliatory power against sneak attack.

Any armament decision today is perilous but choices must be made. A president cannot duck them. The President, in the case of ABM, made a reasonable conclusion.

[From the Cleveland (Ohio) Press, Mar. 15, 1969]

PRUDENT CHOICE ON ABM

President Nixon's decision to proceed with an Anti-Ballistic Missile system is a historic event. The ABM issue involves so many complicated and controversial technical, stra-

tegic, financial and even moral implications that they could not possibly be covered in his accompanying statement or a 30-minute news conference given to other subjects as well.

So, a great debate will follow. Conducted on a high plane, it can answer some unanswered questions, fill in some gaps of knowledge and make the final congressional disposition of the President's proposal solidly based.

As Mr. Nixon said, his uppermost aim is to assure the security of the United States against nuclear threats now seen and those not yet real, but possible. He made a point of seeking to avoid a provocation toward our fellow super power, Russia. He advocated an initially limited ABM deployment, not a grand one, and he pledged to proceed by stages determined by annual review. He obviously considered all the options and, with his aides, is prepared to advocate and defend his case.

The debate probably will not be just about the ABM at 12 missile sites by 1975 or a six to seven-billion-dollar outlay. It will involve such matters as competition among rival politicians and, deeper than that, widespread public concerns about the overhanging threats of nuclear war, rising military spending, ever-increasing taxes, the needs of our cities, domestic problems and national security. In short, it will be an emotion-heated debate about the state of the nation and of the world, as well as a discussion about a particular weapon.

The starting point ought to be the question: How well will the ABM work? The testimony of many scientists is that it will work against an accidental or small and simple nuclear attack. There are doubts whether any present ABM system can handle an enemy barrage of missiles massively complicated by decoys, balloons, radar-confusing "chaff", electronic countermeasures and nuclear blast "blackout." To date, the Pentagon has said these "penetration aids" in U.S. hands can overwhelm Russia's ABM system around Moscow.

As a defense against Communist China, President Nixon's "safeguard system" presumes Peking will achieve and consider using a limited force of unsophisticated intercontinental ballistic missiles This is possible, though such an attack would result in history's first national suicide.

As a defense against a single missile accidental attack, the ABM most probably would be welcome insurance. The question is: Would it be worth the cost, not only in money, but in the probability, based on the past history of the nuclear arms race, of another spiral of other monsters?

It is the possibility of this sort of thing that shocks us into recognition of the horrendous posture the human race, ourselves included, has twisted itself into. In advocating an ABM system President Nixon is acting in good conscience. He is not rattling rockets. But we still have the question: Will it work? Do we need it? Is this the way up and out of the nuclear pit, or does it get us all in deeper?

On balance of evidence now before us, the President's course is as prudent a choice as he could take.

[From the Cincinnati (Ohio) Enquirer, Mar. 15, 1969]

PRESIDENT NIXON CASTS HIS DIE

President Nixon, in our judgment, would have been remiss in his constitutional mandate to safeguard the nation's security had he taken any position less decisive than the one he enunciated yesterday afternoon on the future of the Sentinel antiballistic-missile system.

The President had been under heavy pressure from both sides in the long-standing and continuing debate about the nation's defenses against either calculated or accidental enemy attack.

On the one hand, there has been the military opinion—subscribed to by part of the scientific community—that the United States can ill afford not to proceed to match or to surpass the kind of missile defenses the Soviet Union has already been deploying around some of its major cities.

On the other hand, there has been the view—subscribed to by another part of the scientific community along with the doves in and out of Congress—that to flash a green light on the Sentinel system would be to intensify the arms race with the Soviet Union.

There has been conflicting testimony, in addition, on the efficacy of the system (although the Russians appear to have no doubts about the usefulness of their counterpart to the Sentinel) and about its ultimate cost.

The course to which Mr. Nixon proposes to commit the nation differs in important ways from the program reluctantly launched by the Johnson administration at a time when Congress was, in general, clamoring for swifter and more decisive action.

For one thing, the Nixon administration proposes that the deployment of the Sentinel system remain unmistakably defensive in character. This means that it should not be interpreted by the Russians as an escalation in the arms race.

For another, Mr. Nixon promises to review the Sentinel system annually—taking into account the diplomatic climate, the system's cost and whatever technological developments seem relevant.

If Mr. Nixon had bowed to mounting pressure in Congress for scrapping the Sentinel system, he would have been discarding in advance the trump cards he might have taken into any future negotiations with the Soviet Union on the whole range of missile armaments.

We have been unable to understand the reasoning of the Sentinel's congressional critics who have maintained that for the United States to attempt to duplicate a system the Russians are already deploying would be to arouse Russian suspicions and render any attempts at arms-control negotiations futile.

It remains far from certain, of course, whether Mr. Nixon can win enough congressional support to translate his recommendations into reality.

One estimate early in the week was that the largest single part of Senate opinion was as yet undecided on the Sentinel. It presumably will be to this segment of the Senate—said to embrace as many as 40 lawmakers—to whom the President must direct his appeal. The prospect that he can persuade the all-out doves is all but hopeless.

[From the Akron (Ohio) Beacon Journal, Mar. 15, 1969]

NIXON'S "LITTLE ABM" HAS WINNER SIGNS

(By Saul Friedman)

WASHINGTON.—Once again, President Nixon is carrying water—or in this case anti-ballistic missiles (ABM)—on both shoulders.

But in his attempts to head down the middle of the ABM controversy, the President may have given his critics, especially Democrats, their first real reason to fight with the new administration. In short, the honeymoon may be at an end.

Yet a strong argument can be made that his plan for the deployment of the ABM, has given much more to the opponents of the missile system than to its supporters. For that reason it now has a better chance for approval in Congress.

At his Friday press conference, the President said he thought his plan would pass after a close vote. There were signs he may be correct.

Not only did Nixon withdraw the missiles from the cities, at least for the present, he also backed off even further from the original Johnson Administration deployment plan.

Here is what Nixon gave the ABM doves:

He rejected a "thick" or "thin" system to protect the cities, thus deflating criticism that it would not work, that it would be too costly, and that it would upset the strategic balance between the U.S. and the Soviet Union and begin a new round in the arms race.

He cut deployment of the ABM back from 15 sites in the Johnson Administration plan, to just two sites.

The primary purpose of Nixon's plan is to protect American Intercontinental Ballistic Missile (ICBM) sites, rather than cities. This would protect the U.S. ability to retaliate, or give a better "second strike." The Nixon plan strengthens the U.S. "deterrent," and may stabilize rather than upset the arms balance.

Finally, Nixon has reduced by nearly $1 billion the Defense Department appropriations request for work on the ABM next year. The amount requested for the Johnson proposal was $1.8 billion.

Nevertheless the hawks were more satisfied than the doves, because they too got some significant concessions.

Most important, if Nixon's plan is approved, the ABM foot will be through the door. Citing the beginning of other weapons systems which have grown like topsy, ABM critics expect that once started, the system will be unstoppable and will expand into a $100 billion giant.

[From the National Observer, Mar. 17, 1969]

THE VERDICT ON ABM

The president's decision on missile defenses must be viewed in psychological as well as military terms. As such, the decision made good sense, and could ultimately do much to slow down the arms race.

The most vocal critics of the decision won't see it that way. They will see it simply as a triumph of the "military-industrial complex" over those who would strive for arms-limitation agreements with the Soviet Union. But any talk of conferring with the Russians about arms or anything else requires a good measure of guesswork about what the Russians really intend. So any decision on an antiballistic-missile (ABM) system—even a decision to defer a decision—would be a gamble. Mr. Nixon has made the best gamble.

First of all, Mr. Nixon's decision is less likely to provoke the Soviets than would be a decision to push ahead with the Sentinel system. A decision to protect the cities, if that were truly possible, could be interpreted by the Russians as a way to blunt a Soviet retaliatory attack against the American population after a U.S. first strike.

Mr. Nixon's decision also recognizes a brutal but apparently unavoidable fact. It is now not possible to provide adequate protection for the American population against Soviet missiles. The best defense, the President has concluded, remains the nation's second-strike capability—the ability of this country to inflict unacceptable losses on the Soviet Union, or any other nation, should that nation decide to launch nuclear missiles against the United States.

The United States and Russia each have the capability to destroy each other many times over. This raises a good question: Is a defense system really necessary to protect American offensive missiles, or aren't there already enough—or soon to be enough—land-based and seaborne missiles available to survive any first strike by Russia or anybody else?

A SOVIET TEMPTATION?

Perhaps there are. But the arms race being what it is, the Soviet Union might easily be tempted to increase its offensive arsenal even more, with the goal of developing an attack

that could destroy much of the American offensive arsenal. A defense system to protect U.S. long-range missiles could discourage such a step-up in arms competition.

The Nixon decision also means that the United States will go into any arms talks with Russia having made a determination to employ a missile defense. This certainly gives this country a better bargaining position than it would have had had Mr. Nixon decided against any deployment or decided to delay a decision on deployment. A decision to delay would leave great doubt in Soviet minds about American intentions.

Mr. Nixon's decision has left the next move in the quest for weapons control up to the Russians. His statement last week was conciliatory, and left plenty of openings for the Soviets if they truly wish to slow down or stop the arms race.

[From the Youngstown (Ohio) Vindicator, Mar. 15, 1969]

MR. NIXON'S MODIFIED ABM

From the viewpoint of winning friends and influencing people it would have made little or—no difference whether President Nixon had said either Yes or No to the anti-ballistic missile system.

President Nixon didn't quibble in making known his views yesterday on the ABM system. He could have done nothing at all or he could have placed the responsibility in other hands. It is to his credit that he chose to make the decision himself even though it probably will not prove popular with the anti-ABM scientists and others who have offered negative opinions in the last few weeks.

Since taking office, President Nixon has avoided sharp controversy but neither he nor anyone else can expect this kind of political dream world to continue indefinitely.

Mr. Nixon obviously has not made his decision on the basis of snap judgment. He has taken into account virtually every viewpoint, consulted advocates both for and against and has weighed the costs and the political consequences. He could have ended the suspense and turned the responsibility over to someone else. But he didn't. He chose to make it a "command" decision. He didn't really have to make a decision now because it could be a year or more before a single missile could be produced and deployed.

The President now is on record as advocating a "substantially modified" anti-ballistic missile system, unmistakably defensive: To protect U.S. land-based retaliatory forces against direct attack; to defend the American people against any nuclear attack by either the Soviet Union or the Communist Chinese; and to safeguard against any accidental missile firings from any source. The cost would be $6 billion to $7 billion.

Unless all signs fail, the President will face heated criticism from the so-called peace groups and particularly those liberals forming around the peace movement to make war on other weapons systems and the Pentagon budget in particular. They undoubtedly will challenge both the Pentagon and the para-military industry, hoping at the same time to embarrass the Nixon administration and lay the ground-work for a liberal and Democratic comeback in 1972. In other words, they will strive to make political hay while the sun shines.

The matter of domestic needs will be emphasized and no one is more aware of such needs than Mr. Nixon and undoubtedly he has weighed the ABM against all other national needs, at home and abroad.

In his news conference yesterday, Mr. Nixon said, "I am deeply sympathetic with the concerns of private citizens and members of Congress that we do only that which is necessary for our national security. This is why I am recommending a minimum program for our security. It is my duty as President to make certain that we do no less."

It would be foolhardy to place dependence on treaties or negotiations with the Soviet Union, or the Red Chinese for that matter. Treaties or agreements, where vital issues are concerned, mean nothing to the rulers in the Kremlin who respect power above principle.

Mr. Nixon, whatever either his friends or foes decide to say about his decision, has done what he believes is best for the American people and he has acted without undue concern for Soviet reaction and with minimum regard for political effect.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. O'NEAL of Georgia (at the request of Mr. ALBERT), for an indefinite period, on account of illness.

Mr. VANDER JAGT (at the request of Mr. GERALD R. FORD), on account of illness.

Mr. MORSE (at the request of Mr. GERALD R. FORD), for March 18 and 19, on account of official business.

Mr. HANNA (at the request of Mr. WAGGONNER), for today and tomorrow, March 19, on account of official business.

Mr. MCKNEALLY (at the request of Mr. GERALD R. FORD), for today, on account of official business.

Mr. ARENDS (at the request of Mr. GERALD R. FORD), for today, 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. LEGGETT) and to revise and extend their remarks and include extraneous matter:)

Mr. REUSS, for 10 minutes, today.

Mr. FEIGHAN, for 30 minutes, on March 19.

Mr. MATSUNAGA, for 10 minutes, on March 19.

EXTENSIONS OF REMARKS

By unanimous consent, permission to extend remarks was granted to:

Mr. EDMONDSON in two instances.

Mr. DINGELL, to include extraneous matter in his remarks on H.R. 7206.

Mr. PERKINS (at the request of Mrs. GREEN of Oregon) to extend his remarks following hers on H.R. 8438.

(The following Members (at the request of Mr. FOREMAN) and to include extraneous matter:)

Mr. PETTIS in two instances.
Mr. BELL of California.
Mr. FINDLEY.
Mr. BROYHILL of Virginia in two instances.
Mr. WYATT in five instances.
Mr. GUDE in two instances.
Mr. HOSMER in three instances.
Mr. ZWACH in two instances.
Mr. TEAGUE of California.
Mr. ASHBROOK in two instances.
Mr. BOB WILSON.
Mr. BLACKBURN in five instances.
Mr. COUGHLIN in two instances.
Mr. WYMAN in three instances.
Mr. SHRIVER.
Mr. MILLER of Ohio in two instances.
Mr. RUTH in five instances.
Mr. NELSEN.
Mr. DERWINSKI in two instances.
Mr. BURTON of Utah in 10 instances.
Mr. STEIGER of Arizona in two instances.
Mr. REID of New York.
Mr. LIPSCOMB.
Mr. WATSON.
Mr. ROTH in five instances.
Mr. MORSE.
Mr. KEITH in five instances.
Mr. CONABLE.

(The following Members (at the request of Mr. LEGGETT) and to include extraneous matter:)

Mr. DOWNING.
Mr. WILLIAM D. FORD.
Mr. BURTON of California in two instances.
Mr. O'HARA in three instances.
Mr. REUSS.
Mr. BIAGGI in two instances.
Mr. FISHER in three instances.
Mr. BOLLING.
Mr. JACOBS in two instances.
Mr. BOLAND in two instances.
Mr. OTTINGER in two instances.
Mr. GONZALEZ in three instances.
Mr. ROYBAL in six instances.
Mr. KASTENMEIER.
Mr. NIX in two instances.
Mr. DINGELL.
Mr. FEIGHAN in four instances.
Mr. FASCELL in three instances.
Mr. FULTON of Tennessee in two instances.
Mr. ALBERT.
Mr. ASHLEY.
Mr. BLATNIK.
Mr. RARICK in three instances.
Mr. MIKVA in two instances.
Mr. ADAMS.
Mr. NICHOLS.
Mr. CORMAN.
Mr. EDWARDS of California.
Mr. DANIELS of New Jersey.
Mr. COHELAN in three instances.
Mr. HELSTOSKI in two instances.
Mr. FALLON in two instances.
Mr. DULSKI in four instances.
Mr. NEDZI in two instances.
Mr. VANIK in two instances.
Mr. MOORHEAD in two instances.
Mr. ROONEY of Pennsylvania in two instances.
Mr. BRADEMAS in six instances.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 408. An act to modify eligibility requirements governing the grant of assistance in acquiring specially adapted housing to include loss or loss of use of a lower extremity and other service-connected neurological or orthopedic disability which impairs locomotion to the extent that a wheelchair is regularly required; to the Committee on Veterans' Affairs.

S. 1130. An act to provide for the striking of medals in commemoration of the 100th anniversary of the founding of the American Fisheries Society; to the Committee on Banking and Currency.

ADJOURNMENT

Mr. LEGGETT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 21 minutes p.m.), the House adjourned until tomorrow, Wednesday, March 19, 1969, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

591. A letter from the Comptroller General of the United States, transmitting a report on policies and procedures used in disposal of U.S. military property in France, Department of Defense; to the Committee on Government Operations.

592. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a report that the appropriation to the Department of Transportation for "National Transportation Safety Board: Salaries and expenses," for the fiscal year 1969, has been reapportioned on a basis which indicates the necessity for a further supplemental estimate of appropriation because of circumstances constituting an emergency involving the safety of human life and the protection of property, pursuant to the provisions of subsection (e)(1) of section 3679 of the Revised Statutes, as amended; to the Committee on Appropriations.

593. A letter from the Secretary of the Navy, transmitting a draft of proposed legislation to amend title 37, United States Code, to provide special pay to naval officers, qualified in submarines, who have the current technical qualification for duty in connection with supervision, operation, and maintenance of naval nuclear propulsion plants, who agree to remain in active submarine service for one period of 4 years beyond any other obligated active service, and for other purposes; to the Committee on Armed Services.

594. A letter from the Secretary of the Army and the Secretary of Agriculture, transmitting notice of the intention of the Department of the Army and the Department of Agriculture to interchange jurisdiction of civil works and national forest lands, pursuant to the provisions of 16 U.S.C. 505a and 505b; to the Committee on Agriculture.

595. A letter from the Comptroller General of the United States, transmitting a report on a review of economic opportunity programs, made pursuant to title II of the 1967 amendments to the Economic Opportunity Act of 1964; to the Committee on Education and Labor.

596. A letter from the Acting Director, Congressional Liaison, Agency for International Development, Department of State, transmitting a report of claims settled by the Agency during the period January 1, 1968, to December 31, 1968, pursuant to the provisions of section 3(e) of the Military Personnel and Civilian Employees' Claims Act of 1964; to the Committee on the Judiciary.

597. A letter from the Administrator, General Services Administration, transmitting prospectuses proposing construction or alteration of public buildings at various locations, pursuant to the provisions of section 7a of the Public Buildings Act of 1959 (73 Stat. 480), as amended; to the Committee on Public Works.

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. SISK: Committee on Rules. House Resolution 325. Resolution providing for the consideration of H.R. 8508, a bill to increase the public debt limit set forth in section 21 of the Second Liberty Bond Act (Rept. No. 91-100). Referred to the House Calendar.

Mr. POAGE: Committee on Agriculture. H.R. 7. A bill to amend the Rural Electrification Act of 1936, as amended, to provide an additional source of financing for the rural telephone program, and for other purposes, with amendment (Rept. No. 91-101). Referred to the Committee of the Whole House on the State of the Union.

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. FEIGHAN: Committee on the Judiciary. S. 165. An act for the relief of Basil Rowland Duncan (Rept. No. 91-82). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 586. An act for the relief of Nguyen Van Hue (Rept. No. 91-83). Referred to the Committee of the Whole House.

Mr. RODINO: Committee on the Judiciary. H.R. 1437. A bill for the relief of Cosmina Ruggiero, with amendment (Rept. No. 91-84). Referred to the Committee of the Whole House.

Mr. CAHILL: Committee on the Judiciary. H.R. 1708. A bill for the relief of Ai Bok Chun, with amendment (Rept. No. 91-85). Referred to the Committee of the Whole House.

Mr. DENNIS: Committee on the Judiciary. H.R. 1939. A bill for the relief of Mrs. Marjorie J. Hottenroth, with amendment (Rept. No. 91-86). Referred to the Committee of the Whole House.

Mr. CAHILL: Committee on the Judiciary. H.R. 1960. A bill for the relief of Mario Santos Gomes (Rept. No. 91-87). Referred to the Committee of the Whole House.

Mr. DOWDY: Committee on the Judiciary. H.R. 2315. A bill for the relief of Josefina Policar Abutan Fuliar (Rept. No. 91-88). Referred to the Committee of the Whole House.

Mr. EILBERG: Committee on the Judiciary. H.R. 2948. A bill for the relief of Maria Prescilla Caramanzana (Rept. No. 91-89). Referred to the Committee of the Whole House.

Mr. MESKILL: Committee on the Judiciary. H.R. 3144. A bill for the relief of Sung Nan Lee, with amendment (Rept. No. 91-90). Referred to the Committee of the Whole House.

Mr. DENNIS: Committee on the Judiciary. H.R. 3212. A bill for the relief of Lee Ok Ja, with amendment (Rept. No. 91-91). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. H.R. 3464. A bill for the relief of Maria Balluardo Frasca (Rept. No. 91-92). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. H.R. 3539. A bill for the relief of Dr. Angela Zabarte Fandino (Rept. No. 91-93). Referred to the Committee of the Whole House.

Mr. DOWDY: Committee on the Judiciary. H.R. 3548. A bill for the relief of Dr. Roberto de la Caridad Miquel, with amendment (Rept. No. 91-94). Referred to the Committee of the Whole House.

Mr. RODINO: Committee on the Judiciary: H.R. 4064. A bill for the relief of Ana Mae Yap-Diangco, with amendment (Rept. No. 91-95). Referred to the Committee of the Whole House.

Mr. EILBERG: Committee on the Judiciary. H.R. 5072. A bill for the relief of Demetroula Georgiades, with amendment (Rept. No. 91-96). Referred to the Committee of the Whole Houes.

Mr. CAHILL: Committee on the Judiciary. H.R. 5402. A bill for the relief of Zumrut Sooley (Rept. No. 91-97). Referred to the Committee of the Whole House.

Mr. DOWDY: Committee on the Judiciary. H.R. 6161. A bill for the relief of Christopher Sloane (Bosmos), with amendment (Rept. No. 91-98). Referred to the Committee of the Whole House.

Mr. MESKILL: Committee on the Judiciary. H.R. 6896. A bill for the relief of Dr. Olga Concepcion Perez de Lanio (Rept. No. 91-99). 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. ANDREWS of North Dakota:

H.R. 9094. A bill to amend the Internal Revenue Code of 1954 to allow a 30-percent credit against the individual income tax for amounts paid for tuition, fees, or services to certain public and private institutions of higher education or for occupational training or retraining; to the Committee on Ways and Means.

H.R. 9095. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. BARING:

H.R. 9096. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. BERRY:

H.R. 9097. A bill to provide for the establishment of a national cemetery near the Fort Randall Dam, S. Dak.; to the Committee on Veterans' Affairs.

By Mr. BIAGGI:

H.R. 9098. A bill to establish a Federal Motor Vehicle Insurance Guarantee Corporation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BLATNIK:

H.R. 9099. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. BRASCO:

H.R. 9100. A bill to provide for a coordinated program to improve the level of human nutrition in the United States, and for other purposes; to the Committee on Agriculture.

H.R. 9101. A bill to amend the Federal Property and Administrative Services Act of 1949, as amended, to provide for the assignment of surplus real property to executive agencies for disposal, and for other purposes; to the Committee on Government Operations.

H.R. 9102. A bill to establish a Department of Peace, and for other purposes; to the Committee on Government Operations.

H.R. 9103. 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. BROWN of California:

H.R. 9104. A bill to provide for a coordinated program to improve the level of human nutrition in the United States, and for other purposes; to the Committee on Agriculture.

H.R. 9105. A bill to establish a Commission on Hunger; to the Committee on Education and Labor.

H.R. 9106. A bill to amend the Public Health Service Act so as to require that an annual report be made to the Congress concerning the policies and goals of the National Institutes of Health; to the Committee on Interstate and Foreign Commerce.

H.R. 9107. A bill to establish a Commission on Population; to the Committee on Interstate and Foreign Commerce.

H.R. 9108. A bill to amend the Public Health Service Act to provide a program of grants for the construction of population re-

search centers; to the Committee on Interstate and Foreign Commerce.

H.R. 9109. A bill to amend the Public Health Service Act to provide for the establishment of a National Institute for Population Research; to the Committee on Interstate and Foreign Commerce.

By Mr. BROYHILL of Virginia:

H.R. 9110. A bill to authorize the District of Columbia Council to investigate and regulate the use of plastic bags by drycleaning and laundry establishments in the District of Columbia; to the Committee on the District of Columbia.

By Mr. BURLISON of Missouri:

H.R. 9111. A bill to provide for the establishment of a national cemetery in southeastern Missouri; to the Committee on Veterans' Affairs.

By Mr. CELLER:

H.R. 9112. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. COLLIER:

H.R. 9113. A bill to provide that, for purposes of the Internal Revenue Code of 1954, individuals who were illegally detained during 1968 by the Democratic People's Republic of Korea shall be treated as serving in a combat zone; to the Committee on Ways and Means.

H.R. 9114. A bill to provide for an exclusion from gross income in the case of compensation for members of the crew of the U.S.S. *Pueblo;* to the Committee on Ways and Means.

By Mr. CORBETT (for himself, Mr. GERALD R. FORD, Mr. CUNNINGHAM, Mr. BUTTON, Mr. MCCLURE, Mr. MESKILL, and Mr. HOGAN):

H.R. 9115. A bill to provide that appointments and promotions in the Post Office Department and postal field services be made on the basis of merit and fitness; to the Committee on Post Office and Civil Service.

By Mr. CORMAN:

H.R. 9116. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. DERWINSKI:

H.R. 9117. A bill to provide for the withdrawal of second- and third-class mailing permits of mail users who have used these permits systematically in the mailing of obscene, sadistic, lewd, or pandering mail matter, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. DULSKI:

H.R. 9118. A bill to provide for orderly trade in iron ore, iron and steel mill products; to the Committee on Ways and Means.

By Mr. EDWARDS of California:

H.R. 9119. A bill to amend the Federal Aviation Act of 1958 in order to establish certain requirements with respect to air traffic controllers; to the Committee on Interstate and Foreign Commerce.

By Mr. EVANS of Colorado:

H.R. 9120. A bill to change the definition of ammunition for purposes of chapter 44 of title 18 of the United States Code; to the Committee on the Judiciary.

By Mr. FULTON of Tennessee:

H.R. 9121. A bill to amend title 13, United States Code, to limit the categories of questions required to be answered under penalty of law in the decennial censuses of population, unemployment, and housing, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HALPERN:

H.R. 9122. A bill to provide increases in certain annuities payable from the civil service retirement and disability fund; to the Committee on Post Office and Civil Service.

H.R. 9123. A bill to amend chapter 83, title 5, United States Code, to eliminate the reduction in the annuities of employees or Members who elected reduced annuities in order to provide a survivor annuity if predeceased by the person named as survivor and permit a retired employee or Member to designate a new spouse as survivor if predeceased by the person named as survivor at the time of retirement; to the Committee on Post Office and Civil Service.

By Mr. HALPERN (for himself, Mr. ADDABBO, Mr. DELANEY, and Mr. ROSENTHAL):

H.R. 9124. A bill to amend title 38, United States Code, to increase the amount on burial and funeral expenses; to the Committee on Veterans' Affairs.

By Mr. HELSTOSKI (by request):

H.R. 9125. A bill to modify the reporting requirement and establish additional income exclusions relating to pension for veterans and their widows, to liberalize the bar to payment of benefits to remarried widows of veterans, to liberalize the oath requirement for hospitalization of veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. JACOBS:

H.R. 9126. A bill to abolish the death penalty under all laws of the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. KARTH:

H.R. 9127. A bill to change the definition of ammunition for purposes of chapter 44 of title 18 of the United States Code; to the Committee on the Judiciary.

H.R. 9128. A bill to extend benefits under section 8191 of title 5, United States Code, to law enforcement officers and firemen not employed by the United States who are killed or totally disabled in the line of duty; to the Committee on the Judiciary.

By Mr. MCCLURE:

H.R. 9129. A bill to amend chapter 44 of title 18, United States Code, to exempt ammunition in certain cases from Federal regulation under the Gun Control Act of 1968; to the Committee on the Judiciary.

H.R. 9130. A bill to repeal the Gun Control Act of 1968; to the Committee on the Judiciary.

By Mrs. MAY:

H.R. 9131. A bill to amend the Federal Food, Drug, and Cosmetic Act to include a definition of food supplements, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MOLLOHAN:

H.R. 9132. A bill to prevent vessels built or rebuilt outside the United States or documented under foreign registry from carrying cargoes restricted to vessels of the United States; to the Committee on Merchant Marine and Fisheries.

By Mr. MURPHY of New York:

H.R. 9133. A bill to provide supplemental appropriations to fully fund programs to build 300,000 units of low- and moderate-income housing for the fiscal year 1969, and for other purposes, including jobs in housing; to the Committee on Appropriations.

By Mr. NIX:

H.R. 9134. A bill to increase the maximum rate of per diem allowance for employees of the Government traveling on official business, and for other purposes; to the Committee on Government Operations.

H.R. 9135. A bill to provide an equitable system for fixing and adjusting the rates of compensation of wage board employees; to the Committee on Post Office and Civil Service.

H.R. 9136. A bill to extend Federal group life and health insurance benefits to Federal employees in the Canal Zone who are not citizens of the United States, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 9137. A bill to correct an inequity in the application of automatic retirement annuity adjustments for certain congressional employees and Members of Congress; to the Committee on Post Office and Civil Service.

By Mr. OLSEN:

H.R. 9138. A bill to set aside certain lands in Montana for the Indians of the Confederated Salish and Kootenai Tribes of the Flathead Reservation, Mont.; to the Committee on Interior and Insular Affairs.

By Mr. PHILBIN:

H.R. 9139. A bill to make certain additional uninsured individuals eligible for hospital insurance benefits; to the Committee on Ways and Means.

By Mr. PIRNIE:

H.R. 9140. A bill to amend chapter 55 of title 10 of the United States Code, to extend to mentally retarded or physically handicapped dependents of certain members and former members of the uniformed services the special care now provided to similarly afflicted dependents of members on active duty; to the Committee on Armed Services.

H.R. 9141. 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. ROGERS of Colorado:

H.R. 9142. 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. ROYBAL:

H.R. 9143. A bill to amend the Urban Mass Transportation Act of 1964, and for other purposes; to the Committee on Banking and Currency.

H.R. 9144. 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.

By Mr. SAYLOR:

H.R. 9145. A bill to provide for an exclusion from gross income in the case of compensation for members of the crew of the U.S.S. *Pueblo*; to the Committee on Ways and Means.

By Mr. SHRIVER (for himself and Mr. STAFFORD):

H.R. 9146. A bill to provide for an exclusion from gross income in the case of compensation for members of the crew of the U.S.S. *Pueblo*; to the Committee on Ways and Means.

By Mr. STEED:

H.R. 9147. 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. THOMPSON of Georgia:

H.R. 9148. A bill to amend title II of the Social Security Act to provide that an individual's benefits shall not be subject to deductions on account of outside earnings after the beginning of the year in which he (or the primary beneficiary) attains age 65; to the Committee on Ways and Means.

H.R. 9149. A bill to amend title II of the Social Security Act to provide for cost-of-living increases in the benefits payable thereunder; to the Committee on Ways and Means

By Mr. THOMSON of Wisconsin:

H.R. 9150. A bill to enable consumers to protect themselves against arbitrary, erroneous, and malicious credit information; to the Committee on Banking and Currency.

By Mr. TIERNAN:

H.R. 9151. A bill to amend title 37, United States Code, to provide for the procurement and retention of judge advocates and law specialist officers for the Armed Forces; to the Committee on Armed Services.

H.R. 9152. A bill to amend chapter 89 of title 5, United States Code, relating to enrollment charges for Federal employees' health benefits; to the Committee on Post Office and Civil Service.

By Mr. WHALLEY:

H.R. 9153. A bill to require the Secretary of Commerce either to give the State of Pennsylvania alternative mileage on the Interstate System or to pay the Federal share of the Pennsylvania Turnpike; to the Committee on Public Works.

By Mr. WHITEHURST (for himself, Mr. BROYHILL of Virginia, and Mr. CARTER):

H.R. 9154. A bill to amend section 401(c) of the Internal Revenue Code of 1954 with respect to certain service performed by ministers; to the Committee on Ways and Means.

By Mr. ZWACH:

H.R. 9155. A bill to revise the quota-control system on the importation of certain meat and meat products; to the Committee on Ways and Means.

By Mr. ADAIR:

H.R. 9156. A bill to amend the Internal Revenue Code of 1954 to exclude from gross income amounts received under insurance contracts for increased living expenses necessitated by damage to, or destruction of, an individual's residence; to the Committee on Ways and Means.

By Mr. ADAMS (for himself and Mr. PELLY) (by request):

H.R. 9157. A bill for the relief of King County, Wash.; to the Committee on the Judiciary.

By Mr. BRASCO:

H.R. 9158. A bill to protect the public health from the misuse of dangerous drugs and to assist law enforcement activities in the identification of dangerous drugs by amending the Federal Food, Drug, and Cosmetic Act with respect to the coloring and marking of stimulant, depressant, and narcotic drugs; to the Committee on Interstate and Foreign Commerce.

By Mr. BURKE of Massachusetts (for himself, Mr. ANNUNZIO, Mr. CORMAN, and Mr. O'NEILL of Massachusetts):

H.R. 9159. A bill to provide for the establishment of a program under which tickets to professional, semiprofessional, and amateur baseball, football, basketball, hockey, and soccer games will be furnished at no cost by local police officers and firemen to individuals under the age of 19, particularly such individuals who are economically underprivileged; to the Committee on Interior and Insular Affairs.

By Mr. BYRNE of Pennsylvania:

H.R. 9160. A bill to authorize reimbursement to the States for certain toll highways, bridges, and tunnels on the Interstate System, and for other purposes; to the Committee on Public Works.

H.R. 9161. A bill to amend title II of the Social Security Act to provide that no reduction shall be made in old-age insurance benefit amounts to which a woman is entitled if she has 120 quarters of coverage; to the Committee on Ways and Means.

By Mr. CULVER:

H.R. 9162. A bill to require the Secretary of Agriculture and the Director of the Bureau of the Budget to make separate accounting of funds requested for the Department of Agriculture for programs and activities that primarily stabilize farm income and those that primarily benefit consumers, businessmen, and the general public, and for other purposes; to the Committee on Agriculture.

By Mr. DAVIS of Georgia:

H.R. 9163. A bill to authorize the disposal of certain real property in the Chickamauga and Chattanooga National Military Park, Ga., under the Federal Property and Administrative Services Act of 1949; to the Committee on Interior and Insular Affairs.

H.R. 9164. A bill to require the conveyance of all right, title, and interest of the United States in and to certain real property in the State of Georgia in order to remove a limitation on the use of such property; to the Committee on Interior and Insular Affairs.

H.R. 9165. A bill to amend title 18, United States Code, to prohibit the mailing of obscene matter to minors, and for other purposes; to the Committee on the Judiciary.

By Mr. DOWNING:

H.R. 9166. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mrs. DWYER:

H.R. 9167. A bill to provide temporary authority to expedite the processing of project applications drawing upon more than one Federal assistance program, and for other purposes; to the Committee on Government Operations.

By Mr. FULTON of Pennsylvania:

H.R. 9168. A bill to authorize the Federal Railroad Administrator to set certain standards for the comfort, safety, and convenience of railroad passengers; to the Committee on Interstate and Foreign Commerce.

By Mr. GIBBONS:

H.R. 9169. A bill to amend title II of the Social Security Act to eliminate the 6-month waiting period for disability insurance benefits in cases of blindness or loss of limb and in certain other cases where the severity of the impairment is immediately determinable; to the Committee on Ways and Means.

By Mrs. GREEN of Oregon (for herself, Mr. PERKINS, Mr. AYRES, Mr. QUIE, Mr. CAREY, Mr. DANIELS of New Jersey, Mr. DELLENBACK, Mr. DENT, Mr. ERLENBORN, Mr. ESCH, Mr. MEEDS, Mr. PUCINSKI, Mr. SCHERLE, and Mr. STEIGER of Wisconsin):

H.R. 9170. A bill to assist students who, to attend college, are relying on their own wage-earning capacity rather than depending on others; to the Committee on Education and Labor.

By Mr. GREEN of Pennsylvania:

H.R. 9171. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. HALPERN (for himself, Mr. ADDABBO, Mr. DELANEY, and Mr. ROSENTHAL):

H.R. 9172. A bill to amend title 38 of the United States Code in order to establish in the Veterans' Administration a national cemetery system consisting of all cemeteries of the United States in which veterans of any war or conflict or of service in the Armed Forces are or may be buried, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. HAWKINS:

H.R. 9173. A bill to provide for special programs for children with learning disabilities; to the Committee on Education and Labor.

By Mrs. HECKLER of Massachusetts:

H.R. 9174. A bill to amend the Maritime Academy Act of 1958 to require repayment of amounts paid for the training of merchant marine officers who do not serve in the merchant marine or Armed Forces; to the Committee on Merchant Marine and Fisheries.

By Mr. McCLORY:

H.R. 9175. A bill to amend the Federal Aviation Act of 1958 to authorize reduced-rate transportation for certain additional persons on a space-available basis; to the Committee on Interstate and Foreign Commerce.

H.R. 9176. A bill to amend title 18 and title 28 of the United States Code with respect to the trial and review of criminal actions involving obscenity, and for other purposes; to the Committee on the Judiciary.

H.R. 9177. A bill to amend the definition of "period of war" for purposes of chapter II of title 38 of the United States Code; to the Committee on Veterans' Affairs.

H.R. 9178. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. McMILLAN (by request):

H.R. 9179. A bill to amend the act, entitled "An act to regulate the hours of employment and safeguard the health of females employed in the District of Columbia," approved February 24, 1914; to the Committee on the District of Columbia.

H.R. 9180. A bill to amend the act, entitled: "An act to regulate the employment of minors in the District of Columbia," approved May 29, 1928; to the Committee on the District of Columbia.

H.R. 9181. A bill to regulate the practice of psychology in the District of Columbia; to the Committee on the District of Columbia.

By Mrs. MAY:

H.R. 9182. A bill to amend the Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, and for other purposes; to the Committee on Agriculture.

By Mr. O'HARA:

H.R. 9183. A bill to amend the Tariff Schedules of the United States to provide that imported articles which are exported and thereafter reimported to the United States for failure to meet sample or specifications shall, in certain instances, be entered free of duty upon such reimportation; to the Committee on Ways and Means.

By Mr. O'NEILL of Massachusetts:

H.R. 9184. A bill to require that impact-resistant eyeglasses be issued under the medical program for members of the uniformed services on active duty; to the Committee on Armed Services.

H.R. 9185. A bill to prohibit the sale or importation of eyeglass frames or sunglasses made of cellulose nitrate or other flammable materials; to the Committee on Ways and Means.

By Mr. PIRNIE:

H.R. 9186. A bill to provide for an exclusion from gross income in the case of compensation for members of the crew of the U.S.S. *Pueblo;* to the Committee on Ways and Means.

By Mr. QUIE:

H.R. 9187. A bill to provide for special programs for children with learning disabilities; to the Committee on Education and Labor.

H.R. 9188. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. RAILSBACK (for himself and Mr. SCHWENGEL):

H.R. 9189. A bill to regulate speed of vessels on the Mississippi River; to the Committee on Merchant Marine and Fisheries.

H.R. 9190. A bill to authorize lowering of pools on the Mississippi River to prevent flooding; to the Committee on Public Works.

By Mr. RYAN:

H.R. 9191. A bill to provide Federal financial assistance to help cities and communities of the United States to develop and carry out intensive local programs to detect and treat incidents of lead-based paint poisoning; to the Committee on Interstate and Foreign Commerce.

H.R. 9192. A bill to provide Federal financial assistance to help cities and communities of the United States to develop and carry out intensive local programs to eliminate the causes of lead-based paint poisoning; to the Committee on Banking and Currency.

By Mr. SCHERLE:

H.R. 9193. A bill prohibiting lithographing or engraving on envelopes sold by the Post Office Department, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. GREEN of Pennsylvania:

H.R. 9194. A bill to provide that office, industrial, or household appliances and equipment be conspicuously marked to show the foreign country of origin, and for other purposes; to the Committee on Ways and Means.

By Mr. MADDEN:

H.R. 9195. A bill to amend the Internal Revenue Code of 1954 to raise needed additional revenues by tax reform; to the Committee on Ways and Means.

By Mr. QUILLEN:

H.R. 9196. A bill to restrict imports of meat and meat products into the United States; to the Committee on Ways and Means.

By Mr. ADAIR:

H.J. Res. 560. Joint resolution proposing an amendment to the Constitution of the United States requiring the advice and consent of the House of Representatives in the making of treaties; to the Committee on the Judiciary.

By Mr. BYRNE of Pennsylvania:

H.J. Res. 561. Joint resolution proposing an amendment to the Constitution of the United States requiring the advice and consent of the House of Representatives in the making of treaties; to the Committee on the Judiciary.

By Mr. LIPSCOMB:

H. J. Res. 562. 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. OLSEN:

H.J. Res. 563. 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. WATSON:

H.J. Res. 564. Joint resolution authorizing the President to proclaim the period May 11 through May 17, 1969, as "Help Your Police Fight Crime Week"; to the Committee on the Judiciary.

By Mr. WHALLEY:

H.J. Res. 565. 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. FULTON of Pennsylvania:

H. Res. 326. Resolution expressing the sense of the House that certain social security and railroad retirement benefits shall not be made subject to Federal income taxes; to the Committee on Ways and Means.

By Mr. McMILLAN:

H. Res. 327. Resolution endorsing the efforts of the South Carolina Jaycees; to the Committee on Education and Labor.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

72. By Mr. OLSEN: Resolution of the Senate of the State of Montana, asking the Montana congressional delegation to request the U.S. Department of Agriculture to review the marketing of Montana wheat and to reactivate the National Loan Rate Study Committee to evaluate changes which would provide equitable loan rates for Montana wheat; to the Committee on Agriculture.

73. Also, resolution of the Senate of the State of Montana, urging that the cars and rolling stock of all carriers serving Montana be immediately returned to the Montana area so said cars can be available to transport to market the products of Montana farms, forest products, and other industries; to the Committee on Interstate and Foreign Commerce.

74. Also, resolution by the House of Representatives of the State of Montana, urging Congress to repeal the Gun Control Act of 1968; to the Committee on the Judiciary.

75. Also, resolution of the Senate of the State of Montana, requesting Congress to name the body of water created by the Corps of Engineers dam on the Kootenai River near Libby, Mont., "Koocanusa Lake"; to the Committee on Public Works.

76. Also, resolution of the Senate of the State of Montana, urging that the Meat Import Act of 1964 be amended so that it will modify the harmful effects of excessive meat imports on domestic cattle prices; to the Committee on Ways and Means.

77. Also, resolution of the Senate of the State of Montana, urging elimination of the aid to families with dependent children freeze in the Social Security Act; to the Committee on Ways and Means.

78. By the SPEAKER: Memorial of the Legislature of the State of South Dakota, relative to the Consolidation of Federal Assistance Program Act; to the Committee on Government Operations.

79. Also, memorial of the Legislature of the State of Utah, relative to the proliferation of Federal power; to the Committee on Government Operations.

80. Also, memorial of the Legislature of the State of South Dakota, relative to the abolition of zones within the national freight classification system and the elimination of the practice of permitting motor carriers in adding arbitrary charges on less-than-truckload traffic to smaller communities in South Dakota; to the Committee on Interstate and Foreign Commerce.

81. Also, memorial of the Legislature of the State of North Dakota, relative to Federal participation in welfare payments to nonresidents within the State of North Dakota; 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. BLANTON:

H.R. 9197. A bill for the relief of Dr. Antonio Matias Rubio; to the Committee on the Judiciary.

By Mr. BROWN of California:

H.R. 9198. A bill for the relief of Alireza Soltani; to the Committee on the Judiciary.

By Mr. BURTON of California:

H.R. 9199. A bill for the relief of Madhavbhai Chhitabhai Patel; to the Committee on the Judiciary.

By Mr. BYRNE of Pennsylvania:

H.R. 9200. A bill for the relief of Tadeusz Kasimierz Wojnar; to the Committee on the Judiciary.

By Mr. FALLON:

H.R. 9201. A bill for the relief of M. Concepcion Agito Abrahan; to the Committee on the Judiciary.

H.R. 9202. A bill for the relief of Teodoro R. Carangal and his wife, Rita L. Carangal; to the Committee on the Judiciary.

By Mr. GILBERT:

H.R. 9203. A bill for the relief of Wilford Leonard Harrison; to the Committee on the Judiciary.

By Mr. KOCH:

H.R. 9204. A bill for the relief of Overseas Barters, Inc.; to the Committee on the Judiciary.

By Mr. McMILLAN:

H.R. 9205. A bill for the relief of Kamal Sedky Basily; to the Committee on the Judiciary.

H.R. 9206. A bill for the relief of Markos N. M. Nomikos; to the Committee on the Judiciary.

By Mr. MacGREGOR:

H.R. 9207. A bill for the relief of Arturo M. Santos; to the Committee on the Judiciary.

By Mr. MARSH:

H.R. 9208. A bill to confer jurisdiction on the Court of Claims to entertain, hear, and enter judgment on the claim of Robert Alexander; to the Committee on the Judiciary.

By Mr. MIKVA:

H.R. 9209. A bill for the relief of Panagiotes Stathopoulos; to the Committee on the Judiciary.

By Mr. MURPHY of New York:

H.R. 9210. A bill for the relief of Elena I. Manzanera; to the Committee on the Judiciary.

By Mr. O'HARA:

H.R. 9211. A bill for the relief of Amprobe Instrument Division of Soss Manufacturing Co.; to the Committee on the Judiciary.

By Mr. PODELL:

H.R. 9212. A bill for the relief of Paolo Vitale; to the Committee on the Judiciary.

By Mr. TALCOTT:

H.R. 9213. A bill for the relief of Simeon Agapito Alejon; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

EXECUTIVE REORGANIZATION AUTHORITY ESSENTIAL TO GOOD GOVERNMENT

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. FASCELL. Mr. Speaker, I rise today as cosponsor of the bill now being considered, S. 1058, a proposal to extend for 2 years the authority of the President to reorganize the departments and agencies of the Federal Government.

President Nixon has asked Congress for power to manage his own executive household. This power was first granted by the Congress in 1932 to President Hoover, and has been granted to each succeeding President since that time. I believe our new President should not be denied full authority and responsibility for executive management and to further streamline the Government.

As the House Members know, the Reorganization Act of 1949 gives the President authority to submit plans to Congress to modernize our Government. The act and this proposal, were recommended by the Hoover Commission, appointed to study means of improving Government efficiency.

Under this act, the President is required periodically to examine the functions of all executive agencies to determine what changes are necessary. The plans for the changes are then submitted to Congress.

Reorganization plans submitted to the Congress automatically become effective in 60 days unless vetoed by either the House or the Senate. Since 1949 Congress has vetoed 22 of the 83 reorganization plans submitted.

This system has given the President the latitude to put his own house in order while at the same time retaining for the Congress an effective means to exercise its will on proposed reorganization.

The authority expired on December 31, 1968. The Senate has already acted to

renew the Reorganization Act, and it is up to us to concur in this much-needed objective by approving legislation to extend the authority.

FIRST LT. JAMES A. GARDNER, U.S. ARMY

HON. RICHARD FULTON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. FULTON of Tennessee. Mr. Speaker, on March 8, 1969, the Greater Dyersburg-Dyer County Chamber of Commerce and the people of Dyer County, Tenn., met to pay honor to Lt. James A. Gardner, who posthumously was awarded the Congressional Medal of Honor by President Lyndon B. Johnson. The ceremony was also dedicated to all the servicemen of this country who have given their lives in defense of our freedom.

I had been asked to attend the occasion but was unable to. However, Mr. Bob Espey, the executive manager of the Greater Dyersburg-Dyer County Chamber of Commerce, forwarded me a copy of the citation which President Johnson posthumously awarded to Lieutenant Gardner for "conspicuous gallantry and intrepidity in action at the risk of his life above and beyond the call of duty."

I ask unanimous consent to have this citation printed in the RECORD at this point and would like to take this opportunity to pay my tribute to Lieutenant Gardner and his family and to the families of all those Medal of Honor winners who have lost their lives, as well as the recipients of the medal who received them personally from the President.

The citation follows:

The President of the United States of America, authorized by Act of Congress, March 3, 1863, has awarded in the name of The Congress the Medal of Honor, posthumously, to First Lieutenant James A. Gardner, United States Army, for conspicuous gallantry and intrepidity in action at the risk of his life above and beyond the call of duty.

On 7 February 1966 Lieutenant Gardner's platoon was advancing to relieve a company of the 1st Battalion (Airborne), 327 Infantry, that had been pinned down for several hours by a numerically superior enemy force in the village of My Canh, Vietnam. The enemy occupied a series of strongly fortified bunker positions which were mutually supporting and expertly concealed. Approaches to the position were well covered by an integrated pattern of fires including automatic weapons, machine guns and mortars. Air strikes and artillery placed on the fortifications had little effect. Lieutenant Gardner's platoon was to relieve the friendly company by encircling and destroying the enemy force. Even as it moved to begin the attack, the platoon was under heavy enemy fire. During the attack, the enemy fire intensified. Leading the assault and disregarding his own safety, Lieutenant Gardner charged through a withering hail of fire across an open rice paddy. On reaching the first bunker he destroyed it with a grenade and without hesitation dashed to the second bunker and eliminated it by tossing a grenade inside. Then, crawling swiftly along the dike of a rice paddy, he reached the third bunker. Before he could arm a grenade, the enemy gunner leaped forth, firing at him. Lieutenant Gardner instantly returned the fire and killed the enemy gunner at a distance of six feet. Following the seizure of the main enemy position, he reorganized the platoon to continue the attack. Advancing to the new assault position, the platoon was pinned down by an enemy machine gun emplaced in a fortified bunker. Lieutenant Gardner immediately collected seven grenades and charged the enemy position, firing his rifle as he advanced to neutralize the defenders. He dropped a grenade into the bunker and vaulted beyond. As the bunker blew up, he came under fire again. Rolling into a ditch to gain cover, he moved toward the new source of fire. Nearing the position, he leaped from the ditch and advanced with a grenade in one hand and firing his rifle with the other. He was gravely wounded just before he reached the bunker, but with a last valiant effort he staggered forward and destroyed the bunker and its defenders with a grenade. Although he fell dead on the rim of the bunker, his extraordinary actions so inspired the men of his platoon that they resumed the attack and completely routed the enemy. Lieutenant Gardner's conspicuous gallantry and intrepidity, above and beyond the call of duty, were in the highest traditions of the United States Army.

LYNDON B. JOHNSON.

MAYOR LEO J. ALVELAIS, OF UNION CITY, CALIF.

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. EDWARDS of California. Mr. Speaker, a most significant event will take place on Saturday evening, April 5, 1969, when leading citizens from southern Alameda County, Calif., gather at a dinner honoring Hon. Leo J. Alvelais, mayor of Union City.

As the Congressman representing this benign and fertile area, I am making a special trip to California to be present at this joyous affair. It will be a unique celebration because Mayor Leo Alvelais is a remarkable human being as well as an outstanding community leader.

My friend, Mayor Leo J. Alvelais was born January 31, 1918, in Chihuahua, Mexico. His formal education was in Spanish. With a strong desire to provide better educational opportunities for his children, he left his native country, moved to California in the early 1940's accompanied by his wife Emilia and their three small children, Leo Jr., Louis Raul, and Emilia Esther. Leo and his family located in Oakland in 1943 where he became involved in the war effort, working in various shipyards in the East Bay. Two more children were born after Leo arrived in California; Michael in 1946, and Robert in 1959.

At the time of his arrival in the United States, Leo Alvelais could not speak a word of English. Today he speaks, reads and writes fluent English although never formally schooled in the English language.

The Alvelais family moved to Union City in 1958 and since that time he has been very active in all phases of community and civic affairs. Leo was elected to the city council of Union City in April 1966 for a 4-year term. He was selected as Union City mayor in April 1968 and his term ends in April 1969, while his term as a city councilman will end in April 1970. In addition to his busy schedule as a city official, Leo has been involved in many other community activities.

He is currently a member of the board of directors of the Southern Alameda County Economic Opportunity Agency which administers the antipoverty program in the area comprised of Union City, Fremont, Newark, San Leandro, Hayward, Pleasanton, Livermore and certain unincorporated territory of southern Alameda County.

Leo is also past member of the board of directors of the Legal Assistance Center which provides legal counsel to low-income persons who otherwise could not afford such service. In addition, Leo is involved in several other civic organizations, among them as president of the Latin American Club of Union City, treasurer of Centro Socio Mexicano of Union City, public relations officer of the Union City Taxpayer's League, member of the Commission Honorifica Mexicana of Union City, member of the Union City chapter of the Mexican-American Political Association—MAPA—delegate member of the California State Central Committee, past member of Advisory Committee on Mexican Affairs to the State department of employment, and member of the Union City Improvement Association.

During Leo Alvelais' term as mayor several major steps were taken by his office. A model cities application was submitted to the Federal Government which, although not yet approved, is an ambitious and comprehensive step toward planning and implementing solutions for many of the problems facing Union City. Mayor Alvelais has initiated a mayor's "Stamp Out Unemployment Crusade" in Union City which has developed into an intensive employment drive in cooperation with the National Alliance of Businessmen—NAB—the State department of employment, Economic Opportunity Agency, and others. Union City received national publicity as the first city in the Nation to formally endorse and cooperate in new ways with NAB in their program to place unemployed persons in private industry.

A Mexican plaza project for the Decoto area has long been a prime program for the mayor to provide a recreational and cultural gathering place to enhance the Mexican heritage of Union City. An open space acquisition and development grant for a Mexican plaza was recently filed with the Federal Government and the city has received authorization to proceed with the project.

The improvement of the Alvarado area has also been a chief concern of Leo's and as mayor he reaffirmed to the county board of supervisors the city's desire to receive top priority for flood control and drainage improvements in Alvarado. Appearing before the board

of supervisors, Leo was successful in obtaining a commitment that Alvarado would be considered first for improvements when adequate funds accrue to the flood control district budget.

Another phase of Alvarado improvement began while Leo was mayor and will involve the possible establishment of special assessment districts in Alvarado to provide curb, gutter, sidewalk, street and other improvements as well as the possibility of a neighborhood development program—NDP—which would be a major step, funded primarily by the Federal Government, to redesign, upgrade and significantly improve a major portion of the Alvarado area while still retaining its essential character and appeal.

Mayor Alvelais has also been active in BARTD affairs including support of recent sales tax measure necessary for financing BARTD completion, execution of the Union City BARTD station agreement and development of the central business district which will adjoin the BARTD line and station in Union City.

Vitally concerned with the needs of the people, Mayor Alvelais was instrumental in the city's entry into the section 23 leased housing program whereby Union City became the first city in Alameda County to join with the Alameda County Housing Authority to improve and provide local housing under which privately-owned dwellings will be leased to occupants with low incomes who otherwise could not afford such housing. Leo was also instrumental in spearheading a sound and acceptable recomposition of the governmental portion of the board of directors of the Southern Alameda County Economic Opportunity Agency.

In addition to his extensive activities as a city official, community leader, and member of civic organizations, Mayor Alvelais manages to find time for full-time employment as the head of the printing department of Fruitvale Canning Co. in Oakland. His energy, devotion to the community and interest in local affairs are unlimited. Both his accomplishments as mayor and his involvement in many community groups and organizations are reflections of his high motivation and continuing devotion to his community.

Mr. Speaker, I am glad to have this opportunity to share with my colleagues in the U.S. Congress these significant facts about a talented and energetic American, Leo J. Alvelais, who, to paraphrase President Kennedy, asks not what his country can do for him, but what he can do for his country.

TRIBUTE TO THE HONORABLE SAMUEL N. FRIEDEL, OF MARYLAND

HON. GEORGE H. FALLON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. FALLON. Mr. Speaker, on February 25, a dinner honoring our distinguished colleague, the gentleman from Maryland, SAMUEL N. FRIEDEL, was given in Baltimore. Over 650 people, representative of Baltimore's finest citizenry, attended.

The proceeds from the dinner went toward the building of a new religious school.

Rabbi Shusterman made some very fine remarks on this special occasion when he paid tribute to SAM.

It is a distinct honor and privilege to submit to my colleagues in the House, the remarks of Rabbi Shusterman. Needless to say, I agree with the Rabbi's comments 100 percent.

TRIBUTE TO SAMUEL N. FRIEDEL

This banquet, like love, is a many splendored thing. If we had decided only to hold our usual donor dinner to raise sufficient funds for the needs of our own brotherhood program we would say "dayaynu—it is enough for us." The cause or the end justifies the means. If this were only a gathering to stimulate further interest in the vital building program of the congregation, again we would conclude "dayaynu." But think of these important causes and add the extra sparkle of friendship for gratitude to and admiration of our fellow-member and congressman Samuel N. Friedel—and we proclaim in the words of the Passover ritual, "How much the more are we to be thankful for this hour and this experience."

I am by no means a newcomer to Baltimore. Here I have spent the past 27½ years of my life. These, by every possible calculation and appraisal, are the best years of life—Yet when I first met Sam Friedel he already was active in public service, having served in the House of Delegates and the City Council. We saw him progress from local to national involvement. We watched him advance in seniority in the Congress and—as the years flew by—to receive the repeated endorsement of his constituency. He has the knack of making friends and keeping them. Success has not spoiled our distinguished honoree. It is impossible for me to describe all the circumstances under which Sam Friedel and I have worked together, have taken counsel with each other. These range all the way from the sad moments of the death of his mother and brother—to Bar Mitzvahs and Confirmations in his family—from his arranging for an invitation to me to deliver the invocation in the House of Representatives—to my repeated requests that he help us obtain a national figure as speaker for one of our gatherings. He never says "no" to any legitimate request and always extends the hand of helpfulness.

Sam is blessed with two amazing qualities. One is the universality of friendship. He is a Democrat who can boast of Republican friends who trust him and a Jew who is blessed with hosts of Christian well-wishers who respect him. To him labels and color are purely incidental and not of the essence of manhood. He also is a doer rather than a talker. Sam's strong point is not oratory but hard work. We never think of him as the maker of mere campaign promises that remain unfulfilled after the election. He asks for the confidence and endorsement of his constituency on his record. It it is the record of a consistent liberal whom even the most cautious conservative would not call "wild-eyed." He is a prudent man who understands the lingo of both the pragmatic politician and the egg-head. That is why we, his fellow-members of Har Sinai in the company of so many friends from other synagogues and churches, rejoice in the privilege of honoring him tonight.

At this high moment in our proceedings I will not encroach upon other speakers by thanking you who made this evening possible or by expounding on the specific brotherhood needs and aspirations of Har Sinai. Needless to say my personal gratitude is beyond expression. Let me add only a word or two about the new building program. Congressman Friedel was kind enough to ask that as much of the proceeds as possible be earmarked for the new educational and administrative wings we are adding to our temple complex. These are sorely needed to make the Har Sinai of tomorrow an institution more worthy of the challenge of the American Jewish future. We will see to it that something significant is named after Sam so that future generations will understand how proud we are that this man lived and served his city, State and Nation in these trying times.

None of us can tell how long life will last, although we pray for Sam and Regina as we do for ourselves—until one hundred and twenty years give or take a few either way. I want to be remembered for many things I have loved and prized and among these is the privilege of having led the congregation from Bolton Street to the suburbs and of finishing the job, of completing the structures, of seeing our dreams fully realized. I want to provide the next generation with even finer opportunities and facilities than my predecessors left for me. Men like Sam Friedel and scores of others have given this ambition, this dream, this aspiration new meaning and are trying to make it come true. Because of people like you I hope soon to be given the sacred privilege of dedicating the buildings we need to complete this task and to say with the prophet Malachi, "The glory of this latter house shall be greater than that of the former, saith the Lord of hosts, and in this place will I give peace, saith the Lord."

Rabbi ABRAHAM SHUSTERMAN.

CRIME IN WASHINGTON UP ALMOST 44 PERCENT

HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. ROGERS of Florida. Mr. Speaker, new crime statistics for the District of Columbia indicate January 1969 crime increased 43.9 percent over the same month last year.

Specifically, murder showed a 100-percent increase, rape 64.3 percent, robbery 101.4 percent, burglary 44.1 percent. Only aggravated assault showed a decrease, less than 2 percent.

Apparently these statistics, or the raw material from which they were compiled, led to the decision by Chief Layton and Mayor Washington to place an additional 175 policemen on duty during February. I have previously commended that action.

Congressional committee action on the crime crisis appears to be stalled. The chairmen of the House District of Columbia Committee and the House Judiciary Committee have still not moved any of the legislation pending before them. In the Senate, where hearings have been held, it is reported that no further action will be taken until the President sends up his own plan. Most citizens applauded the statements made by the President regarding his plans for the city of Washington to meet the crime crisis, but the specific legislative pro-

posals to carry out those plans have yet to be received on the Hill.

Every month that goes by without action results in new statistical proof of the scope and seriousness of the problem. There can be no excuse for further delay, either on the part of congressional committees or the White House.

THE FORGOTTEN AMERICAN: AN APACHE YOUTH'S VIEW

HON. SAM STEIGER

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. STEIGER of Arizona. Mr. Speaker, Miss Brenda Lavendar, a White Mountain Apache, wrote the thoughtful and pertinent article printed below. The valid points she makes are ones that all Americans would do well to heed:

THE FORGOTTEN AMERICAN

(By Brenda Lavendar)

(EDITOR'S NOTE.—This article is being reprinted from the Talon, the student newspaper at Alchesay High School in Whiteriver. Miss Lavendar, a Junior, is on the Honor Roll with an "A" average. She is active in School activities and is secretary of the Luther League at the Whiteriver Lutheran Church. Her desire . . . to get a good education and thus be able to help her people.)

Apache—this was once a word which less than a century ago made a white person shiver with fear and brought visions of cunning, strength, and bravery to the mind. Nowadays what would an outsider, or even an insider think of, once he encounters the word, Apache? More than likely, he would think of one drunken—dumb Indian.

Of course we are improving our way of life, progressing and meeting the standards of the rapidly advancing world around us; but there still remains the bad qualities which we possess and almost always, they are the ones by which we are judged.

We are an intelligent group of people, very capable of opening the doors to opportunity, success, and happiness; but the sad thing is that we do not realize these things. A few of us may, but a majority do not. What we need is unity. We may have great leaders among our midst, but every single one of us have to pitch in our two cents in order to make something out of ourselves, not only as individuals but also as a tribe.

More than often, we tend to shake loose the pressure of responsibility. When a situation arises which requires assistance of a person as an individual or as part of a group, he is prone to say, "Let them do what needs to be done. I'm living a good enough life right now. If things get worse I can always depend on welfare and relief, and another thing, I have lots of relatives. They will help me out."

This is the attitude most of us are likely to have. We have no sense of duty. In order to keep up with the world we must learn to do things for ourselves. We must learn to cope with our problems, and try to solve them, rather than tossing them aside hoping the other person will solve it in time.

We Indians in America are often referred to as the forgotten American; but I sometimes wonder, are we really forgotten? Think of the many wonderful opportunities waiting right under our noses, and we don't have to pay a red cent to achieve them. Think of the many progams by which the government and various other organizations, have brought food, clothing and education to our homeland. If we can't provide such opportunities for ourselves, the least we can do is to make use of them while they are within reach. Who knows? Tomorrow they may be gone.

Are we the forgotten Americans? It is we ourselves who must determine whether we will be a people who will keep up with the pace of the world, or lag behind and gradually become, the forgotten Americans.

BEN NATHANSON CELEBRATES 30TH ANNIVERSARY OF A NEWSPAPER

HON. JAMES G. O'HARA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. O'HARA. Mr. Speaker, 30 years ago a young man, using an automobile for an office, established a small newspaper in suburban Detroit which he called the East Jefferson Shopper.

Last week that man, Ben Nathanson, celebrated the 30th anniversary of the founding of that newspaper.

He did it by marking the completion of a splendid new building to house all his newspapers.

That small, one-man operation of 30 years ago has now grown into a large and complex publishing enterprise. In this new building, located in East Detroit, Nathanson will centralize the operations of Michigan's largest group of weekly suburban community newspapers.

While Ben Nathanson's newspapers have been growing both in size and number, he has not sacrificed quality. They are among the finest community newspapers in the Nation. It is worth noting too that Ben's weekly column has been honored by the Michigan Press Association.

Mr. Speaker, I want to congratulate Ben Nathanson for his success of the past 30 years and wish him continued success in his new publishing plant.

I insert the news story "New Facility Designed To Improve Service," and Ben Nathanson's column "Slants on the News, 30 Years of Service," in the RECORD:

NEW FACILITY DESIGNED TO IMPROVE SERVICE

East Side Newspapers will join the Community News in their new central office building, 17401 E. Ten Mile, East Detroit, Saturday, completing an expansion program which began with the opening of the building in January.

Since that time, the New Ten Mile headquarters has housed the editorial and circulation departments of the Macomb County Community News editions. Advertising and business department personnel servicing Community News accounts will make the move along with East Side Newspapers.

The move, announced by president and general manager Ben Nathanson, will be made without any disruption of service. The office will continue to be open for business during the regular hours of 9 a.m. to 5:30 p.m. on week days and 9 a.m. to 1 p.m. on Saturdays. It is located on Ten Mile at Macomb, between Kelly and Gratiot. The Community News telephone number, 772-3700, will remain the same.

East Side Newspapers, which publishes the East Side Shopper, East Side Booster and East Side Express in Detroit, Harper Woods Community News and Grosse Pointe Press, will retain a branch office at its former headquarters, 16300 Harper in Detroit. It will continue to be staffed by editorial, circulation and want ad departments

The new office will make possible the uniting for the first time under one roof the operations of Michigan's largest group of weekly suburban community newspapers. In addition to the five East Side Newspapers, the group publishes Macomb County editions of the Community News in Mount Clemens, East Detroit, Roseville, Fraser, St. Clair Shores, Clinton Township, Warren and Center Line. Total weekly circulation average is 150,000.

In addition, Nathanson publishes the Northwest Detroiter, Southfield Record and Oak Park News with headquarters at 17311 W. Seven Mile. These three Northwest Detroit suburban editions with a combined weekly average circulation of 40,000 are composed at the new Ten Mile headquarters.

Since 1965, the Harper office has served as the headquarters for the two-county, 13-edition East Side Newspapers/Community News group while a branch Macomb office was maintained, first at 21850 Gratiot and then at 14614 E. Nine Mile, prior to the January move into the new building.

Now for the first time the group will be housed in a building specifically designed and built for its publishing operations.

In making the announcement, Nathanson emphasized that "the flexibility and updating of our facilities will allow us to keep pace with the growth of our Macomb County suburban editions and the progress of our Detroit and Wayne County editions we have experienced in the past five years."

Nucleus of the group was the East Side Shopper, started by Nathanson in 1939 as the East Jefferson Shopper.

The Macomb County editions of the Community News were taken into the group in 1962 and expanded in 1964. The Northwest editions were purchased in April, 1968.

The modern 12,000 square-foot carpeted facility on Ten Mile includes news room and general office space, executive offices, conference room, lunch room, dark room, circulation library, storage area and utility room in addition to the type-setting and composition departments.

As soon as weather permits, the 77-car parking area will be paved and the area landscaped.

THIRTY YEARS OF PUBLISHING: SLANTS ON THE NEWS

(By Ben Nathanson, president and publisher)

Almost 30 years to the day it is since I ventured into the business of publishing a community newspaper in Detroit. It was March in 1939 when the East Jefferson Shopper (later the East Side Shopper) came into being.

My office for almost two years was my 1937 Chevrolet, and the wonderful Kilcoyne family who lived at 739 Manistique permitted me to use their address as a mailing location. The paper's first business location was at 1039 Eastlawn, then to Jefferson and Coplin, Jefferson at Philip, Mack at Alter road, and in 1965 we moved to Harper and Three Mile drive which has been the headquarters for our East Side Newspaper/Community News groups ever since.

Branch offices since 1965 (now closed) were operated from Gratiot and 8½ Mile road and Nine Mile road near Hayes. Our newest Northwest Suburban Newspaper group has editorial and business offices at 17311 West Seven Mile road near Southfield. The Northwest Detroiter, Oak Park News, Huntington Woods News and Southfield Record are published weekly from that office.

THE LONG SEARCH

Next week the business headquarters of our East Side/Community News groups will be transferred to our new 12,000 square foot

modern building at 17401 East Ten Mile near Gratiot in East Detroit. The digging, assembling and construction has been under way for about a year, and a year prior to digging the first shovel of dirt, I searched (with the help of many real estate experts) to find a land site large enough and geographically suitable so that we could house most of our East Side employees under one roof and efficiently service our subscribers and advertisers from somewhere near the center of our circulation area.

The daily newspaper strike, construction strike, telephone strike, Edison strike—and there must have been some other strikes—all contributed to the delay, a most frustrating experience.

Now, at long last, members of my very patient staff are about to see another dream come true in our growth pattern. A new era of public service and self-fulfillment is about to begin, and I don't mind admitting that the prospects for future growth are even more exciting than they were when I was driving by 1937 Chevy.

A LOYAL TEAM

In those days I was pretty much all alone. Today I am blessed with a fine, loyal team of employees, almost 100 strong, plus almost 1,000 carrier boys who help deliver our nine basic newspapers and 15 editions to almost 200,000 families every week in the tri-county area in and around Detroit and 17 suburbs.

Our present Harper-Three Mile drive building will continue to be utilized (as a branch office) for the convenience of patrons in eastern Wayne County who desire to deliver news items in person or pay bills personally to our classified advertising or circulation departments. Service personnel will be stationed at the Harper branch as a public convenience daily from 9 a.m. to 5:30 p.m. and Saturday from 9 a.m. to 1 p.m. for an indefinite period.

A double telephone switchboard with 26 incoming lines has been installed at the new headquarters building on Ten Mile road to handle the anticipated increase in phone communications created by the consolidation of the majority of our staff involved with East Side and Community News editions. Free parking areas to accommodate 77 cars adjacent to our new building on our two-acres of land has been provided for customers and employees.

UTMOST IN COMFORT

Seven heating and air-conditioning zones have been installed in our new facility which is designed to offer the very best comfort for employees and the public. When it is officially completed in the next few months, our central office building will be carpeted throughout the interior and asphalted everywhere in the 47,000 square feet of parking area. Special outside lighting will brighten the exterior.

Our huge exterior sign was created not only to identify our location, but also to offer passing traffic the correct time via a revolving clock. Beneath the time piece the sign resembles a theatre marqee so that it may be used to publicize special attractions, important community affairs and other observances. We plan to make our sign available to service groups and municipal governments served by our newspapers. Advance reservations will be cleared by our public service department.

Requests for display space also will be honored on a limited time basis to groups who want to utilize our large lobby area inside the new central building. Preference will be given to organizations that do not have their own facility in which to exhibit nonprofit projects and programs near and dear to their hearts.

HAPPY COLLECTORS

Two years ago when I started to search for an existing building large enough to house our East Side staff and also centrally located in terms of our total circulation coverage, I discovered how impractical it was. Therefore, I was obliged to buy land, and fortunately I was able to find a suitable site not too far from Detroit proper, which has been our base of operations for so long. The two acres I found on Ten Mile and Macomb street is the very last two lots available on Ten Mile in East Detroit. The City of Roseville begins, in fact, on the east side of Macomb street. Furthermore, the northern portion of our land (63 feet) is in Roseville. Thus, we are tax payers now in three cities: Detroit, East Detroit and Roseville. There's nothing like making three tax collectors happy instead of only one!

Although the need for centralizing our location in terms of our southern Macomb County and eastern Wayne County interests are concerned has been pressing for some time now, I feel it is very important, too, for our newspapers to be identified and located in Detroit proper which explains our retention of branches at Harper and also at West Seven Mile.

At least the current move, I trust, will provide us with adequate means to serve our various constituencies in the manner to which they are entitled. In the past, our phenomenal growth and lack of foresight into the future created problems which in effect made our facilities too small almost the very day we moved into them. Enough is enough already!

PROTEST THE CLOSING OF THE ST. CLAIR COUNTY TRAINING SCHOOL

HON. BILL NICHOLS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. NICHOLS. Mr. Speaker, I recently placed in the RECORD a number of letters from students and parents whose school, the St. Clair County Training School, is being closed by order of a Federal judge. These students and their parents do not want their school closed, and have made every effort to get this idea across to those who have made this decision. I have received another letter from the student council of the school, and I submit this letter for inclusion in the CONGRESSIONAL RECORD, as follows:

PELL CITY, ALA.,
February 14, 1969.

Hon. BILL NICHOLS,
U.S. House of Representatives,
Washington, D.C.

DEAR MR. NICHOLS: We, the student body at the St. Clair County Training School, are soliciting your assistance in helping to maintain the present status of our school, Grades 1–12. Many of us who had our beginning at the County Training School would like for it to be the school that we could refer to as "our dear Alma Mater." We, the Elementary, Junior and Senior High School students have anticipated being the potential graduates of this school.

Another one of our basic concerns is that we would like to maintain our high school so there might be one predominantly all Negro school in St. Clair County. We feel that we have an outstanding school, for there are many former students who have pursued higher goals in life and have been very successful. Every effort is being done by our qualified principal and staff in providing knowledge and skills that will help us to become useful and productive members of our society.

The school being accredited by the State Department and one of the few schools accredited by the Southern Association of Secondary Schools and Colleges is a remarkable accomplishment for us. Taking the High School Department away will destroy these accomplishments that we have diligently toiled to obtain.

We are seeking your help as our Congressman to render your service and efforts in helping us to maintain our school.

Very truly yours,

ALICE GAMBLE,
President of Student Council.
PEGGIE FORMAN,
Secretary.
MARGRETTA TINSLEY,
Student Council Adviser.

THE 50TH ANNIVERSARY OF THE LEAGUE OF WOMEN VOTERS OF MONTGOMERY COUNTY, MD.

HON. GILBERT GUDE

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. GUDE. Mr. Speaker, Sunday's Washington Post "Potomac" magazine carried an excellent feature article by Julius Duscha highlighting the history of the League of Women Voters. His historical résumé commemorates the 50th anniversary of the league in Montgomery County, Md.

In preparing his article, Mr. Duscha was told that he could never understand the league until he had seen one of its unit meetings. This admonition led to what he described as his very conspicuous presence in a family-room full of women, when he attended a recent unit meeting of the Montgomery County, Md., League of Women Voters.

I have shared this reporter's experience, both as a State senator and a Member of Congress, in meeting on numerous occasions with units of the county league. On each of these occasions, I have been presented with comprehensive, well-defined positions taken by the league which demonstrates their thorough research and systematic analysis on matters of public concern. I have likewise been impressed by the personal depth of understanding which these ladies have evidenced in their visits to my congressional office, and the subsequent resolve to act on the basis of their findings. Their research is diligently pursued; their interests are broadly conceived; and their participation is zealously lived.

As the league enters this period of national recognition on its 50th year, I would like to commend to my colleagues a brief history of the League of Women Voters of Montgomery County, Md. It was prepared and provided by the Marie Bennett Memorial Library of the Montgomery league, and it confirms the things I have been saying:

EXPERIMENT IN PEACEFUL AGITATION

Members of the League of Women Voters of Montgomery County, Maryland, have been practicing participatory democracy for half a century. March, 1969 marks the beginning of their fiftieth year. Their record is a graphic reflection of the principle that informed, determined and organized citizens can profoundly influence the performance of their government.

They began in 1920 under the leadership of a handful of veterans from the woman suffrage movement. Their first president was Mrs. Lavinia Hauke Engle. Her father was a Quarter lawyer who had handled several prominent cases involving the rights of women. Shortly after the Civil War he had sponsored the first woman attorney to be admitted to practice before the United States Supreme Court, Miss Belva Lockwood. Mrs. Engle's daughter, also named Lavinia, was Field Secretary of the National American Woman Suffrage Association until 1920 when she became Executive Secretary of the League of Women Voters of Maryland. Miss Engle is still active in the Montgomery County League. Also among the early leaders was Mrs. Eugene Stevens of Bethesda, who later served as president of the local chapter.

It is helpful to recall the political climate into which the League of Women Voters of Montgomery County was born. In many respects, Montgomery County in 1920 represented Maryland in miniature, even as Maryland has been called the United States in miniature. The county's location between coastal plain and mountains, between north and south, astride Braddock's Road to Cumberland and the west, between the port of Baltimore and areas whose commerce it served, and adjacent to the nation's capital, brought together within the county attitudes and passions from all over the nation. These often enriched and sometimes divided the populace.

Most of the county was rather typical of rural, agricultural America, but the rapidly growing population close to the District of Columbia was overwhelmingly made up of urban-oriented business and professional people and government workers. The county contained active supporters of women's rights and their opponents. There were advocates of Negro rights and their opponents. There was then, as now, an uncommon diversity in the ethnic and religious backgrounds of the population.

In 1919 female suffrage had been one of the more heated issues in the local elections. While party platforms and statewide candidates discussed the issue in terms of state's rights, candidates for local office reflected a strong local southern influence with reference to the numbers of Negro women in the state and declarations of support for suffrage for white women only. Thus the notion of women engaging in politics at this time not only provoked wrath among opponents of female suffrage, but also involved the racial issue. The Maryland League of Women Voters had Negro members from its very beginning, and included them in their luncheon meetings in Baltimore hotels which were otherwise segregated.

In those days, women's activities beyond the home, were limited mainly to the various ladies aid societies and women's clubs, the Daughters of the American Revolution and the Daughters of the Confederacy. For the reform minded, there were the Women's Christian Temperance Union, which met quite regularly, and the Anti-Saloon League. Many business interests were uneasy. Not surprisingly, the liquor interests felt, with some justification, that women had had a lot to do with the prohibition movement which convinced them that women were not to be trusted with the vote. Thus a certain audacity and courage was required to begin the work of the League of Women Voters in Montgomery County in 1920.

The Montgomery League, functioning as a component of the Maryland League, contributed to the nationwide effort to teach women how to use the vote and to improve conditions in their community by conducting local citizenship schools, get-out-the-vote drives, and studies of county government. They urged their representatives in Congress and the General Assembly to support legislation in the fields of education, health, legal status of women, and child welfare, to name a few.

From this tiny beginning was to grow the third largest local League in the country, ranked behind only New York City and Los Angeles. For nearly two decades, however, they continued as a small, informally organized group of less than 100. Some of their leaders during the thirties were: Mrs. Herman Wilson, Mrs. Gilbert Grosvenor, Mrs. V. L. Ellicott (daughter-in-law of Mrs. Charles Ellicott of Baltimore, president of the Maryland League its first eighteen years), Mrs. Walter Perry, Mrs. Mordecai Ezekial, Mrs. Raymond Clapper and Mrs. John C. Livingston. They prodded local officials and examined government functions first hand, sometimes asking embarrassing questions. Their findings were reported back to their members, to the press and to anyone who would listen. Slowly the masculine hostility and suspicion receded as their reputation for careful, objective work took root.

The local group seems to have been somewhat insulated from the more devastating effects of the depression; nevertheless, the late thirties did mark the beginning of a surge of growth and activity. In 1938, the League took its first step in what was to become a ten-year successful campaign to do nothing less than to revolutionize the county's government. That effort is still remembered as a classic episode in the League's history.

The headlines of the times testify to the League's participation in this campaign, but are no measure of the scope of that participation. First, the League endorsed the County Civic Federation's call to the County Commissioners for a professional study of the local government. The League had just completed a two-year study of its own which had convinced its members that major changes were in order. When the Commissioners yielded to this request, the League was one of the groups which urged them to accept the offer of the Brookings Institution to make the study for a nominal charge. Careful review of the Brookings Report in 1941 prompted the League to call for a charter providing for local self-government under a council-manager system with a merit system for county employees.

The League's organizational ability was put to work, sometimes independently, sometimes through the Montgomery County Charter Committee. Members gathered signatures. They manned the Speakers' bureau. They produced fliers and booklets and distributed them. A five "man" Charter Board was elected, consisting of four men and a past president of the League. The whole League was galvanized into action. The opposition was entrenched and formidable. The charter which the Board drafted in 1943 was narrowly defeated in the 1944 election, but a new campaign was begun immediately. The same difficult process was essentially repeated and produced the charter that was adopted in 1948. Another former League president was elected to serve on the first County Council

The League truly came of age during this long fight. Its membership doubled and then redoubled. Its place in county affairs was now firmly established. The emphasis in its program shifted beyond the confines of more traditional feminine interests in welfare, education and health toward broader questions of public policy such as planning and zoning, constitutional reform, civil rights, and international political and economic relations. It accelerated its metamorphosis from a feminist organization into one which by the early sixties could adopt the slogan "one man, one vote" without a second thought. Its internal organization had been restructured from the national board down to the neighborhood units.

Broad membership participation was built into the structure. Every member had a responsibility to help to choose items for study, to inform herself and to help to make policy decisions. The organization precluded the reliance on a few experts to study problems and boards of directors to establish policy. The new structure sacrified the capacity for quick action in order to gain a capacity for more effective action. This practice is sometimes infuriating to groups urging the League to dash off and right whichever wrong is troubling them most at the moment. They find is difficult to understand that the effectiveness which they admire is the result of painstaking concentration on carefully selected items.

The methods of operation developed and refined during the charter fight were applied to a series of other local causes. Since an essential element in these methods includes working with other groups wherever possible, the League certainly can not claim sole credit for all the reforms which it sponsored. However, many League objectives have been realized, including (1) a county library system, (2) a merit system for county employees (with a League member on the first Personnel Board), (3) a county operated junior college, (4) an elected school board, (5) transition to integrated schools without the necessity for local court action, (6) more local control over state established bi-county agencies for planning, parks, water and sanitation, and (7) a strong local open housing ordinance.

Its work has helped to achieve many triumphs in the continuous effort for better land use planning, excellence and efficiency in the public schools, a rapid rail transit system, fair and adequate housing for all citizens, responsive and responsible county government, better park and recreation services, and conservation of water resources. While pushing for these measures on the local level, it has maintained an active participation in national, state and metropolitan area programs on matters pertaining to foreign policy, human and natural resources, fair representation, fiscal reform, state constitution and so on.

"God forgives, man forgets, but a woman remembers forever," quoted one candidate at a League candidates meeting in Montgomery County over twenty-five years ago. So that all citizens, not just women, may know a candidate's position before an election, and not let him forget it afterward, the League has always maintained an extensive voters' service program. Before each election it publishes a Voters' Guide which includes a list of polling places, an objective analysis of each referendum question, and information supplied by the candidates about their background and their stands on key issues. It conducts candidates meetings which regularly offer the public a view of candidates from all parties and factions on a neutral platform. It makes information on registration and voting available through flyers, public media and a telephone service at its office.

Between elections, the League publishes booklets such as its "Know Your County," which has been used as a text by the public schools, "Equality of Opportunity," and "Housing in Montgomery County." It maintains a speakers bureau, sends observers to meetings of public bodies, and conducts "go-see trips" to County Council sessions, the State House, the U.S. Capitol and the United Nations in New York.

A steady stream of League graduates has flowed into party politics and public office. They have taken positions in the Maryland Senate, the House of Delegates, the Circuit Court, the County Council, the Board of Education, the Constitutional Convention, and innumerable other boards, commissions, and committees and operating level positions in government and politics.

Presidents of the League of Women Voters of Montgomery County since 1940 have been the following: Mrs. G. Minier Hostetler, Mrs.

PGad Bryan Morehouse, Mrs. Dean Dinwoodey, Mrs. Durward V. Sandifer, Mrs. Frank R. Garfield, Mrs. Ralph E. Himstead, Mrs. James R. Hemingway, Mrs. James V. Bennett, Mrs. Thomas Lee Smith, Mrs. Elizabeth Rohr, Mrs. Thomas G. Casey, Mrs. William A. Schell, Mrs. Mayhew Derryberry, Mrs. William N. Garrott, and Mrs. Alan Y. Cole.

In a few words, what does it all mean? What is the essence of "the League" in Montgomery County? The League of Women Voters is a nonpartisan organization whose purpose is to promote political responsibility through informed and active citizen participation in government. It believes in the democratic principles and individual liberties established in the Constitution of the United States. It takes action on governmental measures and policies in the public interest. It does not support or oppose any political party or candidate. Membership is open to anyone who subscribes to its purpose and policy. Voting members must be women citizens of voting age.

Applications of these principles means that League members are encouraged to become involved in the party of their choice, but that those who hold leadership positions or represent the League before the public may not participate in partisan affairs. It means that within the League, allegiance to democratic principles is almost spiritual in nature. Those with treasured myths about women's organizations should take note. Young radicals revolting against the notion that "the clothes makes the man" should take note. Among League members, the clothes do not make the woman, nor does the accent, nor ancestors, nor income, nor creed, nor academic attainment. There is an incredible disinterest in anything about one except for what she has done in the League—lately. Here is a mechanism whereby unbelievably diverse personalities work harmoniously toward common interests. One might call it a laboratory in participatory politics.

Does forty-nine years of experimentation justify its continued existence? At least twelve hundred women in Montgomery County would answer, "Yes!" They believe that the ever increasing complexity of life in general and government in particular make it ever more vital for individual citizens to have a program which offers systematic analysis and action on matters of broad public policy. This challenge they take as their assignment from society for the next fifty years.

JAMES K. NORTHAM

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. JACOBS. Mr. Speaker, I request permission to insert the following editorial from the Indianapolis Star, published on March 12, 1969.

This tribute is too eloquent to be expanded. On the other hand, Mr. Speaker, Jim Northam was a warm, good friend to my father and me. And, along with the rest of our fellow Hoosiers, we are diminished by his loss.

JAMES K. NORTHAM

James K. Northam served the legal profession, his state and his country with acuity and insight born of study, experience, knowledge and reflection about people and the things they live by. He was scholarly, observant and individualistic, a witty analyst of human events, a keen student of world affairs, a man with a sense of history and style.

His tragic death by fire is a deeply felt loss to his many friends and acquaintances. Our profound sympathy goes to his family.

"LOVE THY NEIGHBOR"

HON. JERRY L. PETTIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. PETTIS. Mr. Speaker, during a time of major disaster in the 33d Congressional District of California, when floods virtually wiped out whole communities, it occurred to me that my colleagues might like to see the kind of people-to-people programs that developed out of nowhere. It is this kind of "Love Thy Neighbor" attitude which solves problems quickly and efficiently.

The following is a copy of a bulletin which I took from a bulletin board in a residential area which suffered more than $1 million in home loss alone during the flood:

MARCH 7, 1969.

To: Dunlap Acres Residents.

From: Joe Mulder, Yucaipa Valley Park and Recreation District, Volunteer Director, 13th Street and Avenue E, Dunlap Command Post, Telephone 797-8882.

HI NEIGHBOR: I'm happy to have time to stop and jot a few lines for your information on the progress of the clean up and digging in your neighborhood. Progress looks good.

Owners of flood damaged properties which have not been re-appraised should notify the county assessor's office "as quickly as possible" in order to obtain assessment reductions for 1969.

Please check with me before hiring heavy equipment to make sure the price is fair.

Now, I'd like to thank my volunteer staff—Bob Mulder, who has been working side by side with me and the Red Cross volunteers, Barbara De Roo, Joyce Nehlsen, Natalie Sanchez and Inga Wilkes. Barbara, Joyce and Natalie came to us from Redlands and Inga is your own neighbor from 15th Street. I'm sure you know these gals by now. You can recognize them by their Red Cross arm bands.

It would have been impossible to have made the progress that we have without the help of the Marines—many of those boys have served one or more tours of duty in Vietnam. Thank you for your neighborliness to our Marine helpers—1st Plt, B Co, Hq. Btry, 5th F.A. Gr Marine Corps Base, 29 Palms, Calif. 92278. That's the address in case you want to thank them personally. Now that the danger to life and limb is over the Marines must return to military duty.

Rev. T. White of the Free Methodist Church has been so kind as to let the Command Post be headquartered in his office. We do thank him. There are so many people to thank for their time, talent and donations I don't know where to start. We will list our friends on another bulletin.

We do have large amounts of clothing, bedding, household items which your friends have donated to us for your use. Please come and get these things as we need the space for more donations that have already been offered. These items are stored at the Southern Baptist Church on 15th St. and Avenue E, the Free Methodist Church on 13th St. and Ave. E, and also the Yucaipa Valley Welfare on Avenue B west of California Street. There is no charge.

Ruth Tator and Stephanie Stephens, Red Cross Case workers are stationed at the Southern Baptist Church, Ave. E & 15th from 10 a.m. to 3 p.m. to help flood victims that are destitute. We thank Rev. Fike for the use of his church.

Well, it's back to work and thanks to the Yucaipa Valley Presbyterian Church for getting this bulletin out.

MEAT IMPORTS

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. ZWACH. Mr. Speaker, at the present time, meat imports coming into the United States are supposedly controlled by Public Law 88-482, passed by Congress in 1964. This law has been very inadequate. Today meat imports are coming in over, under, through, and around this so-called meat import control law. The so-called yardstick known as the adjusted base quota provides only the minimum of protection on the quantity of fresh or chilled beef that is imported, and none at all on the preserved or canned beef. I am therefore introducing a bill which I believe will be of material assistance as a warranty to our economically oppressed rural citizens by strengthening the act of 1964 and to broaden the species and kinds of meat which can come under import quotas.

My bill maintains the same adjusted base quota of 725,400,000 pounds of meat. But my legislation would include under this 725.4 million pounds, fresh, chilled, or frozen meat of lambs; fresh, chilled or frozen meat of swine; all beef and pork sausages, whether or not in airtight containers; prepared or preserved pork; and lastly, prepared or preserved beef and veal. These items are added to those few which are now included under Public Law 88-482, namely fresh, chilled or frozen meat of cattle, goats, and sheep.

Although the policy of Congress as stated in the law, specified the quantities of beef, veal, and certain mutton products which may be imported, no statutory provision exists to check such imports unless the Secretary of Agriculture estimates, in advance, that the volume is likely to exceed the adjusted base quota by 10 percent. This language has made it possible for an extra 10 percent of foreign meats to come in the United States, above the quota.

My bill would eliminate these additional imports and would forbid importation of the specified meats above the 725.4-million pound total. It would not be necessary for the Secretary to make any estimates before these imports could be checked. By this bill, the quota would be imposed by the law itself, and would not be dependent upon the Secretary's estimate.

This proposal would also require that no more than one-fourth of the products imported each year would be allowed on the market during any one calendar quarter. This would protect against flooding the domestic market during any particular period of time. Finally, my bill provides that offshore purchases of meat by the Defense Department for the use of our troops at home or abroad shall be

charged against the quota applicable to such meat.

Meat imports into the United States had a value of $763 million in the calendar year of 1968, representing a 15-percent increase over the previous year. A total of 1,128,000,000 pounds of beef and veal were imported in 1968, with a value of $485 million. In 1967, this figure was 979 million pounds and had a value of $404 million. Increases were noted in all three categories of fresh, chilled, and frozen beef, both in volume and in value.

In the area of pork, $169 million were imported in 1968 as compared to $157 million in 1967; fresh lamb doubled from $4 million to $8 million; and fresh mutton also increased in value of imports from $14.1 million to $15.5 million. The average value per pound of imported beef was 42 cents while canned pork, usually as shoulders or canned hams were imported at 75 cents per pound.

The U.S. Department of Agriculture reports that a total of 613.9 million pounds of meat subject to the narrow limitations of Public Law 88–482 entered the United States in 1965. This figure grew to 823.4 million pounds in 1966, 894.9 million pounds in 1967; and to a whopping 1,001 million pounds last year. All without once having to implement quotas as all of these totals were well within the annual 10 percent guaranteed growth as defined in the present inept law.

I sincerely hope that this Congress will permit hearings on the need for amending the present law so that we may have an opportunity to bring some limited protection to a very vital segment of our society, that of the rural food producer.

MISS ALICE M. ISELY

HON. GARNER E. SHRIVER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. SHRIVER. Mr. Speaker, Miss Alice M. Isely, of Wichita, Kans., who was a highly respected teacher and librarian for many years, passed away last week. She was 103 years old.

About a year ago I visited with Miss Isely in her home. She was interested and concerned in the work of the Congress. She had written to me many times in recent years expressing her views on legislation and other matters affecting our country. Miss Isely was a dedicated American citizen, and I might add, she was proud of her republicanism.

She had served as librarian at Fairmount College in Wichita for 33 years. Born in St. Joseph, Mo., Miss Isely helped organize Sunday school classes for the Congregational Church in Utah and Colorado. After 12 years in that area, she went to New England where she was a teacher, speaker, and assistant to Congregational ministers.

Miss Isely was librarian at Fairmount and the University of Wichita from 1911 to 1935.

The Isely family has contributed much to the history of Kansas. Her brother, Bliss Isely, was the author of Kansas history textbooks, and a sister, Mrs. Lydia Wellman, was the mother of authors Paul and Manley Wade Wellman.

Alice Isely will be missed by all of us who knew her.

HUMANITARIAN WAITRESS

HON. CARL ALBERT

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. ALBERT. Mr. Speaker, one of my constituents and longtime friends, Miss Virgie White, of Kingston, Okla., was recently honored as winner of the 1968 Lake Texoma Association Humanitarian Award for her devotion to the lake and the people who live around it. An interesting article describing Miss White and her work appeared in Oklahoma's Orbit, the Sunday magazine section of the Daily Oklahoman which is published in Oklahoma City, Okla., on March 2, 1969.

The article was written by Mr. Vernon B. Snell and reads as follows:

HUMANITARIAN WAITRESS

(By Vernon B. Snell)

There are more facets to Virgie White's unselfish life than there are catfish in Catfish Bay.

Miss White is the popular Kingston waitress who received a check for $1,000 recently as the winner of the 1968 Lake Texoma Association's Humanitarian Award for her devotion to the lake and the people who live in Texomaland.

Compliments paid to the sprightly little Lake Texoma Lodge waitress at the awards ceremony and since would fill a book. They already have filled a scrapbook compiled for her by friends, and she has enough letters, cards, telegrams and citations left over to fill another big one.

Carl Albert of McAlester, house majority leader in the U.S. Congress, wrote to the Lake Texoma Association about the award.

"You can't be around Virgie but a few minutes without her saying something good about Lake Texoma," he said.

Such letters came from the rich and the poor. They came from Lt. Gov. George Nigh, from former Gov. Raymond Gary, from Gladys Erickson of the Chicago American and from a man named V. G. Olson of Pecan Gap, Texas, who has been taking his family to Lake Texoma since 1945.

Mrs. Boyce Harkey, wife of the lodge manager, introduced Virgie at the awards dinner, held at the swank Tanglewood Hills Country Club on the Texas side of Lake Texoma.

"Many persons have diverse abilities," she said, "but few as many as Virgie White. Who else can wait on 50 persons efficiently, making all of them feel they are receiving her special attention? Write a newspaper column? Be a politician? Converse with persons from all walks of life? Be a lover of nature and animals and still have time to promote the interests of youth?

"The dedication Virgie has displayed through the years is rare, and what she has done has not been for her betterment financially or otherwise. If she had a million dollars she'd give every dime of it away. Her greatest attribute is self-confidence."

Virgie White is a one-woman humane society. She's always finding a dog by the side of the road, abandoned or injured by a car, and taking him to a Durant veterinarian for repairs. When the dog is able to travel, there's another pet in the White household.

She has four dogs right now, and not long ago she was giving a home to seven, along with six cats.

Virgie White was born four miles south of where Texoma Lodge is today. She isn't about to say when. Her father was Joe White, a farmer who was part Cherokee Indian.

She and her two sisters walked two miles to school at Woodville, a community which was moved to higher ground when Lake Texoma was built. Virgie finished high school there.

"No family was poorer than we were," says Virgie, who remembers that she and her sisters used to go fishing with their father instead of attending parties.

"We didn't have party clothes in those days. We were poor, but we didn't know it."

How does she come to know so many people? "I've always wanted to know what made them tick. So I've tried to find out."

One of her pet projects is the Kingston Youth and Civic Club. She gave the club the land on which its building now stands. Actually, the club paid her for the lot, but she turned the money back into the building fund.

Miss White is leader of the Happy Hour Blue Birds, and has been since 1961. She helped organize the Camp Fire Girls and the Little League baseball team at Kingston. "I help with the kids" is the way she describes her baseball activities. Among other things she goes to all practice sessions and helps transport the boys to game in the Madill league.

Virgie is a little dynamo who goes to bed at midnight, gets up at 5 a.m. and is on the go all the time. She has never been seriously ill in her life.

She has no intention of retiring. "I intend to work until the day I die . . . I do."

H.R. 9157—A BILL FOR THE RELIEF OF KING COUNTY, WASH.

HON. BROCK ADAMS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. ADAMS. Mr. Speaker, I am today introducing, with my colleague, Mr. PELLY, of Washington, a bill—H.R. 9157—for the relief of King County, Wash.

This bill is introduced by request. A copy of the letter requesting the introduction of this bill is included with these remarks:

KING COUNTY COMMISSIONERS,
Seattle, Wash., February 3, 1969.

Re King County's Request for Private Legislation, Federal Aviation Administration Matter.

Hon. BROCK ADAMS,
U.S. Representative, House Office Building, Washington, D.C.

DEAR CONGRESSMAN ADAMS: The undersigned request your support in seeking the passage of private legislation, which in effect would relieve King County of its obligation to return to the Federal Aviation Administration $158,301.83, said sum being principal and interest on a grant-in-aid default.

May we clarify that this is not an indebtedness in the way of an assessment against the

Boeing Company, but rather it is pre-paid rent at a fixed annual rate of $25,000 on Boeing's leased premises at Boeing Field.

As has been pointed out by the Acting Airport Manager John Tobin, King County is embarking on a vigorous campaign to upgrade the facility to make it a safer and more efficient operation and a source of pride to the community. This $25,000 will necessarily reduce the Airport Fund accordingly, and could seriously curtail these improvements. These monies are desperately needed, as King County Airport will not receive Federal Air Airport Program (F.A.A.P.) grants in 1969.

Thank you again for your interest. Any efforts made by you on behalf of Kings County are very much appreciated.

Very truly yours,

BOARD OF COUNTY COMMISSIONERS,
KING COUNTY, WASH.,
JOHN T. O'BRIEN, *Chairman.*
ED MUNRO, *Commissioner.*
JOHN D. SPELLMAN, *Commissioner.*

FIVE FOOD CHAINS IN ATLANTA HALT SALE OF GRAPES

HON. PHILLIP BURTON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. BURTON of California. Mr. Speaker, five major food chains in Atlanta recently halted sales of California table grapes in response to the national boycott farmworkers are sustaining against growers who stubbornly refuse to sit down at the bargaining table with their union, the United Farm Workers Organizing Committee, AFL–CIO. Similar response to the boycott in cities across the country is strong evidence that by and large, Americans believe that farmworkers should have the same rights and protections under the law to form unions that workers in most other industries have. The action of the Atlanta food chains is especially significant, for it was reportedly made in the face of a so-called "buy grapes" drive mounted by the John Birch Society and the National Right To Work Committee. In my opinion, that took a special kind of courage, and deserves wide recognition. Accordingly, I insert into the CONGRESSIONAL RECORD a story from the AFL–CIO News about it, as follows:

FIVE FOOD CHAINS IN ATLANTA HALT SALE OF GRAPES

ATLANTA.—Five big food store chains in Atlanta have discontinued the sale of California grapes at the urging of local clergymen and a citizens' committee set up to support the boycott campaign of the AFL–CIO Farm Workers Organizing Committee.

The food chains acted in defiance of a "buy grapes" counter-campaign led by the John Birch Society and the National Right to Work Committee.

Leading the grapes boycott drive were the Atlanta Committee to Support the California Farm Workers and the Concerned Clergy, made up of 50 local ministers, priests and rabbis. Their efforts led to halting of grapes sales by the A & P, Big Apple, Colonial, Kroger and Winn-Dixie stores.

Earlier, major chains in Chicago and Detroit announced they would no longer carry California grapes and mayors of Chicago and Philadelphia joined with the chief executives of other major cities in halting purchase of California grapes by city institutions.

The boycott, launched by the Farm Workers after California table grape growers refused to recognize the right of their workers to union representation, has the backing of the AFL–CIO Executive Council.

ROONEY ASKS MAGAZINE PUBLISHERS TO CURB SALESGIRLS PEDDLING SUBSCRIPTIONS TO VIETNAM VETERANS IN HAWAII

HON. FRED B. ROONEY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. ROONEY of Pennsylvania. Mr. Speaker, I return to the subject of magazine subscription sales today to direct a personal appeal to the magazine publishing and subscription sales industries.

I have addressed my colleagues many times in recent weeks to call attention to deceptive and blatantly fraudulent practices which are used by companies engaged in the sale of magazine subscriptions.

Today, I publicly appeal to the integrity of the magazine publishers and the organizations which sell their product to immediately call off the vultures who are seeking out members of our Armed Forces serving in Vietnam as their prey.

A letter written by the mother of an American serviceman in Vietnam has just come to my attention. She explains that her son, upon his arrival in Hawaii on a brief rest and rehabilitation leave from the combat zone, was walking along a street away from the airport when two girls in a car pulled over to the curb and struck up a friendly conversation.

Understandably impressed by their sweet-talk, the young serviceman accepted their invitation to get in the car. Little did he expect that his first contact with American girls after duty in Vietnam would end with his being deceived into signing not one but two contracts for magazines, costing a total of $258.

These girls, who described themselves as exchange students from California who were earning points to win trips to Europe, secured the contracts on January 17, 1969, for an organization known as Publishers Continental Sales Corp., 2601 East Michigan Boulevard, Michigan City, Ind. 46360.

Mr. Speaker, I have written to the magazine sales company asking that it order its sales personnel to stop victimizing American combat veterans and refund to this serviceman $169 collected from him. I also have written to the Magazine Publishers Association to ask that the publishers themselves immediately take steps to stop this gutter type of sales activity.

As further evidence of the need for prompt and firm congressional action to clean up magazine sales practices, Mr. Speaker, I should like to insert in the RECORD the letter from this serviceman's mother to the editor of "Action! Express," public service feature of the Easton, Pa., Express newspaper:

MARCH 10, 1969.

ACTION EDITOR: Here is another gimmick those magazine houses are doing to the fellows in Services.

Recently my Son, who is serving in Viet-Nam took his R & R to Hawaii; he no sooner got off the airplane and was walking up the street away from the airport when two girls in a car pull along side him and asked him if he was new here. Of course he told them he was, then they told him to hop in the car and they started to tell him that they were Exchange students from Calif. and how they entered into a contest for a tour for their team to Rome, France and Spain. Each magazine they sold was worth so many votes for their team, they never told him the prices on the magazines and for how long the subscriptions were for until after he signed the paper. How rotten and how low can those magazine houses get. I'll pass the address of the magazine house to you.

Publisher's Continental Sales Corp.
2601 East Michigan Bvld.
Michigan City, Indiana, 46360

We wrote and told our son not to pay those people another red cent, being that he is not yet 21, the paper he sign were no good, because he was under age.

As I sit here and write this to you I can't but help wondering how many other fellows are being taken for a sucker ride by those magazine company.

I'm enclosing two photostat copies of the two bills I received in the mail, get a load of the number of issues they talk him into and the prices.

What should we do for our Son who is over in Viet-Nam? Here is hoping Action Express looks into this stinking mess.

I remain,

Mrs. G.,
R.D. No. 2, Kunkletown, Pa., 18058.

NEED TO CONTROL STEEL IMPORTS

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. DULSKI. Mr. Speaker, I am convinced that there is need for legislative action to provide for orderly trade in iron ore, iron, and steel mill products.

The need is evidenced by the clear danger to our steel industry and its half million steelworkers that exists from the dramatic and continual rise in steel imports.

Whereas the United States formerly was a net exporter of steel products, the situation was reversed in 1967. Indeed, last year our exports of steel products totaled only 2.2 million net tons while our imports had increased to 18 million tons. What is more, our exports mostly were Government financed.

Thus, last year we had a net deficit of nearly 16 million tons, representing about $1.5 billion. Translated into employment, this deficit represented 140,000 potential jobs in the U.S. steel industry, based upon each million tons representing jobs for about 7,700 persons.

I am in sympathy with the basic free trade policy for our country, but, at the same time, I believe it is essential for our own economy and for our own industry that we keep careful tab in specific areas should exceptions become necessary.

There is clear need for an exception on steel.

Differing from legislation which I have introduced in the past, the bill which I am introducing today has no termination date. Instead, it provides that at the end of 5 years the Secretary of Commerce shall submit a comprehensive report to the Congress on the effect of the limitation on steel imports. At that time the Congress can decide whether any change in the rules is in order.

THE SLUM PREVENTION ACT OF 1969

HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. MIKVA. Mr. Speaker, yesterday I testified before the Ways and Means Committee urging support for my bill, H.R. 8797, the Slum Prevention Act of 1969. As I told the committee, I believe that this proposal could become a major tool in the battle against slums in our large cities. I ask my colleagues to consider the proposal carefully and to support it when it comes before the House for consideration along with other tax reform proposals. I insert my statement at this point in the RECORD:

STATEMENT OF HONORABLE ABNER J. MIKVA, OF ILLINOIS, BEFORE THE HOUSE COMMITTEE ON WAYS AND MEANS, MARCH 17, 1969

Chairman Mills and other Members of the distinguished Committee on Ways and Means, it is my great pleasure to appear before you today to testify in support of H.R. 8797, the Slum Prevention Act of 1969. I have called my bill the Slum Prevention Act because I believe that this proposal could become a major tool in the battle against slums in our large cities. The proposal would cost the taxpayers no money (unless they were slum owners), and might even bring in some revenue to the Treasury—a feature which may make it unique among those that seek to remedy our urban ills. The proposal is to withdraw tax depreciation allowed under existing law from real property which fails to comply with the health and safety provisions of local housing and building codes. A complementary provision would disallow a capital loss write-off for abandonment of property which is in violation of such codes at the time it is abandoned. These two provisions could put the Federal income tax laws on the side of slum prevention instead of on the side of slum promotion.

Mr. Chairman, we do not allow a criminal depreciation on the gun he uses to break the law; to my mind there is no reason to allow depreciation to a slum landlord on his noncomplying slum property. The slumlord causes far more social harm than the common thief; but he has the law on his side when he files his income tax return. The owner of urban property which is in violation of local housing and building codes endangers the health and safety of not only the residents of that building, but of hundreds, perhaps thousands, of residents in neighboring buildings. For this reason it does not seem to me we can any longer afford to do without the powerful stimulus which depreciation withdrawal would provide to maintenance of urban property in compliance with local law.

The need for an approach to real estate depreciation allowances such as I propose, Mr. Chairman, can no longer be seriously questioned. In speaking of a special report to the National Commission on Urban Problems, of which he was chairman, former Senator Paul Douglas noted:

"Tax provisions not only provide little encouragement for repair but actually may tend to discourage improvements by investors. . . . As the Federal income tax is now constituted, the profitable course for real estate investors is to take accelerated depreciation after purchase, avoid repairs, and sell off their properties within a decade before their tax shelter fades. Continuity of ownership and sound maintenance are inhibited by opportunities for fast gains in this cycle of constant trading."

This conclusion is buttressed by the statements of many noted experts in the field of Federal treatment of real estate taxation. As one expert, cited in the report to the Commission on Urban problems, put it:

"Uncle Sam is a principal cause of the phenomenon known as the slumlord . . . no matter how many violations have been lodged, the slumlord may file his depreciation . . . even in an old-law tenement he may take it on an accelerated basis."

Certainly no one would argue that the Federal tax structure is *designed* to encourage speculation in slum property, but nevertheless that is its result. We must face up to the fact that the income tax laws are to a large extent responsible for the enormous profitability of speculation in substandard urban real estate. Thus, it is tax benefits which are *already* available to owners of substandard urban property which make it so highly profitable for them to continue to speculate—and to avoid maintaining their properties in accordance with even the minimum health and safety standards of local law. We must do something to put the tax laws on the side of urban residents and city governments rather than on the side of the slumlords.

This brings me to another important point about my proposal—it creates no special exemptions, gives no tax breaks, contributes to no tax shelter. Former Assistant Secretary of the Treasury Stanley Surrey often argued that it was not sound, as a matter of tax policy, to use the Federal income tax laws to accomplish other social or humanitarian goals—however worthy they may be. Such practice, he felt, often resulted in dislocations and inequities in the tax laws which far surpassed in seriousness the original problems sought to be solved. But Mr. Surrey never argued, Mr. Chairman, that the tax laws should *create* social problems. That is, in fact, what has happened with the depreciation allowances now available on substandard urban property. My bill would not *create* special tax categories to accomplish slum prevention, but would *deny* to owners of slum property a tax break which would otherwise be theirs. When the Federal government is bending every resource to solve the problems of decaying cities, I think we can do no less. It is time to write tax laws which help prevent slums rather than help promote them.

Some proposals have been made to withdraw only accelerated depreciation from urban property. The sponsors of such proposals say that this would slow down the turnover rate—a factor which contributes mightily to slum conditions. But this would still leave the Federal government in the position of subsidizing slum property owners. I maintain that we should withdraw *all* depreciation allowances from property which does not meet the minimum health and safety requirements of local law. It has been said that such a rule would put a powerful weapon in the hands of local code enforcement authorities. I say this is a weapon they should have had years ago. It might have helped them enforce health and safety provisions of their codes which under present circumstances are frequently completely ignored.

It is noteworthy, Mr. Chairman, that the only significant objections to proposals such as mine are to the administrative difficulties they present. I believe that by careful drafting, the use of legal "presumptions" where owners have been cited for violations within the taxable year, and development by the IRS of standard forms and procedures, all of these objections can be met. If we do not at least attempt to put this policy into effect, we are in the position of saying to urban residents throughout the nation, "Yes, we believe a policy change is necessary, but we just can't draft a bill to put it into effect." I don't believe the public will buy that argument, and I'm not sure that it should. For those on the Committee who are interested in some of the more interesting policy and technical problems which the bill raises, I have included a "technical appendix" to my remarks which discusses some of these problems in more detail.

Finally, Mr. Chairman, I should emphasize that I am not advancing the Slum Prevention Act as a panacea which will solve all the problems of slum housing and substandard urban property. As Senator Douglas observed: "Slum housing problems are too complex to be resolved solely or primarily by income tax changes." The point is that my proposal can help arrest the growth of the slum cancer. At that moment of truth when a property owner can still opt for property maintenance rather than property milking, he ought to know that the risks of milking include loss of a meaningful tax deduction. The decay of our inner-city areas is the most pressing domestic problem facing this nation. In my opinion we cannot afford *not* to effect this realignment of Federal tax law. I urge the Committee to include in its reform proposals to the House a provision such as I have advocated here today. It may well be the strongest possible action the Congress could take to show the cities that we do care. At the very least it will put the tax laws where they should be, on the side of slum prevention instead of slum promotion.

TECHNICAL APPENDIX TO STATEMENTS OF HON. ABNER J. MIKVA BEFORE THE HOUSE COMMITTEE ON WAYS AND MEANS, MARCH 17, 1969

Any attempt to amend the extremely complex Internal Revenue Code inevitably raises important and difficult problems of policy and drafting. The Slum Prevention Act is no exception. As with tax legislation in the past, some of these problems must be left to be worked out by the Internal Revenue Service in its regulations. Some of the most significant problems, however, have been solved by careful drafting and the use of legal "presumptions." This appendix discusses the solutions which were devised to carry out the policy of the Slum Prevention Act of 1969.

The first general rule of the Act is "No deduction shall be allowed [for depreciation] for a taxable year with respect to property which is noncomplying residential property at the close of the taxable year." The Act then proceeds to define "noncomplying residential property" and to describe the extent of the disallowance if property is found to be noncomplying.

The second general rule is that "No deduction shall be allowed [for a capital loss] by reason of the abandonment in a taxable year of property which is noncomplying residential property at the end of the taxable year." This rule would prevent recapture as a capital loss write-off of depreciation which was not taken at the time of the abandonment.

Property which had been cited more than 30 days before the close of the taxable year for a violation of health or safety provisions of a local housing or building code would be presumed to be "noncomplying." The taxpayer could rebut this presumption by satisfying the Secretary (1) that the violation did not exist at the time of the citation or had

been corrected before the close of the taxable year, (2) that the building had been demolished since the end of the taxable year, or (3) that the owner was exercising due diligence either to correct the violation or demolish the building.

The depreciation withdrawal provision applies only to residential property, and only to residential property which is at least ten years old. This latter requirement was inserted in order to exempt buildings which contained structural defects at the time they were built. It was felt that it would not be fair to hold a new owner responsible for these to the extent of forfeiting his depreciation deduction, although of course he would be responsible for repairing them under most local building codes. By the time a building is ten years old, most of the original structural defects will have been found and corrected.

The type of code, the violation of which will result in loss of depreciation allowance, is not limited—building codes, housing codes, electrical codes, plumbing codes, etc., are all included. Only those provisions, however, which affect health and safety will count for purposes of the Act. The taxpayer's determination that a violation for which he has been cited is not a "health and safety" violation will, of course, be reviewed by the IRS and will have to be acceptable to it. Ultimately it is foreseeable that local code enforcement authorities will probably begin to specify which provisions of their codes *they* feel affect health and safety. Thus it might happen that when a property owner receives notice of a violation from a local housing or building code enforcement agency, the notice would contain the statement "This violation affects health and safety within the meaning of the Internal Revenue Code " Such a determination by the local enforcement authority should carry great weight with the IRS when auditing the taxpayer's return.

It has been objected that the tax withdrawal proposal puts too big a club in the hands of local code inspectors. To some extent protection against abuse of their authority by inspectors is provided by the fact that the taxpayer may rebut the presumption against him by showing that no violation in fact existed. Another answer to this "crooked inspector" argument is that the tax laws ought not to be drafted on the assumption that local officials are corrupt or inefficient. To the extent that the Act puts into the hands of honest, overworked housing and building inspectors throughout our nation's cities an additional weapon to aid in securing compliance with often-ignored local codes, it probably should have been enacted long ago.

If a property owner lost depreciation on one piece of property, he would not necessarily lose his depreciation on all other property owned in the same city, or even the same block. Other property, even if next door, which has regularly been reported as separate property for the purposes of the depreciation allowance would be considered separate property for the purposes of depreciation withdrawal.

Finally, in order to make the depreciation denial sanction meaningful, the Act would require an adjustment to the property's "basis" *as if* all the depreciation otherwise allowable on the noncomplying property had been taken. Thus the basis of the noncomplying property would be adjusted just as if all the allowable depreciation had been taken, even though it was not taken because of the property's noncompliance. This safeguard is necessary in order to keep an owner whose property is perennially in noncompliance from gaining the advantage of depreciation by putting his property in compliance immediately before sale, and taking the unused depreciation in the form of a capital loss on sale.

THE AMERICAN LEGION'S 50TH ANNIVERSARY

HON. CHARLES M. TEAGUE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. TEAGUE of California. Mr. Speaker, just a few days ago, the American Legion celebrated its golden anniversary commemorating 50 years of dedicated service to the Nation and its veterans.

I want to extend my heartiest congratulations to this great organization on its 50th birthday.

Last Saturday night, together with scores of my colleagues in the House and Senate, I attended the Legion's birthday party in Washington, D.C. I witnessed another example of the American Legion's unselfish devotion to the memory of their fallen comrades. Reversing the traditional custom of receiving gifts on a birthday, the American Legion presented to the Nation its 50th anniversary gift—a system of permanent lighting at the Tomb of the Unknowns in Arlington National Cemetery. In an impressive ceremony in the ballroom of the Sheraton-Park Hotel in Washington, President Nixon flicked a remote control switch that illuminated the national shrine with the first permanent lighting system in its 50-year history.

Impressive though this ceremony was, it represented but the culmination of 50 years of impressive and dedicated service to the Nation by the American Legion.

Since that historic day of March 15, 1919, when a small group of less than 500 World War I veterans met in Paris, France, in what is now termed "The Paris Caucus," the American Legion has, on three occasions, opened its ranks to a new group of veterans which has served in the Armed Forces of our Nation during time of war or conflict. Today, its membership is made up of more than two and a half million veterans of World War I, World War II, the Korean conflict, and Vietnam.

During this 50-year span, the American Legion has compiled an impressive record of achievement. From the time of its founding, this organization has dedicated itself to the care of the war disabled and the widows and orphans of deceased veterans. The outstanding benefit program enjoyed by the Nation's veterans can be attributed in large measure to the legislative leadership and support of the American Legion over the years. A significant list of legislative milestones offers tangible evidence of the effectiveness of the American Legion's effort over the years. The establishment of the Veterans Bureau in 1921 and its successor, the Veterans' Administration in 1930; the World War Veterans Act of 1924; the first non-service-connected pension program for widows and orphans; the World War II GI bill and similar programs for veterans of more recent conflicts are but a few of the major pieces of legislation in which the American Legion played a leading role.

Not content with the passage of laws to protect veterans, the American Legion, in its formulative years, inaugurated a rehabilitation program designed to assist veterans and their dependents in obtaining the benefits to which they were entitled. Today, American Legion service officers at the post and department levels, and the Legion's expert staff at the national level are counseling thousands of veterans and their families concerning their rights and benefits, helping them file and process claims, gain admission to VA hospitals and assisting in many ways in guiding the destinies of the Nation's veteran population. No one contributed as much to the rehabilitation program as my friend and fellow Californian, Bob McCurdy.

Mr. Speaker, I salute the American Legion on 50 years of achievement. I am confident that its future will produce an equally impressive record of success.

BETH SHOLOM CONGREGATION MARKS 50TH ANNIVERSARY

HON. R. LAWRENCE COUGHLIN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. COUGHLIN. Mr. Speaker, it is an honor for me to note that the Beth Sholom Congregation of Elkins Park, Pa., will be celebrating its 50th anniversary with a special Sabbath morning service on Saturday, March 22, 1969.

In a time when the actions of small groups generating destructive influences in our Nation are rewarded with headlines and stories in major newspapers, I am proud to cite Beth Sholom Congregation as an outstanding example of a small group that has grown to exercise profound and constructive influences.

On March 22, 1919, 12 men joined together in a testament to their faith and signed a charter for Beth Sholom Congregation. In half a century, Beth Sholom Congregation has grown to a house of worship for more than 1,000 families.

Beth Sholom itself is unique among our thousands of synagogues in this country. The synagogue is the only one ever designed by Frank Lloyd Wright.

Nighttime travelers, passing through this heavily traveled area of Montgomery County, are inspired by the tower of light of this remarkable edifice.

To the congregation this tower represents Mount Sinai, source and base of religious law. Here is the meeting place of divinity and humanity, where is supported the sacred law, symbol of God's descending will.

To others, this tower of faith is a dramatic landmark symbolic of the religious freedom enjoyed by the Jewish people, yes, and by all people in Montgomery County and the United States of America.

I pay special tribute to Rabbi Emeritus Mortimer J. Cohen who led the congregation for 45 years, and to Rabbi

Aaron Landes, and the officers and directors. Their dedicated work has greatly enriched the life of the congregation and has supplied a solid foundation upon which to build for the future.

In a time when our spiritual and moral values are challenged both from within and without this Nation, Beth Sholom's 50th anniversary provides proof of the sustenance of religious values in our life and the capacity for equipping families to cope with the trials of a world with God's compassion and understanding.

May the years to come bring continued success in the efforts of the Beth Sholom Congregation to meet the spiritual needs of man in our complex and demanding age.

AN EQUITABLE SYSTEM FOR FIXING AND ADJUSTING THE RATES OF COMPENSATION OF WAGE BOARD EMPLOYEES IS NEEDED

HON. ROBERT N. C. NIX

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. NIX. Mr. Speaker, I have today introduced a bill entitled the "Prevailing Wage Rate Determination Act of 1969," whose purpose is to provide an equitable system for fixing and adjusting the rates of compensation of wage board employees.

Because the number of wage board employees exceeds 765,000, this bill is of vital concern to one-fourth of all employees of the Federal Government. It directly affects their wages, their own individual rights and obligations as well as the rights and obligations of their union representatives who are bargaining for them and who represent them on the various wage board committees established by this bill.

Basically, my bill is intended to bring order and system out of the chaotic situation which now exists in the Federal Government's procedures for fixing the rates of pay of employees working under the so-called prevailing wage rate system. The information which I have been receiving for some time showed such a great discrepancy between rates of pay for wage board employees performing the identical functions and working in the same community that I found that the presumption of serious inequity and injustice could not be excluded.

This bill would reduce such a possibility of inequity.

While remedying abuses, the bill will preserve, nonetheless, the concept and procedures of the "prevailing wage" system. It thus is not a modification of the wage board system itself but simply a measure to eliminate injustice and inequity by providing new mechanisms to establish basic regulations, to conduct wage surveys, and to adjudicate or arbitrate differences.

The most important single improvement in my bill over the present arrangement is that it will give a statutory foundation to improved procedures for wage board rate determinations. The principal instrumentality provided by the bill to assure that such a policy is pursued is a newly created "standing committee" within the Civil Service Commission, to be known as the National Wage Policy Committee.

Composed of 11 members, the National Wage Policy Committee will have as its chairman a person who shall be from outside the Federal service and who shall be appointed directly by the President and shall hold no other office in the Federal service during his tenure as chairman.

To assure that the chairman is objective, my bill provides that he will serve exclusively at the pleasure of the President of the United States and that his compensation will be $75 for each day spent in the work of the Policy Committee.

In addition, the Policy Committee will have five Federal employee union representatives and five management representatives.

The Federal employee union representatives will be appointed as follows:

Two by the President of the AFL–CIO; and one each appointed respectively by the President of the Federal employee union representing the first largest, the second largest, and the third largest number of Federal employees subject to this act.

The five employer representatives shall be appointed to the National Wage Policy Committee as follows:

Two management representatives will be appointed by the Secretary of Defense, at least one of whom shall be appointed on a rotational basis for a period of 2 years from the Department of the Army, the Department of the Navy and the Department of the Air Force;

One management representative from the Veterans' Administration will be appointed by the Administrator of Veterans' Affairs;

One management representative from the Civil Service Commission will be appointed by the Chairman of the Civil Service Commission; and

One management representative will be appointed, on a rotational basis for a period of 2 years, by the Chairman of the Civil Service Commission from Federal agencies which are leading employers of employees subject to this act.

In addition to establishing the National Wage Policy Committee, my bill will require each Federal department or independent agency designated by the National Wage Policy Committee to establish an Agency Wage Committee, composed of five members. The role of the Agency Wage Committee will be to assure the implementation within the agency of the wage surveys through the functioning of the local wage survey committees.

A most important feature of my bill is the inclusion under its wage rate system of all employees who are now paid from so-called "nonappropriated funds." These employees will no longer be considered outsiders to the wage board, or prevailing wage rate, system. They will be assured equity and justice in the same manner as if they were receiving their pay from appropriated funds. Certainly, it is improper that an employee should receive less money for his work simply because his employer or manager draws his checks on a different bank account.

As with all legislation, I realize that this bill may emerge in somewhat different form when it is finally enacted. However, on the basis of my experience, I am sure that the final statute will not be very much different in its essentials than the bill which I introduced today.

PENTAGON PROCUREMENT: BILLION-DOLLAR GRAB BAG

HON. HENRY B. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. GONZALEZ. Mr. Speaker, I commend to my colleagues an important study of defense procurement which has appeared in the Nation magazine for March 17. It is a fine primer on the policies, practices, and profits supporting our massive military-industrial complex.

Written by a former member of my staff, Mr. Richard F. Kaufman, the article's basic premise deserves to be underlined:

> The cumulative effect of Congressional reports of waste and mismanagement on defense contracts should be to shift the emphasis of future investigations. Although the difficult job of digging into programs and disclosing abuses in individual cases should continue, the central question today is no longer whether there are exorbitant profits, padded costs, poor performance, general mismanagement of procurement, and a swollen military budget. The central question from now on is, what can be done to change the procurement system so that the military-industrial complex will be brought under a social control.

Under unanimous consent, I am placing the full text of the article in the RECORD at this point:

PENTAGON PROCUREMENT: BILLION-DOLLAR GRAB BAG

(By Richard F. Kaufman)

(NOTE.—Mr. Kaufman is on the staff of the Subcommittee on Economy in Government, chaired by Senator WILLIAM PROXMIRE, which has been investigating profits and costs in defense procurement.)

WASHINGTON.—Two kinds of activities are paid for by military expenditures: the purchase of weapons, hardware and other goods; and the support of personnel, the operation and maintenance of bases, military construction and civil defense. Of last year's $79 billion Defense Department bill, $44 billion went for the former. (If military expenditures on programs outside the Pentagon were included, such as military assistance, space, atomic energy, Selective Service and veterans' assistance, the sum would be much higher.)

One of the most disturbing facts about the costs of procurement is that so much money is wasted on excessive profits and excessive costs, and is therefore unnecessary. No one knows how much waste there is, but reliable estimates run into billions a year. In 1964, the Senate Permanent Subcommittee on Investigations, looking into "Pyramiding Profits and Costs in the Missile Procurement Program," concluded that the contractors had taken excessive profits, that contract costs were inflated by high initial estimates, that missiles were being procured under an "archaic system," and that "much of the de-

fense dollar is being improvidently spent." More recent investigations by other committees and the Government Accounting Office into the procurement of planes, ships, nuclear propulsion equipment, fuel, rifles, small tools, etc., and into the use of government-owned plants and equipment, demonstrate that the costs of procurement are much higher than they ought to be. The Pentagon could make do with considerably less money than it gets.

This conclusion can be reached without challenging the basic assumptions of military policy, and solely on the basis of proven inefficiency, waste and profiteering by contractors, particularly the major contractors, and mismanagement of the program by high officials in the Defense Department. A recent study by an official in the Bureau of the Budget, whose duties are to analyze costs of weapons, reveals that performance of complex electronic systems tends to be poor, that deliveries are late, costs two to three times higher than the original estimates, and profits inversely correlated with poor performance—that is, the most inefficient contractors earn the highest rewards. Last year the Subcommittee on Economy in Government of the Joint Economic Committee reported "loose and flagrantly negligent management practices in the Defense procurement program."

The cumulative effect of these and many other reports should be to shift the emphasis of future investigations. Although the difficult job of digging into programs and disclosing abuses in individual cases should continue, the central question today is no longer whether there are exorbitant profits, padded costs, poor performance, general mismanagement of procurement, and a swollen military budget. The central question from now on is, what can be done to change the procurement system so that the military-industrial complex will be brought under social control.

The chaos and waste in present procurement policy was at least implicitly recognized last year by the effort of the House Government Operations Committee to create a commission to study government procurement. The proposal will be revived in the new Congress. Assuming the commission is established, an early tip-off as to its intentions will be its make-up. If it is dominated by defense industry spokesmen, it will probably not differ significantly from the many "business advisory groups," such as the Industrial Advisory Council (formerly the Defense Industrial Advisory Council), which now monitor and influence procurement policy.

One way to economize would be to reform present policies by legislation. Profiteering is the most blatant aberration of faulty procurement. How high should defense profits be? Present policy, if you can call it that, is contained in a body of Defense Department regulations called the Weighted Guidelines. They are supposed to help compute the right profit for any negotiated contract by specifying percentage points for factors like contractor inputs, risk and record of performance. The points are totaled during contract negotiations to arrive at the profit rate. However, like many other procurement regulations, the guidelines have been heavily influenced, as to both wording and interpretation, by the defense industry. They give an appearance of systematic method, but are in fact so flexible that Pentagon officials can use them to arrive at a high profit rate even for contracts involving a minimum of capital investment (the buyer gladly supplies interest-free cash, land, buildings and production equipment) and little, if any, risk. Since the adoption of the Weighted Guidelines in 1964, profit rates have gone up by 25 per cent. Yet strong industry pressure is now being exerted to revise the guidelines upward.

Although most procurement is negotiated, the Pentagon awards some contracts through competitive bids, and a device for insuring high profits has evolved in this area as well. This is the "buy in—get well later" formula. A contractor bids for a weapons research and development contract below his (unrevealed) estimated costs, so as to make sure that he will win. Once he is in operation, his costs skyrocket, but the Pentagon finds that it must pay them, to "get him well." In addition to being reimbursed for the tardily revealed higher costs of R and D, the contractor has also laid a foundation on the basis of high costs, openly stated. Once the contractor has completed the preliminary work—which was all that the original contract contemplated—it is usually too late for the government to find another potential producer; it is "locked in" with the original contractor. Incentive contracting was developed under Secretary McNamara to discourage this practice. Studies show, however, that these and various other contractual devices create "reverse incentives," whereby the contractor is motivated artificially to inflate his cost base in order to earn larger profits.

Statutory limits on profit could help. They would differ from the Weighted Guidelines in being less susceptible to favoritism—at present, the larger contractors make the larger profits—and because they could not be changed by administrative decision. Congress would establish reasonable profit ceilings. Banks and railroads are limited in the interest and rates they may charge, and today's high defense profits are inexcusable.

However, profit limitations would be no cure-all. Of last year's $44 billion for military procurement, profits probably amounted to no more than $5 billion. And while profits as customarily reported on corporate books may be reduced, the result will not necessarily be to cut the total costs. Contractors can simply enlarge their cost base to increase contract prices and offset any reduction in profit rates. Padding expenses to hide profits is an old bookkeeping technique.

What really needs to be done is to control the gross cost to the government of military procurement. It is for this reason that Adm. H. G. Rickover so strongly advocates uniform accounting standards. One of the critical stages in the procurement process is the initial negotiation. At this point costs and profit rates are agreed upon, and the government is at a serious disadvantage unless it can obtain accurate estimates from the contractor. During the performance of the contract it also needs reliable cost data in order to act on requests for reimbursement, to know whether the costs are running higher than the original estimates, and to discover whether it is being overcharged. Rickover believes that until contractors are required to adhere to uniform standards for reporting costs and profits, the government will not have such information. He reports cases where contractors charged costs to government contracts which should have been charged to nongovernment, commercial work, and the Government Accounting Office has revealed similar situations. Rickover estimates that the imposition of uniform accounting standards alone would reduce procurement costs by more than $2 billion a year.

The absence of good cost data, aggravated by falsification in many cases, moved Congress in 1962 to enact the Truth in Negotiations Act. Without uniform accounting standards, this Act is largely ineffective, but thus far it hasn't mattered much because the Pentagon has failed to enforce its mild provisions. Briefly, the Act requires contractors to submit certified cost data for all negotiated contracts. However, there is a loophole in the Act, called the waiver provision, which is large enough for any weapons system to fall through. It allows the procurement officer to determine that there is adequate competition for a particular item. When this subjective judgment is made, the Act is waived and the contractor is not required to submit any cost data, even though in fact the contract has been negotiated. Needless to say, the waiver provision has been liberally applied. Closing this loophole and requiring strict enforcement of the Act would be a relatively simple gesture toward reform.

A second piece of legislation that needs to be rehabilitated is the Defense Production Act. This vestigial remnant of the Korean War controls provides that production for national defense be given preference over other business, but enforcement by the Department of Commerce is accomplished in the most timid fashion. A Commerce official testified before the House Banking and Currency Committee last year that legal action against a contractor to enforce a priority has not been taken since the Korean War, despite the fact that the Pentagon has asked the Commerce Department to issue directives against companies which have rejected assigned priorities. As a first step toward breathing some life into this Act, it ought to be moved out of the Commerce Department.

A third leaky bulwark against the excesses of military contractors is the Renegotiation Act. The speeches of Rep. Henry B. Gonzalez have made the limitations of this Act well known. It is badly riddled with loopholes, sharply limited in scope and jurisdiction, and the Renegotiation Board which enforces it is seriously understaffed. Only the personal intervention of Sen. William Proxmire with the Bureau of the Budget last year prevented further staff cuts. The purpose of the Act is to recapture excessive profits earned on military contracts, but present restrictions on the board keep recoveries well below the real level of profiteering. To bring the board close to its strength in the Korean War period, the "standard commercial article" exemption, by which some of the most profitable types of procurement are exempt from review, would have to be eliminated, and its staff increased from its present level of about 200 to at least the 1953 level of 742.

As for conflict of interest, there are hardly decent standards of regulation to revise. The heavy back-and-forth flow of procurement officials and weapons salesmen between the Pentagon and corporate duty is barely touched upon by laws or regulations. The laws that do exist apply mainly to military personnel, not to civilians, and are so narrowly interpreted that they have almost no effect.

The case of Maj. Gen. Nelson M. Lynde, Jr., retired from the US Army, and employed by Colt Industries, Inc., is instructive. It was investigated in 1967 by the Special Subcommittee on the M-16 Rifle Program, of the House Committee on Armed Services. From 1962 until February, 1964, General Lynde, as senior officer of the Army Weapons Command, was directly involved in the procurement of the M-16 rifle. In 1963 he personally approved the prices negotiated with Colt. Five months after retirement in 1964, he went to work for Colt. Responding to an inquiry from Lynde, the Army Adjutant General had advised that the conflict of interest law did not prohibit this employment, since his job description did not indicate that he would be selling anything to the government. Shortly after arriving at Colt, General Lynde requested of the Army copies of four classified documents, including at least one that concerned the M-16. In addition, according to the subcommittee report, Lynde was on the distribution list for many inter-company memoranda involving the M-16. As the subcommittee stated: "It is actions such as these that cause the American taxpayer to lose faith in the integrity of both military and civilian officials associated with the expenditure of millions of dollars yearly in the procurement of supplies and materiel to meet our military requirements." The subcommit-

tee also noted with displeasure that Colt's profits on the M-16 were as high as 19.6 per cent for 1965, and that an examination of price proposals disclosed a lack of sufficient data to support cost estimates. Conflict of interest laws should be completely rewritten.

A radically different approach to procurement would be to return to the more traditional relationship of government and industry—to disengage the defense industry from government, and encourage greater competition among contractors. Disengagement would mean both less government regulations and less government support. Managerial controls now exercised by government, it is suggested, should be returned to the companies, and much red tape surrounding contracts eliminated. At the same time, subsidies such as interest-free government financing and government-owned plant and equipment should be withdrawn. Since these forms of aid favor the larger contractors, small business would become better able to compete.

Competition could also be encouraged directly by awarding development, production and follow-on contracts separately and competitively. Lock-ins and other monopoly situations could be avoided by parallel awards and second sources. That is, more than one contract could be awarded in the early stages of R and D and of production, before the government had settled on a single contractor for the major production work. And second sources would be kept alive by reserving to the government the right to distribute designs and production techniques developed by one contractor to any of the others during the life of the contract.

The hope is that restoration of competition will force contractors to fall back on their own resources. This, in turn, would reconstitute the self-regulating mechanism of free enterprise which, according to the theory of capitalism, is the best guarantor of innovation, efficiency and lower costs. Government regulation would thus be unnecessary. Unfortunately, while economists like Murray Weidenbaum at Washington University (St. Louis) advocate more capitalism as the solution to the rising costs of procurement, the large military contractors don't want it. Why face the discipline of efficient management and the risks of competition when billions of dollars of business can be generated through the art of government grantmanship?

Political pluralism, rather than economic pluralism, is another cure offered for the abuses of military contracting. H. L. Nieburg views the boundary between the Defense Department and defense contractors as permanently wiped out. Military contracting has created quasi-public utilities within the defense industry. Rather than emphasizing the government's access to information and regulatory controls, Nieburg would enhance what he terms the existing pluralism of institutions and relationships. He would encourage the conflict among government agencies and confrontation between constituencies with opposing stakes in contract programs. New institutional arrangements can act as countervailing forces against the pressures that inflate procurement costs. His suggestions include an Office of Contract Ombudsman, an intergovernmental body to collate national programming and budgeting plans, and creation of a new court, modeled after the Court of Customs, and Patent Appeals to test contract award decisions.

Basic changes of the procurement system itself can also be considered. In view of mounting costs, which many believe is making it impossible to solve our serious domestic problems, *reversing*, not merely halting, the government's capacity to manufacture for its own needs may become necessary. It would be no radical departure from the American experience. In the past, the government has produced everything from small arms to ordnance to ships. The great advances in nuclear energy were made in government laboratories.

When Admiral Rickover testified before the House Banking and Currency Committee last year, he suggested that those companies or their divisions whose business is almost exclusively with the government might be treated as public utilities. Such a step would be formal recognition of the fact that some contractors have a monopoly or near monopoly on certain kinds of military equipment. Instead of negotiating profit rates on the basis of total sales or costs, they would be granted a reasonable rate of return on their investment. In exchange, their books would be audited and their performance measured by a public body. This system is used in England, and a recent Rand Corporation study shows that average defense profit rates are generally much larger in the United States than in England. This is especially true of aircraft, aircraft engines and missiles, items on which we have suffered runaway price inflation over the past several years. When Rand compared rates of return on net assets for selected aerospace firms in the two countries, for the years 1956 through 1963, it found average profits for the U.S. firms to be 25.6 per cent, more than twice the level of the English firms.

Perhaps the greatest problem in the field of public affairs today is the reluctance of the average citizen to be critical of military assertions and military policy decisions. The reasons for this have little to do with the complexity of the subject, for military affairs are no more difficult to understand than any other subject. The concept of national security, which somehow is supposed to protect us from and at the same time see us through war, is veiled in secrecy, except on the most ceremonial occasions. Like some sacred cow, it has free run over our land and through our streets. The people are supposed to feed it and worship it, but not to study it.

Meantime, the vast majority of those who are expert in military affairs are either employed by or obligated to the military establishment. Despite a few notable exceptions, there is no tradition of independent military analysis in the academic or professional worlds. For the most part, those who do the analyses are those who benefit from the growth of military spending.

Military spending has proved to be a one-sided controversy, with the experts, professionals and counselors all arguing for expansion. An encouragement of military policy studies, apart from military circles of power and influence, can begin to correct this imbalance. Courses on military affairs, defense production, defense management, procurement, profiteering, the impact of military spending, to name a few, ought to be offered by every university, and not as part of ROTC or in conjunction with Defense Department grants. Departments and graduate schools for military policy studies ought to be established on many campuses, not to produce future military leaders but to train civilian military planners capable of criticizing budgets and policies, and of offering alternatives. Military research and analysis needs to be supported through nonprofit groups funded from nongovernment sources. But wresting the military budget from those who spend it will take an enormous amount of research and analysis, consideration of alternatives and argument, followed by political action. Military experts and industrial lobbyists will continue to work hard to insure that they hog more than their reasonable share—now, after Vietnam and into the foreseeable future.

THE RUSSIAN MERCHANT MARINE: A NEW COLD WAR DIMENSION

HON. THOMAS N. DOWNING

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. DOWNING. Mr. Speaker, in the February 28 edition of the Weekly Review, there appeared an excellent article on the new Russian merchant marine and the menace which it presents to the ocean trade of the West.

I think my colleagues interested in the promotion of our own obsolete merchant marine will find this article extremely interesting. I, therefore, by unanimous consent, insert it in the CONGRESSIONAL RECORD:

Although Russia's world-wide naval build-up is receiving close attention in the West, the Soviet bloc's equally spectacular expansion of its merchant marine is escaping notice. It merits watching, however, not only because Russia has deliberately set out to capture part of the West's ocean trade, but also because many of the Soviet merchant ships are equipped for naval reconnaissance and survey work as well as for various other military tasks.

The activities of the Soviet trawlers have already become notorious, but the truth is more serious than that. With the help of her merchant navy, Russia already has every route on every ocean under permanent surveillance, and in case of an emergency many of the ships are capabale of operations which can be a direct threat to western shipping.

ENORMOUS BUILDING CAPACITY

Russia's ship-building capacity is being rapidly increased, and it is supplemented by the production of the satellite countries. At the end of 1968, the Soviet merchant fleet had at its disposal 14,698,000 tons dwt. (U.K. approximately 20,000 tons), of which 1,049,000 tons were sailing under the East German flag, 1,700,000 under the Polish flag, 750,000 tons under the Bulgarian flag, and 467,000 tons under the Rumanian flag.

According to the Soviet Minister for the Merchant Marine, W. Bakejev, plans have been approved to expand this by 1970 to a total of 18,002,000 tons, to be followed by a steady growth to 20,000,000 tons of Russian ships (leaving aside what the satellites will contribute by then) in 1980. The combined total will by then probably exceed 30,000,000 tons.

SATELLITE SHIPS UNDER RUSSIAN ORDERS

It must also be stressed that the ships of the satellite states operate under Russian sailing orders, regardless of what flag they fly. For their own use the satellite countries have to depend largely on chartering western ships.

For example, although Poland's merchant navy comprised 220 ocean-going ships at the end of 1968 with a total deadweight of 1,539,000 tons, she had to spend more than $100 million on chartering western ships for her export trade, while her own ships were engaged on missions for Russia. In addition she spent $45 million on freightage for her exports carried in unchartered western ships.

In contrast to this, the last time Russian goods had to be carried in western ships was in 1964. Early in 1965, Bakejev was able to announce in Moscow:

"The USSR has achieved total economic and political independence in her ocean trade."

AUXILIARY NAVAL VESSELS

More than 80 per cent of the merchant fleet sailing under Russian orders consists

of ships less than ten years old, and the main body comprises ships of between 13,000 and 50,000 tons. All the cargo ships are able to maintain speeds of more than 14 knots.

Current construction is concentrated on fully automatic ships of the *Novogorod* and *Tshapajev* classes, which are officially described as multi-purpose vessels.

There is much that is secret about these two classes of ships, but it can be taken for granted that they are equipped to serve as auxiliary naval vessels in case of need.

In addition, a new class of trawler has come into service which is also described as a multi-purpose vessel. But as Russia already has a surplus of trawlers, the new class has not so far been used for actual trawling. The first news of it was given in December, when it was announced that it had been tried successfully off the west coast of South America. What it was doing there is not known.

A SERIOUS ECONOMIC THREAT

Apart from security considerations, the Soviet merchant marine is developing into a serious economic threat to western shipping lines as it has started competing for west European cargoes at rates which must be totally uneconomic for Russia. One of the first bids was to enter the Australia-west Europe route, and by last December Russian ships were undercutting western shipping rates on this route by up to 50 per cent.

It has now entered the west European-Latin American route, offering rates up to 70 per cent below those which any western shipping line can offer.

By any yardstick these Russian ships must be operating at a heavy loss, and it must be assumed that they are doing so in consequence of deliberate Soviet policy.

LOW-RATE TANKER CHARTERS

Another new venture is the construction of a surplus tanker and ore-carrying fleet for the specific purpose of chartering the ships to western firms. It is expected that the charters will be offered at very low rates which will make refusal unattractive.

A bid is also soon to be made to enter the London-Yokohama trade. In this case, the Russian ships will use the Chukchen-East Siberian-Laptev-Kara-Barents seas route, cutting the distance from about 13,000 miles to about 8,000 miles and lopping up to a fortnight off the sailing time. This will offer serious competition.

The purpose of entering the western ocean trade on such an uneconomic basis seems clear. By getting the West to rely at least partly upon Russian shipping, western shipping interests are, of course, damaged, and in the event of an international crisis the sudden withdrawal of the Soviet merchant fleet would create a crippling ocean transport shortage for the West.

In fact, Russia has moved the cold war into a new dimension.

CONGRESSMAN DANIELS URGES ACTION TO AID IRISH IMMIGRATION

HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. DANIELS of New Jersey. Mr. Speaker, Monday, March 17, we observed the feast of the patron saint of the Irish people, St. Patrick. Down through the years this great day has become a special day for all Americans, those of Irish descent and those who are not.

Mr. Speaker, it is appropriate on this day to observe the many contributions that have been made to this Nation by the sons and daughters of Erin. From Commodore Barry and Gen. John Sullivan, who helped achieve American independence during our struggle to free ourselves from British colonial rule to this very day, Irishmen and their descendants have been the first to spring to the defense of this Nation.

The Irish community has been outstanding in so many fields that it would take days to list the eminent Irishmen who have distinguished themselves in the arts, letters, in the theater, in government, at the bar and bench, and in dozens of other fields of endeavor.

Mr. Speaker, I hate to inject business into the proceedings today which are generally light in nature. On the other hand, I must state that it is singularly appropriate for us when we discuss the contributions made by emigrants from Ireland to consider a harsh immigration law which has stopped the flow of ambitious Irishmen and Irishwomen to these shores.

This year we have seen the number of immigrants from Eire drop to almost nothing. From July 1, 1968 to December 31, 1968 only 72 preference and nonpreference visas were issued in Dublin to Irish applicants. Compare this, if you will, to the 7,000 visas a year issued between the years 1956–65 to Irish immigrants.

Mr. Speaker, a great many Members are deeply disturbed by this situation and under the leadership of the gentleman from New York (Mr. RYAN) efforts are being made to correct our immigration law. On March 19, the gentleman from New York has obtained a special order. I hope many Members will join with us at that time.

SERVICE UNION JOB TRAINING PLAN EXTENDED

HON. JAMES G. O'HARA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. O'HARA. Mr. Speaker, I am convinced that most unemployed Americans are anxious to work and earn their own way. Unfortunately, a great many are unprepared for the jobs that are available.

The program for custodial jobs recently launched in Washington by the Service Employees International Union, AFL–CIO, is typical of the commendable interest that a number of unions throughout the country are now demonstrating in helping jobless workers help themselves.

Under unanimous consent, I now insert in the CONGRESSIONAL RECORD, an article about the SEIU's custodial job training effort, taken from a recent issue of the AFL–CIO News:

SERVICE UNION JOB TRAINING PLAN EXTENDED

A Service Employes program to train jobless workers in Washington for custodian jobs has proved so successful it is being extended for another year.

The program, jointly aided by the Labor Dept. and the Health, Education & Welfare Dept., will receive $292,986 in new federal funds to train and place 200 workers by April 1970. This will bring to 600 the number of persons receiving training under the program since 1967.

Trainees, nearly all Negroes, learn about cleaning mixtures, minor electrical repairs, rug and furniture shampooing, and a range of other subjects to equip them for employment. They also take remedial courses in reading, current events and simple arithmetic.

Michael J. Nash, director of the project, reported that nearly 90 percent of those who enroll complete the course.

Most of them previously had earned no more than $1.50 an hour when working. Project graduates, however, have been filling jobs at up to $2.50 an hour, with some starting at more than $3 an hour.

WILLIAM C. DAVIS' STATEMENT AT GRAZING FEE HIKE HEARINGS

HON. SAM STEIGER

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. STEIGER of Arizona. Mr. Speaker, arbitrarily, the previous administration's Secretary of the Interior and Secretary of Agriculture, administratively increased the grazing fees on public lands. This was done without adequate consultation with those affected. This was done in spite of the fact that the Public Land Review Commission is still working on its report that would consider all the various factors involved.

Mr. William C. Davis, executive secretary of the Arizona Cattle Growers' Association recently testified before the House Interior and Insular Affairs Committee, which is holding hearings on these grazing fee increases.

The statement he submitted was very perceptive and should be considered thoughtfully by all Members of Congress.

The statement follows:

STATEMENT OF WILLIAM C. DAVIS, EXECUTIVE SECRETARY, ARIZONA CATTLE GROWER'S ASSOCIATION, PHOENIX, ARIZ., AT HEARINGS BEFORE THE HOUSE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS, MARCH 4 AND 5, 1969, GRAZING HEARINGS

Mr. Chairman and Members of the Committee: My name is William C. Davis. I am Executive Secretary of the Arizona Cattle Growers' Association. We have 1,636 members. The latest United States' Census shows 1,654 livestock operations in Arizona. There are 1,560 Bureau of Land Management and Forest Service leases and permits in Arizona, so it is easy to see that public land grazing is a vital part of the Arizona range livestock industry.

Ranchers, financial managers and knowledgeable citizens are gravely concerned over the recently announced increases in public land grazing fees; an increase based on neither law nor economics, but based rather on the fact that the United States has a near-monopoly and can thus dictate its own terms and let the devil take the hindmost.

The term "fair market value" has been coined for the first time in connection with grazing fees on public land. Because it is new in this instance we believe it should be more closely analyzed than it has been to date. In so doing two questions come immediately to mind: (1) What factors should be used to

arrive at an ultimate "fair market value"?, and (2) Is it (fair market value) a yardstick that can be accurately applied to grazing fees?

In response to the first question I believe we have to decide what is being sold, and under what conditions. It is forage that is being sold, and the true value of forage depends upon its price in the market. In the case of grazing this means converting the price paid for grass into the price received for beef. Some recent studies in Arizona show that it would take only minor increases in the cost of production to make most ranches unprofitable.

One study [1] shows the cost of running one cow for one year on a typical Arizona ranch is $82.50 before making any interest payment on land investment. This typical ranch uses a combination of Bureau of Land Management, Forest Service and State lands. Profit or loss depends to a great degree on percentage of calf crop. Parenthetically, I should add that a high percentage of marketable calves is very difficult to attain in the public land areas of Arizona because of the roughness of the country, the comparatively low carrying capacity which means widespread cattle, and a high population of predators. Under last year's level, grazing fees amounted to 5.6 percent of the cost of running a cow. Under the announced increase, at the end of ten years, fees would escalate to about 16 percent of the cost.

A second study [2] contains a table of Arizona cattle ranch income summaries. Ranches range in size from 34 head to 700 head, located in six different productive type areas of the state for a total of 21 representative Arizona operations. Percent of return to capital and management on these ranches varies from negative on ten ranches to as high as 5.2 percent. The three ranches with the highest return were from the western desert in years when stocker steers were pastured; however, because of a lack of regular precipitation in this area it is possible to run steers only once every four years on the average. A weighted average return would be about 1.7 percent per year in the Western Desert. The average return on investment on just the eleven ranches which had a positive return is 1.36.

A third University of Arizona study [3] was conducted for our State Department of Property Valuation for property tax purposes. For this study a "synthetic" ranch of 450 animal units was created and placed in various areas of the state. Ranch size and cost of operation were developed for each location. Net profit from the 25 different models varied from $7.23 to $7.61 per animal unit. The state-wide average was $1.92 per animal unit. In this study they assumed no cash return to owner as one of the costs, but they did make a $4,800.00 per year allowance for a manager.

From these three studies, and others from around the country it can be seen that the actual market value of forage is very low. Nothing appears in the immediate or near future outlook on costs or prices that would materially increase that true value.

Other factors that were claimed to be used in arriving at a so-called fair market value were the supposed comparability and competitiveness between private and public grazing lands. To be truly competitive the supply and quality of each should be approximately equal. To be comparable the conditions of the lease should be approximately equal. In Arizona neither condition exists. In round figures we have 13 million acres of Bureau of Land Management land and 11 million acres of Forest land, as well as 9 million acres of State land, compared to an estimated 5 million acres of private range land—a ratio of more than 6 to 1. Much of the private land is irretrievably tied to public leases through commensurability requirements, further reducing the amount available for private leasing. Private land is generally of superior grazing quality, else it wouldn't have been homesteaded or otherwise acquired into private ownership. Conditions for a true supply and demand situation do not exist, unless monopolistically created.

In addition to the lack of a truly competitive situation we must also weigh into any fair market value appraisal the terms and conditions under which the forage is harvested. Just as a reminder I would like to point out some of the conditions of a public land grazing lease as compared with a normal private lease. First, of course, is the matter of multiple-use. In all the talk we have heard about "comparable lands", "realistic fees", "vested interests", etc., we seldom hear the one point that is a major key to the whole situation. That is "multiple-use". These lands are shared with a multitude of other users, both commercial and non-commercial. They are open to the public regardless of how much interference and damage is caused. They are open to everyone for every legal purpose—and often used for illegal ones. Grazing is an important one of the multiple uses, but only one of many. If you had an apartment house occupied by fifteen or twenty tenants would you ask one or two of them to pay the same price as they would if they had exclusive use of the building?

Another substantial difference between public and private leases is the commensurability requirement. A rancher must meet certain qualifications of ownership of base property. Even in Arizona where much of the land is on a year-long grazing rotation plan we still must meet commensurate property standards. Such conditions would seldom apply to a private lease.

The demands for rancher-financed improvements on public land have accelerated with the advent of management plans. Last week I talked with a rancher who has a Forest permit. He was given a plan which called for several improvements on his small allotment, to be financed 100 percent with his own funds because federal matching funds were not available. If he makes the improvements they immediately become the property of the federal government. If he does not conform he faces a very severe cut in preference numbers at best, or loss of his permit at worst.

Improvements today must be constructed in such a way as to enhance "public values". But as a matter of fact normal range management practices over the years have greatly enhanced the actual public values of public land; especially wild life values. Over a period of years stock numbers on public land have decreased. In Arizona, at least, the game population has been generally up—grammatically at times. The game trend is not completely unrelated to livestock management. Improvements for livestock have also benefitted game. Stock tanks, salt boxes, and feed bunkers installed by ranchers have also been used by game. Juniper control areas are favored by deer and hunters alike. Game not only uses public land and the rancher-financed improvements thereon, but also freely utilizes any and all of the forage and feed on private land in the area.

Arizona has very little live water. Rancher-developed springs, tanks, pipelines and water catchments have made usable vast areas of the state. Such watering places have been lifesavers for both men and animals in the arid country. Without the management and conservation practiced by ranchers, much of Arizona could very well become a biological desert, of little economic use, and of even less practical use for the public. Yes, public values should certainly receive more than passing credit when determining the level of grazing fees.

Testimony of other witnesses will cover the validity of including the cost of holding a permit as a legitimate and inseparable cost of doing business. I won't dwell at length on this point, but do wish to completely endorse the position taken by other livestock groups. Any analysis of the cost of operating any business must include the cost of money or the analysis will be incomplete and inaccurate. A cost item identical to the one disregarded by the government is built into the lease paid for private land—and private leases carry much weight in the governmental interpretation of what comprises cost, or fair market value.

The principle reason given for not including the annual interest on the permit value in the fee formula is that "to do so would recognize a proprietary interest in the public land" [4]. On this point I would like to raise a question and make an analogy. My question is, if the interest factor were used, what proprietary interest, or "right" would be created that doesn't already exist? A United States Department of Agriculture paper [5] states "The studies have confirmed that grazing permits have accrued a value that the private sector buys and sells and uses for collateral". So the fact of value is recognized; at issue is what should be the amount of value and who should hold it. Inclusion or deletion of one factor in a formula won't increase or decrease "rights", it just changes monetary value. Use of the interest factor wouldn't change any terms or conditions of a lease; it wouldn't allow a rancher to run more or less cattle; it wouldn't give him any more or fewer "rights" than he now has; it wouldn't give any more nor less access and use of the land to the hunter, fisherman, rockhound or general public. Let me ask the question again, this time in a little different way: By not using the interest factor, what proprietary interest or "right" does the rancher now have that will be taken away?

Now to the analogy I mentioned. In my home city of Phoenix are a large number of radio and T.V. stations. All are able to operate because they have a license or permit from the federal government. They have to abide by certain rules and regulations or the permit will be revoked. Under these rules they have put the permit to use and built operations of considerable value. The value will vary depending upon many things, capital inputs, goodwill, etc., but in any case the value is considerably higher than the fee charged for the license. Bearing in mind that the permit had no value until it was put to use, let's assume that the Federal Communications Commission decided to set an annual fee so it would return a fair market value to the government. After all, they could reason, T.V. Station XYZ, for instance, wouldn't be worth a couple million dollars if they didn't hold a government permit. Therefore, according to this logic, an "equitable" annual fee would be set at a level sufficiently high to capture for the government the market value of XYZ T.V., on the grounds that that value was created by virtue of the fact that the government issued the permit to broadcast! Change a few words to fit the grazing fee situation and you no longer have an analogy, but the actual case in point.

The complete economic impact of the grazing fee increase is difficult to assess. We know it would be extremely severe on the range livestock industry and local communities in the public land states. In Arizona, the out-of-pocket costs to ranchers would be just under $2 million annually. Using a conservative generator factor of 2, this would mean an additional loss of about $4 million to the local economy. But this kind of figuring is deceptive, because we can't determine the timetable upon which ranchers will be forced out of business. Some will go out as soon as the fees consume their profit margin. For those with the "average profit" of $1.92 per head that would happen the second year of the ten year plan. Others will

Footnotes at end of speech.

stay longer, using savings or borrowing on appreciated land values as long as possible. But these courageous souls, too, will be forced out unless market prices improve far beyond any present optimistic forecast. We have heard much lately about people with large outside incomes investing in ranches to take advantage of tax write-offs. Such investors can soon have a hey-day if the grazing fee decision is not modified.

Many references have been made to the financial institutions and their concern in this matter. One lending agency not heard from, to my knowledge is the Farmers' Home Administration. The FHA has both farm ownership and operating loans which are certain to be affected. They also have furnished an unusually high percentage of the financing for many recently organized grazing associations. These associations are formed by a group of people who go together and purchase a comparatively large ranch, or combination of ranches. Usually there is a considerable amount of both federal and private land involved. Since the portion of the purchase price which is financed is very high, the annual payments are also very near the maximum ability of the ranch. And payment schedules were based on grazing fees as anticipated under the old formula. In addition to the very real likelihood that the association members will have to default and lose their investment, we also have to realize the federal government will, by foreclosing the mortgage, take over more of our already scarce private range land. It would be interesting to know how this federal agency, the FHA, views the fee increase. They have obviously been recognizing the permit value as loan collateral.

At the beginning I expressed the belief that an analysis of fair market value should be predicated on two questions, the first of which was: "What factors should be used to arrive at an ultimate fair market value." So far I have listed several factors I believe should be used in arriving at a fair market value for public forage rather than placing major reliance on going rates for private land. These include:

Value of forage in the market.

Low per unit livestock returns.

Lack of truly competitive conditions.

Lack of true comparability between public and private land.

Value of multiple-use.

Rancher financed management and conservation practices.

Cost of money as a legitimate cost of doing business.

"Rights" not a part of permit value.

Government interference in business.

Economic impact.

Loans put in jeopardy.

No doubt there are many more that could be listed. True, these are mostly "negative values", but any honest appraisal must include negative as well as positive values if we are looking for real market *value*, rather than trying to justify an arbitrarily set market *price*.

My second question was: "Is fair market value a yardstick that can be accurately applied to grazing fees"? The answer is probably "yes" *if* all values, both positive and negative, are given proper weight, and *if* the Congress of the United States amends the applicable laws to provide for such a yardstick. Perhaps the use of the fair market value yardstick is too cumbersome and too subject to a variety of interpretations to be dependable over a period of time.

Up to the present time two different systems have been used to set fees. Bureau of Land Management has used 150 percent of the price per pound of cattle. The Forest Service has used a system that recognizes the difference in quality of grazing between areas, and uses market price as an annual adjustment factor. Although the Bureau of Land Management formula is more simple and does recognize that the price of beef helps determine the value of forage, we feel the Forest Service method is more equitable. It stands to reason that there is an operating cost difference between running one cow on ten acres compared to ten cows on one acre.

This difference should be reflected in any fee schedule for public land grazing.

The Arizona Cattle Growers' Association is not opposed to a reasonable increase in fees; in fact, an increase was anticipated even under the old system. We do object not only to the amount of the new fees, but to the way it was imposed. We urged our people to cooperate in the survey and the statisticians received excellent response. Yet when we tried to obtain some of the raw data it wasn't available. We honestly expected all cost items to be used, but as you know, they were not. For a change of such magnitude the least that could have been done was to hold public hearings in the areas affected. Notwithstanding all those adverse items we have tried to evaluate the plus and minus of the increase. Admitting that we aren't the best qualified party to make a completely objective evaluation, the minus still seems to far outweigh the plus. Here is our evaluation:

PLUS SIDE

1. $18 million annual increase to federal treasury (assuming no rancher goes out of business), less deduction in Number 2, below.

2. $4.5 million to local state and county governments (25 percent fund), less administrative costs.

3. Satisfaction for those interests that want to see public land grazing terminated.

NEGATIVE SIDE

1. $18 million decrease in ranchers' net income, if full AUM use could be maintained.

2. $36 million negative impact on local communities.

3. Loss of up to $700 million in collateral base.

4. Outstanding debts on assets that no longer exist.

5. Difficulty in obtaining future mortgages.

6. Decline in rancher financed or cooperative improvements.

7. Need of federal government to bear the burden of Number 6 in some combination of:

a. Increased appropriations for resource maintenance.

b. Decreases in value of federal land due to deteriorating rangelands and watersheds.

c. Decline in level of fees collected due to loss of capacity and use.

8. Need to increase expenditures on wildlife requirements.

9. Need for more urban employment for accelerated flow of agricultural owners and workers, perhaps a "second front" in the War on Poverty.

10. Up to $375 million loss in ranch assets.

I'm sure other persons could add several more items to each list. However, the negative so badly outweighs the plus that the need for review and change should be obvious. We respectfully urge this Committee to take the steps necessary to bring about such a change.

Mr. Chairman and Members of the Committee we commend you for calling this hearing on this most important matter. We appreciate the opportunity to have our views heard. Thank you.

FOOTNOTES

[1] "Ranch Costs" by Al Lane, Extension Livestock Specialist, University of Arizona, Tucson, Arizona, in "Arizona Cattlelog", January 1969.

[2] "Budgets for Livestock Ranches in Arizona and Other Western States", by Wm. E. Martin, Prof. of Agricultural Economics, University of Arizona.

[3] "Ranch Budgets for Tax Study", Dept of Ag Economics, Univ of Ariz, Aug 1965.

[4] Letter dated January 13, 1969, from Under Secretary of the Interior to Honorable Wayne N. Aspinall.

[5] "Studies, Alternatives and Recommendations on the Forest Service Grazing Fee Issue", submitted by U.S. Dept. of Agriculture, November 12, 1968.

VOTING IN THE HOUSE

HON. RICHARD BOLLING

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. BOLLING. Mr. Speaker, on March 10, 1969, there was released to the public a study made by the staff of the Democratic study group. I believe the study is useful and I commend it to all those concerned about the future of the Democratic Party in the House of Representatives and in the Nation:

VOTING IN THE HOUSE

INTRODUCTION

This is a two-part study of voting in the House of Representatives. Part I examines the voting patterns of Democrats associated with the Democratic Study Group as compared with non-DSG Democrats and Republicans. Part II examines the voting performance of Democratic committee and subcommittee chairmen.

The study is based primarily on 30 key votes during the 90th Congress. However, votes from the 89th Congress and studies of voting in several other Congresses are also considered. The 30 key 90th Congress votes (See Attachment No. 1) were selected to provide a representative picture of voting patterns based on the following four factors:

(1) *Liberal-Conservative Orientation:* The 30 votes include most of the major liberal-conservative tests of the 90th Congress.

(2) *Administration Support:* The Democratic Administration took a public position on all but four of the 30 issues.

(3) *Support of Democratic Party Principles:* Two-thirds of the 30 votes involved programs and policies advocated in the 1964 Democratic Party platform, and many of the remaining one-third involved traditional Democratic policies.

(4) *Party Unity:* On all but three of the 30 votes a majority of Democrats voted one way while a majority of Republicans voted the opposite way. The average vote saw two out of three Democrats voting one way and four out of five Republicans voting in opposition.

All four of the above factors were involved in at least 20 of the 30 votes, while three of the four factors were involved in virtually all 30 votes. Thus, findings in this study are expressed in terms of support for and opposition to the "national Democratic position" or "Democratic programs and policies."

SUMMARY OF FINDINGS

DSG Democrats voted 91% in *support* of Democratic programs and policies

Non-DSG Democrats nearly equalled Republicans in *opposing* Democratic programs—69% to 76%

Opposition of non-DSG Democrats was responsible for two-thirds of the 17 Democratic defeats on 30 key votes

Democratic committee and subcommittee chairmen alone were responsible for over half the 17 defeats

One of every three Democratic committee and subcommittee chairmen—42 of 114—voted more often *against* than in support of Democratic programs

34 Democratic chairmen—including six full committee chairmen—exceeded the Republicans in their *opposition* to Democratic programs—92% to 76%

The other 72 Democratic chairmen voted 88% in *support* of Democratic programs

The number of Democrats voting more in *opposition* than support of Democratic programs has been steadily increasing over the past 16 years—from 0 in the 83rd Congress to 53 in the 90th Congress

PART I. DSG DEMOCRATS, NON-DSG DEMOCRATS, AND REPUBLICANS

Part I examines the voting impact of 145 Democrats associated with the Democratic Study Group compared with 102 non-DSG Democrats and 186 Republicans.

The study shows that DSG Democrats gave an exceptionally high and consistent level of support to Democratic programs and policies while non-DSG Democrats voted more in line with the Republicans in opposition to the Democratic Administration, Democratic Party Platform position, and the majority of their Democratic colleagues in the House.

Overall, DSG Democrats voted 91% in support of the national Democratic position on the 30 votes compared with only 31% for the non-DSG Democrats and 24% for the Republicans.

(Note: Vote percentages are based on the number of members voting on each issue. Voting participation was remarkably even. On the average, 91% of the DSG Democrats, 90% of the non-DSG Democrats, and 93% of the Republicans participated in each vote.)

On vital humanitarian and social issues such as hunger, poverty, education, civil rights and the urban crisis, DSG Democrats voted 96% in support of Democratic programs and policies compared with only 38% for non-DSG Democrats and 36% for Republicans. (A summary of DSG, non-DSG and GOP voting in specific subject areas is included at the end of this section.)

The national Democratic position prevailed on only 13 of the 30 votes studied—and on five of these votes the average margin of victory was *only 13 votes*. Thus, without the exceptionally high level of DSG support—which ranged from 90% to 100%—votes on such key issues as food stamps, rent supplements, school desegregation, free trade and foreign aid would have been lost.

On the other 17 votes, the national Democratic position was defeated—in most instances because of the voting alliance between non-DSG Democrats and Republicans. On these 17 votes, 76% of the non-DSG Democrats teamed up with 86% of the Republicans in opposition to the majority of Democratic members.

The non-DSG members included a total of 75 Democrats who voted against more often than in support of the national Democratic position on the 30 key votes in this survey.

All but two of these Democrats were conservative to ultra-conservative members from Southern and border states. Their opposition was directly responsible for two-thirds of the 17 Democratic defeats.

Following is a summary by subject area showing the pattern of voting support for national Democratic positions by DSG Democrats, non-DSG Democrats and Republicans (categories correspond to categories in Appendix No. 1 which describe the 30 votes individually):

[In percent]

Poverty and hunger (4 votes):	
DSG Democrats	98
Non-DSG Democrats	39
All Democrats	75
Republicans	23
Education (2 votes):	
DSG Democrats	95
Non-DSG Democrats	47
All Democrats	77
Republicans	39

[In percent]

Gun control & crime (3 votes):	
DSG Democrats	85
Non-DSG Democrats	17
All Democrats	58
Republicans	26
Federal expenditures (4 votes):	
DSG Democrats	86
Non-DSG Democrats	32
All Democrats	67
Republicans	8
Housing and urban affairs (6 votes):	
DSG Democrats	96
Non-DSG Democrats	44
All Democrats	76
Republicans	23
Civil rights (3 votes):	
DSG Democrats	94
Non-DSG Democrats	22
All Democrats	63
Republicans	57
Foreign aid (3 votes):	
DSG Democrats	91
Non-DSG Democrats	27
All Democrats	66
Republicans	20
Consumer protection (2 votes):	
DSG Democrats	91
Non-DSG Democrats	16
All Democrats	61
Republicans	7

MISCELLANEOUS (3 VOTES)

[In percent]

	DSG	Non-DSG	Democratic	GOP
Prevent cutoff of aid to student demonstrators	69	7	45	25
Reform of House rules	97	24	68	14
Public power	81	26	59	3

PART II. COMMITTEE AND SUBCOMMITTEE CHAIRMEN

Part II of this study examines the voting behavior of Democratic committee and subcommittee chairmen in the House of Representatives.

The role of committee and subcommittee chairmen is of special importance in analyzing House voting patterns. Not only are they recognized as leaders in the House and in their party, they are also the main beneficiaries of Democratic control since members of the Democratic majority, in effect, give them their chairmanships.

In addition, committee chairmen represent 45% of Democratic voting strength in the House, and how a chairman votes often influences the votes of other members—especially those who serve on his committee.

During the 90th Congress there were a total of 114 chairmen heading 21 standing (or full) committees and 141 subcommittees. (Several members chaired more than one subcommittee.)

As noted in Part I, a total of 75 Democrats voted more in opposition than support of Democratic programs and policies on the 30 votes in this study. And as might be expected, many of these Democrats were committee and subcommittee chairmen.

However, the degree and extent of opposition by Democratic committee chairmen appears to be far greater than is generally thought.

For example, analysis of the 30 votes in this survey shows that over half (42) of the Democrats who voted more in opposition than support of Democratic programs were committee and subcommittee chairmen.

As a group, these 42 Democratic chairmen voted an average of only 13% in support of Democratic programs and policies and 87% in opposition. This was almost exactly opposite the record of the other 72 Democratic chairmen who averaged 88% support and only 12% opposition.

The opposition votes of the 42 Democratic chairmen provided the margin of defeat on nine—or better than half—of the losses sustained by the Democratic majority. (Roll Call Nos. 6, 178, 239, 275, 277, 296, 336, 387, & 417.) On two other losses (Roll Call Nos. 227 & 319) these Democratic chairmen were responsible for 90% of the margin of defeat. Considering the tendency of many members to "vote with" their committee chairmen, these two Democratic defeats could also be attributed to the defection of the 42 "opposition chairmen."

Thus, on many of the most crucial votes of the 90th Congress, one-third of Democratic committee chairmen voted against the Democratic Administration, Democratic Party principles, and the majority of their Democratic colleagues—and were responsible for the defeat of many Democratic programs.

These 42 include eight of the 21 standing committee chairmen (Colmer, Mills, Ichord, Rivers, McMillan, Poage, Mahon, and Teague).

The degree and extent of their alienation from and opposition to Democratic programs, policies and principles can be seen in the fact that 34 of these 42 chairmen exceeded the average Republican in their opposition to the national Democratic position on the 30 votes in this study.

As a group, these 34 chairmen voted only 8% in support of the national Democratic position on the 30 votes surveyed while voting 92% in opposition. The overall Republican record—which two other Democratic chairmen equalled—was 24% support and 76% opposition.

The 34 included six committee chairmen (Colmer, Mills, Ichord, Rivers, McMillan, and Poage) whose average as a group was 12% support and 88% opposition.

Eight of the 34 chairmen (including one full committee chairmen, Colmer) voted 100% against national Democratic programs, policies and principles on these 30 key issues. Fourteen others voted more than 90% in opposition. (Attachment No. 2 contains a complete listing of the support and opposition scores of all Democratic committee and subcommittee chairmen.)

All but one (Baring of Nevada) of the 42 Democratic chairmen who voted more in opposition than support are from Southern and border states. However, analysis of their voting records would seem to indicate that the extreme opposition of these chairmen is not necessarily due to regional differences over race and civil rights, but involves instead a basic disagreement with Democratic programs, policies and principles in general.

This conclusion is supported by the voting records of the 42 Democratic chairmen on non-civil rights issues in the 89th Congress as well as the 90th. In the 89th Congress, for example, three out of four of the 42 chairmen voted against such basic Democratic programs as Medicare, aid to education, model cities, anti-poverty, rent supplements, distressed area aid for Appalachia, and minimum wage increases.

Analysis of Congressional Quarterly voting studies

To test the validity of these findings, several voting studies conducted by *Congressional Quarterly* were also analyzed.

For example, a recent CQ survey of the voting patterns of the 91st Congress committee (but not subcommittee) chairmen indicates that the six full committee chairmen who exceeded the GOP in opposition to Democratic programs and policies in the 30 key vote survey, had the highest levels of support for the conservative coalition in both the 89th and 90th Congresses.

This survey also shows that, with minor exceptions, these six chairmen (Colmer, Rivers, McMillan, Mills, Ichord and Poage) had the highest levels of opposition to the Democratic President during the two Congresses and the highest levels of opposition to federal action in meeting domestic needs

and problems. (See *CQ Weekly Report*, No. 6, Feb. 7, 1969, p. 226.)

Another CQ study of the 90th Congress shows that 32 of the 34 chairmen who exceeded the Republicans in anti-Democratic votes supported the conservative coalition on *60% or more* of the votes studied. Half of these chairmen voted *80% or more* in support of the conservative coalition. (These 32 chairmen included five full committee chairmen: Colmer, McMillan, Rivers, Ichord, and Poage.) (*CQ Weekly Report*, No. 44, Nov. 1, 1968.)

Still another CQ survey shows that 25 of the 34 chairmen who had higher individual opposition scores than the GOP voted more in opposition than support on 40 foreign policy issues supported by the Administration during the 90th Congress. (This group included four full committee chairmen: Colmer, Ichord, McMillan and Rivers.) (*CQ Weekly Report*, No. 44, Nov. 1, 1968.)

Most revealing of all, however, are CQ's Party Unity-Party Opposition studies. For example, the 90th Congress survey indicates that 51 Democratic Congressmen voted against-more-than-with the majority of their party while two others voted against-as-often-as-with their Democratic colleagues on 171 votes during the 90th Congress. (*CQ Weekly Report*, No. 43, Oct. 25, 1968.)

All 53 of these members are among the 75 Democrats who voted more in opposition than support of the Democratic position on the 30 key votes.

The 53 voting more in opposition than support in the CQ study also include 30 committee and subcommittee chairmen—all of whom are among the 34 committee and subcommittee chairmen who exceeded the Republicans in their opposition to Democratic programs and policies in the 30 key vote survey. (See Appendix No. 2.)

The 53 include the entire Democratic delegations from North Carolina, South Carolina and Mississippi (18 members); 90% of the Alabama and Virginia delegations (9 members): 60% of the Florida, Georgia, Louisiana and Missouri delegations (19 members); 20% of the Texas delegation (4 members); and one member each from Arkansas, Oklahoma and Nevada.

On the average, these 53 Democrats voted in opposition to the majority of their colleagues on 58% of the 171 votes surveyed by CQ and in agreement with their fellow Democrats only 28% of the time.*

Analysis of previous CQ Party Unity studies shows that the number of members voting against-more-often-than-with the majority of their Democratic colleagues has been steadily increasing over the past 16 years and that the 90th Congress level is a record high.

Following is the record of the last eight Congresses showing the number and percentage of Democrats voting against-more-often-than-with the Democratic majority, and how many of them are committee chairmen:

DEMOCRATS VOTING AGAINST MORE THAN WITH THEIR PARTY

Congress	Number of Members	Percent of all House Democrats	Committee chairmen
83d (1953–54)	0	0	0
84th (1955–56)	4	2	2
85th (1957–68)	12	5	6
86th (1959–60)	18	6	10
87th (1961–62)	23	9	12
88th (1963–64)	29	11	15
89th (1965–66)	49	16	28
90th (1967–68)	53	21	30

Note: "Number of Members" includes both Members and chairmen. Also, figures in column "Percent of all House Democrats" are based on the actual number of Democrats in that particular Congress.

*CQ's individual ratings were based on all 171 votes regardless of whether or not members voted on each issue. Thus, percentages do not add up to 100% because many members did not vote on all issues.

* Votes preceded by an asterisk represented a defeat for the national Democratic position.

As the chart on the previous page indicates, committee and subcommittee chairmen have accounted for at least half of the total number of Democratic members who voted against-more-than-with the majority of their party in each Congress.

Comparison of the 30 key vote analysis and these CQ studies produces 30 committee and subcommittee chairmen who might be considered the hard core of opposition within Democratic ranks.

With minor variations, these 30 chairmen show up on virtually all indexes considered as voting more in opposition than support of Democratic programs, policies, principles and the majority of their Democratic colleagues. They are also among the 34 Democratic committee chairmen with higher opposition scores than the average Republican.

The 30 include five committee chairmen (Colmer, Poage, Ichord, Rivers and McMillan) and 25 subcommittee chairmen. (See Attachment No. 2. The 30 chairmen are those whose names are preceded by an asterisk, capitalized, and underlined.)

Finally, in assessing the significance of the findings in this study, it should be borne in mind that the disaffecting Democrats were not voting against extreme or radical proposals, but programs and policies which could be supported by Democratic chairmen representing a broad range of philosophical and political attitudes.

APPENDIX 1

LIST OF 30 VOTES USED IN DSG STUDY

Following is a list of the 30 key votes analyzed in this study:

Poverty and hunger (four votes)

(1) House Roll Call 128, June 8, 1967. Amendment to require states to pay 20% of costs of food stamp program. (Rejected: 173–191. Voting against: Dem, 77% DSG, 99%; Non-DSG, 40%. GOP 18%.

*(2) House Roll Call 387, Nov. 15, 1967. Motion to recommit Economic Opportunity Act Amendments with instructions to cut fiscal 1969 authorization from $2.1 billion to $1.6 billion. (Accepted: 221–190. Voting against: Dem, 69%; DSG, 96%; Non-DSG, 29%; GOP 17%.)

(3) House Roll Call, June 26, 1968. Amendment to cut $100 million of OEO appropriations from the Labor, HEW, and related agencies appropriations bill. (Rejected: 181–220. Voting against: Dem, 68%; DSG, 94%; Non-DSG 26%; GOP, 37%.)

(4) House Roll Call 293, July 30, 1968. Amendment to provide authorization for appropriations as needed for food stamps for fiscal 1969–1972 rather than the proposed ceiling of $245 million for fiscal 1969. (Accepted: 227–172. Voting for: Dem, 85%; DSG, 100%; Non-DSG, 62%; GOP 19%.)

Housing and urban development (6 votes)

*(5) House Roll Call 178, July 20, 1967. Motion to provide for floor consideration of the Rat Control and Extermination Act. (Rejected: 176–207. Voting for: Dem, 72%; DSG, 97%; Non-DSG, 38%; GOP 12%).

* Votes preceded by an asterisk represented a defeat for the national Democratic position.

*(6) House Roll Call 336, Oct. 24, 1967. Motion to increase Model Cities funds from $237 million to $537 million. (Rejected: 156–241. Voting for: Dem, 63% DSG, 87%; Non-DSG, 25%; GOP 10%.)

(7) House Roll Call 343, Oct. 26, 1967. Motion to insist on $10 million in fiscal 1968 funds for rent supplements instead of $40 million requested by the President. (Rejected: 184–198. Voting against: Dem, 76%; DSG, 96%; Non-DSG, 47%; GOP 20%.)

(8) House Roll Call 122, May 8, 1968. Motion to limit fiscal 1969 expenditures for the Department of Housing and Independent agencies to $15.5 billion—a reduction of $7.3 million. (Rejected: 173–217. Voting against: Dem, 85%; DSG, 98%; Non-DSG, 71%; GOP, 19%.)

*(9) House Roll Call 239, July 10, 1968. Motion to delete grants to public housing authorities for tenant services and grants for interim assistance for blighted areas. (Adopted: 217–193. Voting against: Dem, 78%; DSG, 97%; Non-DSG, 33%; GOP, 15%.)

(10) House Roll Call 240, July 10, 1968. Final House passage of the HUD Act of 1968. (Passed: 295–114. Voting for: Dem, 79%; DSG, 100%; Non-DSG, 48%; GOP, 63%.)

Education (two votes)

(11) House Roll Call 104, May 24, 1967. Motion to recommit Elementary and Secondary Education Act for further hearings. (Rejected: 180–236. Voting against: Dem, 81%; DSG, 94%; Non-DSG, 59%; GOP, 25%.)

(12) House Roll Call 156, June 27, 1967. Motion to recommit Education Professions Development Act striking the Teacher Corps provisions. (Rejected: 146–257. Voting against: Dem, 72%; DSG, 96%; Non-DSG, 35%; GOP, 52%.)

Civil rights (three votes)

(13) House Roll Call 220, Aug. 16, 1967. Passage of bill providing protection against interference with persons exercising or attempting to exercise their civil rights. (Passed: 327–93. Voting for: Dem, 70%; DSG, 99%; Non-DSG, 30%; GOP, 86%.)

(14) House Roll Call 95, April 10, 1968. Resolution to permit acceptance without challenge of Senate-passed open housing and other amendments to the Civil Rights Bill. (Adopted: 229–195. Voting for: Dem, 63%; DSG, 92%; Non-DSG, 20%; GOP, 42%.)

(15) House Roll Call 368, Oct. 3, 1968. Motion that the House accept Senate provisions weakening two House-passed amendments that would have greatly restricted HEW in its enforcement of school desegregation. (Accepted: 167–156. Voting for: Dem, 56%; DSG, 90%; Non-DSG, 17%; GOP, 44%.)

Gun control and crime (three votes)

*(16) House Roll Call 200, Aug. 8, 1967. Amendment to replace categorical grants to local governments with grants to states for planning and improving law enforcement methods. (Accepted: 256–147. Voting against: Dem, 63%; DSG, 90%; Non-DSG, 24%; GOP, 2%.)

*(17) House Roll Call 275, July 24, 1968. Amendment to exempt shotgun, rifle, and .22 caliber rim-fire ammunition from ammunition sales restrictions. (Accepted: 218–205. Voting against: Dem, 57%; DSG, 83%; Non-DSG, 18%; GOP, 38%.)

*(18) House Roll Call 277, July 24, 1968. Amendment to permit the National Board for the Promotion of Rifle Practice to ship guns through the mail to clubs participating in the civilian markmanship program. (Accepted: 225–198. Voting against: Dem, 53%; DSG, 81% Non-DSG, 10%; GOP, 39%.)

Foreign aid (three votes)

(19) House Roll Call 374, Nov. 8, 1967. Motion to recommit the foreign aid authorization bill and remove the authority of the President to engage in the sale or purchase of defense equipment or services with nations trading with or shipping to North Vietnam. (Rejected: 196–200. Voting against: Dem, 73%; DSG, 97%; Non-DSG, 35%; GOP, 20%.)

(20) House Roll Call 375, Nov. 8, 1967. Adoption of conference report authorizing $2.7 billion in fiscal 1968 for foreign economic and military assistance programs. (Adopted: 205–187. Voting for: Dem, 69%; DSG, 94%; Non-DSG, 30%; GOP, 29%.)

*(21) House Roll Call 267, July 18, 1968. Motion to recommit the foreign aid authorization bill with instructions to cut an additional $165 million, bringing the authorization to $1.9 billion—nearly $1 billion below the Administration request. (Adopted: 268–150. Voting against: Dem, 56%; DSG, 82%; Non-DSG, 17%; GOP, 11%.)

Federal expenditures (four votes)

*(22) House Roll Call 296, Oct. 4, 1967. Motion to delete a total of $20.7 million in appropriations for National Institutes of Health research and for education of the deaf. (Accepted: 226–174. Voting against: Dem, 69%; DSG, 91%; Non-DSG, 34%; GOP, 13%.)

*(23) House Roll Call 319, Oct. 18, 1967. Amendment to continuing appropriations bill ordering the President to reduce government expenditures in fiscal 1968 to $131.5 billion—$5 billion below the administrative budget—and to hold federal agencies to their fiscal 1967 spending levels. (Accepted: 238–164. Voting against: Dem, 69%; DSG, 82%; Non-DSG, 31%; GOP, 5%.)

*(24) House Roll Call 159, May 29, 1968. Motion to instruct House conferees on the Tax Surcharge bill to insist on limiting expenditure reductions to $4 billion rather than $6 billion. (Rejected: 137–259. Voting for: Dem, 59%; DSG, 81%; Non-DSG, 27%; GOP, 3%.)

*(25) House Roll Call 227, July 3, 1968. Amendment to deny all funds for highway beautification except $1.25 million for beautification study. (Accepted: 211–145. Voting against: Dem, 69%; DSG, 89%; Non-DSG, 35%; GOP, 9%.)

Consumer protection (two votes)

*(26) House Roll Call 417, Nov. 29, 1967. Motion to instruct House conferees to accept Senate amendments to Wholesome Meat Act which required intra-state meat plant operations to adhere to federal standards, and in some cases, to be inspected by federal officials. (Rejected: 166–207. Voting for: Dem, 66%; DSG, 95%; Non-DSG, 24%; GOP, 11%.)

*(27) House Roll Call 224, July 2, 1968. Motion to lessen the authority of the Secretary of Transportation to set safety standards for gas pipelines. (Accepted: 247–125. Voting against: Dem, 55%; DSG, 87%; Non-DSG, 9%; GOP, 4%.)

Miscellaneous (three votes)

*(28) House Roll Call 6, Jan. 10, 1967. Amendment to delete 21-day rule. (Accepted: 233–185. Voting against: Dem, 68%; DSG, 97%; Non-DSG, 24%; GOP, 14%.)

*(29) House Roll Call 195, June 19, 1968. Amendment to delete $671,000 in planning funds designated for the Dickey-Lincoln power project in the Public Works-Atomic Energy Commission appropriation for fiscal 1969. (Accepted: 266–132. Voting against: Dem, 59%; DSG, 81%; Non-DSG, 26%; GOP, 3%.)

*(30) House Roll Call 280, July 25, 1968. Amendment to Higher Education Amendments requiring colleges to deny federal funds to students who participate in campus disorders. (Accepted: 260–146. Voting against: Dem, 45%; DSG, 69%; Non-DSG, 7%; GOP, 25%.)

APPENDIX 2

SUPPORT AND OPPOSITION RATINGS OF COMMITTEE AND SUBCOMMITTEE CHAIRMEN, HOUSE OF REPRESENTATIVES, 90TH CONG.

(†) Dagger—A dagger in front of a chairman's name indicates chairmen who have higher opposition than support scores on both the 30 key vote index and the CQ index. (Equal scores are also included.)

(‡) Double dagger—A double dagger in front of a chairman's name indicates chairmen who have higher opposition than support scores on only 1 of the 2 indexes. (Equal scores are also included.)

(*) Asterisks—An asterisk in front of a chairman's name indicates that his level of opposition to the 30 votes in the 30 key vote index was higher than (or equal to) 75 percent—the overall level of Republican opposition.

(0) Numbers in parentheses—The number in parentheses following each chairman's name indicates the number of committees and/or subcommittees he chaired during the 90th Cong.

State	Chairman	30 key vote index		CQ party unity index	
		Support	Opposition	Support	Opposition
Alabama	†*Andrews (1)	0	100	21	66
	†*Selden (1)	11	89	29	54
	Jones (3)	53	47	67	18
Arizona	Udall (1)	97	3	81	5
Arkansas	†*Gathings (3)	0	100	25	72
	‡*Mills (1)	15	85	46	43
California	Brown (1)	92	8	49	11
	Holifield (1)	97	3	84	2
	Johnson (1)	87	13	90	6
	Miller (1)	96	4	67	2
	Moss (2)	100	0	75	3
	Sisk (1)	85	15	74	4
Colorado	Aspinall (1)	70	30	58	13
	Rogers (2)	83	17	78	11
Connecticut	Daddario (1)	97	3	79	4
	Monagan (1)	80	20	73	15
Florida	†*Bennett (1)	10	90	37	63
	†*Haley (2)	0	100	10	86
	†*Sikes (1)	18	82	46	42
	Fascell (2)	93	7	80	8
Georgia	‡*O'Neal (1)	3	97	29	62
	‡*Davis (1)	21	79	44	42
Illinois	Dawson (2)	100	0	68	1
	Gray (1)	79	21	71	10
	Kluczynski (1)	100	0	74	2
	O'Hara (1)	97	3	81	4
	Price (3)	100	0	93	2
	Pucinski (1)	93	7	74	12
Kentucky	‡ Natcher (1)	50	50	67	33
	‡ Stubblefield (1)	47	53	58	30
	Perkins (1)	80	20	89	11
Louisiana	†*Hébert (4)	20	80	19	25
	†*Passman (1)	10	90	32	51
	‡Willis (4)	35	65	22	11
Maryland	Fallon (1)	87	13	64	12
	Friedel (3)	100	0	93	4
	Garmatz (2)	97	3	82	8
Massachusetts	Boland (1)	97	3	82	5
	Macdonald (1)	90	10	61	9
	Philbin (1)	97	3	78	6
Michigan	Diggs (1)	100	0	57	3
	Dingell (1)	79	21	83	9
Minnesota	Blatnik (3)	96	4	81	5
	Karth (1)	93	7	78	8
Mississippi	†*Abernethy (2)	0	100	20	70
	†*Colmer (1)	0	100	17	71
	†*Whitten (1)	7	93	30	61
Missouri	†*Ichord (2)	15	85	35	53
	†*Jones (3)	6	94	23	39
	Sullivan (2)	93	7	77	7
Montana	Olsen (1)	89	11	73	6
Nevada	†*Baring (2)	4	96	17	65
New Jersey	Daniels (2)	100	0	93	4
	Thompson (1)	100	0	70	1
New York	Carey (1)	100	0	68	6
	Celler (2)	93	7	66	1
	Dulski (1)	90	10	88	6
New York—Continued	Farbstein (1)	100	0	75	4
	Hanley (1)	93	7	85	12
	Kelly (1)	90	10	82	5
	Pike (1)	75	25	67	27
	Resnick (1)	100	0	37	0
	Rooney (1)	100	0	82	2
	Stratton (1)	63	37	48	27
North Carolina	†*Fountain (2)	3	97	25	55
	†*Henderson (1)	7	93	32	59
	†*Lennon (2)	0	100	23	74
	†*Taylor (1)	13	87	30	64
	†*Whitener (1)	13	87	29	60
Ohio	Ashley (1)	100	0	68	5
	Feighan (1)	93	7	83	4
	Hays (3)	64	36	60	14
	Kirwan (1)	100	0	71	6
Oklahoma	†*Jarman (1)	0	100	27	69
	Edmondson (2)	70	30	80	14
	Steed (1)	55	45	66	26
Oregon	Green (1)	82	18	63	16
Pennsylvania	Barrett (1)	97	3	77	3
	Clark (1)	68	32	68	12
	Dent (1)	93	7	68	4
	Flood (1)	86	14	78	7
	Green (1)	100	0	87	2
	Holland (1)	100	0	(1)	(1)
	Moorhead (1)	97	3	79	6
	Morgan (2)	93	7	85	4
	Nix (1)	100	0	84	2
	Vigorito (1)	87	13	83	13
South Carolina	‡*Ashmore (2)	4	96	14	57
	‡*Dorn (1)	7	93	34	54
	‡*McMillan (2)	14	86	29	47
	‡*Rivers (2)	14	86	37	37
Tennessee	‡Everett (1)	30	70	45	30
	Evins (1)	52	48	46	13
Texas	‡*Burleson (1)	10	90	36	55
	‡*Dowdy (1)	3	97	23	67
	‡*Fisher (1)	3	97	22	56
	‡*Poage (2)	14	86	43	44
	†*Pool (1)	4	96	(2)	(2)
	†*Teague (3)	24	76	36	30
	†Purcell (1)	31	69	49	27
	†Mahon (2)	43	57	65	33
	Brooks (1)	83	17	85	6
	de la Garza (1)	57	43	61	25
	Patman (3)	83	17	64	9
	Wright (2)	65	35	68	12
Virginia	‡*Abbitt (1)	0	100	12	64
	‡*Downing (1)	21	79	47	47
	‡*Hardy (2)	24	76	43	35
Washington	Foley (1)	77	23	82	12
	Hansen (1)	90	10	78	3
West Virginia	Hechler (1)	97	3	88	12
	Staggers (2)	83	17	65	9
Wisconsin	Reuss (2)	100	0	85	5
	Zablocki (1)	90	10	82	9

[1] Representative Holland died during 1968 and was not included in the CQ study.
[2] Representative Pool died during 1968 and was not included in the CQ study.

Note: 30 key vote index—The 30 key vote index gives the percentage of votes on which the chairman supported the national Democratic position and the percentage of votes on which he voted in opposition. Votes on which the member was not recorded are not included. CQ index—The CQ index shows the percentage of 171 party unity rollcalls on which the chairman voted in agreement with the majority of his party and the percentage of which he voted in opposition to the majority. All votes are included, whether or not the member was recorded. Thus, a member's party unity support and opposition scores add up to 100 percent only if he voted yea or nay on all 171 rollcalls.

AIC'S SUPER SATURDAY

HON. EDWARD P. BOLAND

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. BOLAND. Mr. Speaker, American International College of Springfield, Mass., this season fielded two of the most skilled and spirited sports teams in its history. The college's hockey team last Saturday edged Norwich University 7 to 6 to win the division II title of the Eastern Collegiate Athletic Conference. That same day AIC's basketball team won the National Collegiate Athletic Association's District I title by defeating Springfield College 91 to 68.

I would like to congratulate AIC's hockey coach, Bill Turner, its basketball coach, Bill Callahan, and their players for the truly remarkable performance they turned out this season.

The hockey team's 1968–69 season is over—the ECAC holds no national competition in hockey—but the basketball team now goes on to the NCAA national tournament in Evansville, Ind. I know my colleagues from New England join me in extending best wishes to the team for a successful tournament.

The Springfield, Mass., Union yesterday published a column outlining AIC's double victory in hockey and basketball last Saturday. With permission, Mr. Speaker, I put this article in the RECORD at this point:

AIC'S SUPER SATURDAY

A couple of old war horses who used to run the infield track on American International's baseball battlefield about a quarter-century ago won the daily double for their alma mater Saturday.

Forming what would be known in racing parlance as a "perfecta exacta" were coaches Bill Turner and Bill Callahan.

Turner started AIC's super Saturday by directing his precocious puck-chasers to a 7–6 victory over Norwich in the ECAC Division II finals at the Coliseum.

A few hours later, Callahan took the controls in Butova Gym and he pushed all the right buttons as his cagers crushed Springfield, 91–68, for the NCAA District 1 college division crown.

THOSE SKATERS CAN SCORE

Will there ever be a happier day in AIC athletic history than Saturday, March 8? It's most improbable.

Turner, a full-timer as placement director at AIC, couldn't be more pleased about his team's accomplishment. His boys may have defensive shortcomings, but they certainly know how to score. Lads like Gary Socha, Yves DeRome, Mike Egoroff and Dave Forbes are at their best when the puck is on their sticks.

The object of the game, after all, is to outscore your opponent. Turner's boys are well-schooled in this fundamental.

This is the end of the road for the hockey team, since there is no national competition in the college division. But the basketball team has bigger goals remaining.

Most observers, including the rival coaches, who saw AIC squash Springfield Saturday night are convinced that the Yellow Jackets could do some business in Evansville this time.

The members of the eight-team field supposedly are the best college division teams in the country, AIC's Wednesday afternoon opponent, San Francisco State, was rated highly in national polls.

A year ago, the Jackets were somewhat shaken before they even took the floor against Kentucky Wesleyan. Their trip to Evansville was delayed by storm conditions and the kids, most of whom had never been on an airplane before, didn't make the tourney scene until a few hours before gametime.

Adding to AIC's troubles was the injury to Henry Payne. The little playmaker fractured a bone in his hand in the regionals at Worcester and his trip to Indiana was as a spectator.

Despite the adversities, AIC made a respectable showing before bowing to the eventual national champions, 90–78.

CARTER FOOLS 'EM

The present AIC team is better equipped to do the job in Evansville. Bobby Rutherford, Al Bush and Curtis Mitchell are older, stronger and wiser. Greg Hill is one of the smoothest underneath operators Callahan has ever brought along. And Al Carter may not be the strongest big man around, but the 6–11 beanstalk never stops trying. His fine shooting touch has fooled a lot of people.

With speed as his major asset, Callahan has looked to his bench often. Rudy Wolters, Jim White, Cisco Maloney and Tom Doyle have all been big contributors.

After it was all over Saturday in Butova Gym, there was renewed controversy about the pairings. Many viewers felt that AIC and Assumption were the two best teams, and on the strength of what happened, those teams should have been battling for the title rather than meeting in the first round.

Springfield, however, certainly can't be discredited. The Chiefs made the selection committee look good with their spirited showing and conquest of Central Connecticut. Ed Bilik's boys did themselves proud.

And speaking of a golden Saturday for sports, all the success wasn't on the AIC campus. Springfield brought home New England crowns in swimming and wrestling, and a national title in women's gymnastics.

CONGRESSIONAL REFORM IMPORTANT

HON. ANCHER NELSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. NELSEN. Mr. Speaker, congressional procedures, more appropriate to horse and buggy times than to the jet age, have fostered poor legislation, diminished the role of Congress as a coequal branch of Government, and interfered with the public's right to know.

For such reasons, I urge the prompt enactment of legislation which I am cosponsoring with many others to modernize legislative branch procedures and operations.

Passage of this legislative reform bill would greatly strengthen the voice of the minority party in writing the laws of the land, improve congressional budget and research functions, and give taxpayers a better idea of what their lawmakers are doing. It would provide better supervision of lobbying activities and tighten up congressional oversight of the activities of the executive branch. On balance, this bill to improve the internal functions of Congress is highly desirable.

Included among improvements the bill would require are:

Creation of new committee rules that would require the announcement of record votes, permit a majority to compel the filing of a report or bill, prohibit voting by proxies, and require that committee rules be printed at the beginning of each session;

Assurance to the minority party of proper committee staff, the right to file minority views on committee reports, equal time in debating conference reports, and the right to schedule witnesses during committee hearings;

Reform of each standing committee's oversight functions over the regulations, procedures, practices and policies of the Government relating to laws within that committee's jurisdiction; and

Strengthened congressional research and budgetary functions, including an upgraded legislative reference service, greater utilization of the General Accounting Office and procedures for stepping up appropriations processes.

FARMERS NOW OWN THEIR CREDIT BANKS

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. ZWACH. Mr. Speaker, a milestone of national significance was recently reached in the field of agricultural credit. This occasion was properly recorded in the Land O' Lakes News, and I am reproducing this article in my remarks to amplify the importance of this fruition of the congressional and industrial goals at the time that the original law went into effect in 1923. I believe this complete ownership and their repayment to the Federal Government of the money that was loaned to farm credit bank is a strong testimony of the determination and ability of rural people to keep their promises. The article follows:

FARMERS NOW OWN THEIR CREDIT BANKS

December 31, 1968 was a day of real significance for American agriculture, for on this day farmers and ranchers in North Dakota, Minnesota, Wisconsin and Michigan, through their Production Credit Associations, became the sole owners of the Federal Intermediate Credit Bank of St. Paul.

This announcement was made by Andrew Lampen, President of the Federal Intermediate Credit Bank of St. Paul. Production Credit Associations have concluded to take advantage of recently enacted laws authorizing them to retire the remaining $12.5 million of Government capital in the Credit Bank and become complete owners of the equity interests in the Bank.

Through national coordination, 453 PCAs will retire $126 million of Government capital remaining in the 12 intermediate credit banks.

"When the credit banks were established in 1923, Congress made no provision for the retirement of the Government-owned stock. In 1956 Congress provided a plan for PCAs to acquire capital stock in the banks and gradually retire the Government's investment. Subsequent legislation has speeded up this process," Lampen explained.

The credit banks provide loan funds to PCAs who in turn make loans to farmers and ranchers for operating and capital purposes. The banks obtain their loan funds by selling

securities each month to investors in the nation's financial markets. This often has been called the bridge between Wall Street and the farmer.

"On a national basis farmers borrow nearly $6 billion a year from their 453 Production Credit Associations," Lampen stated. "Of this, over $700 million is provided by 52 associations served by the Credit Bank of St. Paul."

Lampen added that this is the last step taken by farmers and ranchers in paying back the capital originally invested by the Government in the three Farm Credit Banks of St. Paul; The Federal Land Bank, the St. Paul Bank for Cooperatives, and now the Federal Intermediate Credit Bank.

"A half century ago few people thought farmers could become their own bankers. This is a truly significant accomplishment. It is a tribute to the help of an understanding Government, service-minded management, the loyal support of 544,000 PCA farmer-members and the faith and determination of the nearly 2500 farmers that serve on the boards of directors of the associations," Lampen concluded.

PHIL HART: SENATE MAN

HON. LUCIEN N. NEDZI

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. NEDZI. Mr. Speaker, the leading political figure in the State of Michigan is our senior Senator, PHILIP A. HART. He is a marvelous human being and a man I am proud to call friend.

Senator PHILIP HART served his apprenticeship in Government in a quiet, effective manner. All who came in contact with him were impressed by his intelligence and decency. It is gratifying that in the foremost legislative arena in the world, these qualities have served him well. The people of our Nation are fortunate that circumstances and PHIL HART'S special abilities have come together in such a way that he is now elevated to a position of national leadership.

The flavor of the man is captured in a recent article by the distinguished Washington correspondent of Knight newspapers, Saul Friedman. Under leave to extend my remarks in the RECORD, the article is set forth below:

ESTABLISHMENT REBEL: MICHIGAN'S SENATOR PHILIP HART—CAN MICHIGAN'S PHIL HART, AMERICAN SENATOR, REMAIN PURE—AND BE POWERFUL TOO?

(By Saul Friedman)

"It was on the dignity of the Senate that Augustus and his successors founded their new empire . . . In the administration of their own powers, they frequently consulted the great national council, and seemed to refer to its decision, the most important concerns of peace and war . . . Augustus was sensible that mankind is governed by names; nor was he deceived in his expectation that the Senate and the people would submit to slavery, provided they were respectfully assured that they still enjoyed their ancient freedom."

—*Gibbon's "Decline and Fall of the Roman Empire."* (*Emphasis in the original.*)

Lyndon B. Johnson, a latter day Augustus, gave Phil Hart his first lesson on how to enjoy being a United States Senator.

The lesson was administered in January, 1959, just after Hart came to the Senate. Hart still recalls the incident, perhaps because it was the first of the hundreds of little initiation rites for the new boys of the Club.

"It was the evening of the first roll call, which was to be a test of the leader's strength. But I didn't know it," Hart says. "You're always supposed to vote with the leader when he wants to adjourn out of trouble. I wasn't ready to quit, so I voted against the leader's motion to adjourn."

The next day, Johnson wandered over to Hart's little desk in the back of the Senate chamber, towered over him and drawled quietly: "Senator, let me tell you a little story. When Sam Rayburn first came to Congress, the Speaker told him: 'Young man, you vote against the leadership whenever your conscience or the interests of your state require it. But don't do it very often and don't do it on anything important.'"

Hart, a little shaken, told Johnson he understood. But he didn't really get the message, because he drew himself up and added politely: "Don't count on me."

The imperious Democratic leader walked off and we can only surmise that he probably wondered whether the quiet little man from Michigan was going to be another one of those do-good-but-accomplish-little liberals, or learn another Sam Rayburn dictum Johnson was fond of quoting: 'You got to go along before you can get along."

There are those in the Senate who never learned. And as majority leader, vice-president, and President, Johnson had little to do with them.

In 1957, for example, William Proxmire, a Democrat, was running in a Wisconsin special election for the Senate seat vacated by the death of Joseph R. McCarthy. Johnson was the most powerful figure in the party, then out of the White House, and he used his influence to funnel funds, some from the oil industry, into Proxmire's campaign. After Proxmire won, Johnson met him at the Washington airport, to give him a hero's welcome, and begin buttering him up.

Within a few weeks, Proxmire tried to start a rebellion against Johnson's leadership, and charged the Texan with being dictatorial, which he was. From that time on Johnson saw to it that Proxmire didn't get a thing in the Senate. He barred Proxmire from committees he wanted, even if it meant asking a senator with more seniority to move from one committee and onto the one Proxmire wanted. And Johnson always called Proxmire "Senator Pismire."

It was natural for Hart to have been a bit defiant. There was no love for Johnson among Michigan's Democrats. It may pain some of them to remember it now, but at the time they believed Johnson stood for all that was archaic and evil in the Democratic Party. But that was long ago, when they were the crusaders for what is now called New Politics.

Hart and the leaders of the party that elected him were devout liberals, and their political idols were G. Mennen Williams, Adlai Stevenson, Paul Douglas, of Illinois, and Hubert Humphrey, of Minnesota.

These were the kind of men who had guided Hart's views and his career. So it was to be expected that he should look to such liberals for leadership in the Senate.

But eventually Hart discovered, to his deep dismay, that most of these men, even a giant like Douglas, were frustrated and almost without effect in the Senate. The seniority system, the musty rules and traditions of the Senate got in their way. And the clique led by Johnson and the late Robert Kerr, of Oklahoma, was all-powerful.

What disturbed Hart most, however, was the inability of the liberals to put aside their fervent and often dogmatic idealism, and work with and within the system of the Senate—to change it, to become effective, to win even the smallest victories, and to serve their constituents.

This is what Johnson was talking about in that little lesson on the Senate floor. And although it took him a long time, he learned it.

A small incident in the fall of 1966 will illustrate how well Hart has learned the folkways and games of the Senate.

Sen. James O. Eastland, a Mississippi Democrat, and an archetype of the porcine, cigar-chomping southern racist, was running for reelection. As chairman of the Senate Judiciary Committee he was also in on the kill of the civil rights bill that year, for which Hart was floor manager.

A leader of Senate civil rights forces, Hart arose in the chamber one day to denounce Eastland as an obstructionist enemy of all civil rights legislation. Hart's language was unusually harsh.

It seemed a courageous thing for Hart to do, for Eastland was his chairman and a very influential member of the Senate. One of Eastland's allies, Sen. Sam J. Ervin, a North Carolina Democrat, arose to reply to Hart and defend his colleague from Mississippi.

But as Ervin began speaking, Eastland sidled up to him and whispered loudly: "Damn it Sam, sit down and shut up. You're ruining the whole thing."

Hart's speech, it turned out, had been written by Eastland's staff. It was to be circulated in Mississippi to help Eastland win against a Republican who charged he was too soft on the Negro issue.

Eastland and Hart still chuckle over the incident. And Ervin, because he was taken in by it, gets a belly laugh out of remembering it.

It also helped give him a fondness for Hart which is reserved for no other liberal northerner.

"There are few men in the Senate with whom I disagree more, or have greater affection for," Ervin said of Hart. "Some folks around here believe that if you entertain views hostile to their own, there must also be a personal hostility. Senator Hart is unfailingly a fine gentleman."

Ten or even five years ago, Hart would have thought such a charade repugnant and dishonest. Most of his old idols would never have taken part in it. And yet it was not dishonest.

He agreed with every word in the speech. Indeed Hart could not have made it on his own without expecting some kind of retribution from Eastland. It is rare for a senator to denounce another, much less his committee chairman. Eastland would probably have been elected without the speech, but as it was, Hart's favor made Eastland slightly beholden.

Two years later, under Hart's guidance, the civil rights bill passed, with a minimum of trouble from Eastland. And with Eastland's help Hart has had little difficulty getting federal judicial appointments in Michigan through his committee.

Just before the end of the 90th Congress, when Lyndon Johnson failed to get confirmation for his appointment of Justice Abe Fortas as Chief Justice, he told Hart he could have the nomination.

But there wasn't enough time left in the session and the idea died. Although the hostility towards Fortas' liberal views was high in the Senate and the Judiciary Committee, if there had been a couple of weeks left before adjournment, Hart's nomination could have been approved.

Eastland quietly told Hart he would not oppose him. And Ervin, a constitutional conservative, said later even he might have supported Hart despite their opposite views on recent decisions of the Supreme Court.

The nomination of Hart never came about, but it would have been ironic. Johnson, who once wondered if Hart would ever become his kind of senator, was ready to elevate him to the Supreme Court, partly out of gratitude for his fight in the Senate on Fortas' behalf. And Hart, who for years was miser-

able in the Senate and dreamed of a Supreme Court nomination, discovered somewhat to his surprise that he didn't want to be on the court after all.

He understood his role in the Senate. He had become a member in good standing of its Establishment, the club within the club. For the first time he was happy at his work, and good at it.

Having discovered this and come to terms with himself and the "great national council" called the Senate, Hart is now reaching towards the height of his powers.

His Judiciary subcommittee on anti-trust and monopoly is one of the most important in the Senate, and Hart has become a spokesman for those who challenge corporate windmills. In separate stories in one magazine, Hart was quoted three times in a single issue as the Senate authority on the practices of big business.

Before Hart became chairman of his subcommittee, it was run by the late Estes Kefauver, of Tennessee, a flamboyant and gutsy fighter who was more suited to playing Don Quixote. He took on drug companies and crime syndicates in hand-to-hand combat that propelled him to prominence and a place on the 1956 Democratic ticket.

After Kefauver's death, his staff was so disappointed with Hart's gentle, judicial style, many called him "chicken Hart" and "faint Hart." Yet beneath Kefauver's bombast, there had not been much significant legislation. And Hart, like Kefauver, was confronted with a conservative majority on his subcommittee, which limited any liberal, trust-busting action.

Nevertheless, Hart was pushed forward with an impressive list of hearings which exposed seamy practices in big business. In the past couple of years the medical profession has begun to restrict the practice of physician-owned drug companies, because of an investigation by Hart. In an adroit maneuver, Hart took his truth-in-packaging bill out of the clutches of his hostile committee, and sent it to the more liberal Commerce Committee. It was approved and became law.

Two years ago the Louisville Courier Journal said in an editorial that Hart is "filling a void left by the death of Sen. Estes Kefauver and the defeat of Sen. Paul Douglas. He is emerging as a spokesman for the great, amorphous mass of consumers in this country, poking around in shadowy corners of the domestic scene for the enlightenment of the public. . . . He is a valuable man to have in the Senate."

In the next two years, partly because he must stand for reelection in 1970, Hart is stepping up the activity of his committee, venturing into areas where few have gone and survived politically.

Hart has already begun and will continue to look into the auto insurance and auto repair industries. He will also investigate the high cost of hospital care, the stranglehold that credit bureaus often have on consumers, the favoritism granted big corporations in defense procurement, monopolies in the newspaper and broadcasting industries, and the manner in which international oil cartels manipulate government, the market, and oil prices.

Hart is also a member of the Commerce Committee, and depending on the wishes of the chairman, Sen. Warren Magnuson, he may get to run a subcommittee which will have jurisdiction over air transportation. Magnuson offered Hart the consumer subcommittee, but he turned it down because it would merely duplicate what he is now doing.

In the Senate at large, Hart is the acknowledged expert and the prime mover of civil rights legislation. And more important he has become a force behind what Sen. Edward M. Kennedy, of Massachusetts, has called "the winds of change" that are now wafting through the Senate. When Kennedy sought counsel on whether to run for the Assistant Democratic Leader's post, he called Hart first, and he took his advice.

Hart was among the early opponents of the anti-ballistic missile system. And he was one of the early advocates of massive action to relieve hunger and malnutrition in the nation. In both these efforts, and others, Kennedy has joined Hart.

In the relationship of the two men, Hart has displayed no personal ambition, except to reform his party and the Senate the better to deal with the issues of the day. And towards this end he has supported and encouraged Kennedy. Thus, as Kennedy's star rises, so will Hart's.

This too has a potential for irony. Hart has almost always played a supporting role in his political lifetime, and even now he would refuse a formal Senate leadership post unless it was thrust upon him. Yet the ways of life, death and politics have put Hart in a position of leadership, however informal, and great influence. And he has survived or surpassed those he once followed and worshipped.

Stevenson and Kefauver are dead. Douglas and Humphrey are over the hill. And Soapy Williams, the man to whom Hart owes all he has, will soon be looking for a new future.

To be quite accurate, Hart's first political debt is to his wife, because she is rich. Mrs. Jane Hart, whose volatile temperament is a perfect foil for her husband's calm, is the daughter of the late Walter Briggs, a Detroit industrialist. Phil Hart says candidly that he could not have indulged himself in a political career if his wife's money was not available to keep up their homes, send their eight children to school, and pay some office and campaign expenses.

Born on Dec. 10, 1912, in Bryn Mawr, Pa., Hart was the son of a moderately well-to-do banker. He went to Georgetown University, in Washington, and while there roomed with Walter Briggs, Jr., and through him went to the University of Michigan law school and met his future wife when she was still a scrawny, tomboyish teenager.

By 1943, Hart had finished law school and had become a captain in the army. And in the women's page of a Detroit newspaper it was recorded that "Society reporters have been keeping a sharp eye on the romance of Phil and Jane ever since October, 1940 when Janey appeared at a banquet in honor of the Detroit Tigers (which her father owned) escorted by her young lawyer friend."

On June 10 of that year they were married. Among the guests were former Ohio Gov. James A. Cox, the Democratic presidential nominee in 1920, and A. Mitchell Palmer, who won spurious fame as attorney general after World War I, when he ordered the nation's first "Red hunt."

On D-Day, a year after the marriage, Hart was seriously wounded by a mortar shell on Utah Beach at Normandy. He went on to fight in the Battle of the Bulge, and came home with a Purple Heart, a couple of Bronze stars, and the French Croix de Guerre.

Hart, along with many veterans, returned to Michigan when a new political era was dawning.

He had long been interested in politics. His father, a friend of Woodrow Wilson, and the Democratic chairman of his county, had taken him to the 1924 party convention. But he had no idea he would run for office. A quiet, rather reflective and introverted man, Hart never believed he was suited to politics.

Politicians often like to say they were destined for office, and like any red-blooded American boy, set their minds to it while studying Plutarch by the light of a log fire. The truth is that politicians, like most men, simply find themselves surrounded by circumstance and become its victim or its beneficiary, depending on their luck, their support, their opponent, and their ability to make the most of opportunity.

In the late 1940s in Michigan, the industrial and political power of Detroit had matured. The United Auto Workers, having joined in the war effort was over its violent formative period, and had become generally respectable. The strapping new, and liberal guard of the labor movement, the idealism of many a returning veteran, the changing face of Michigan, and the vision of a few, young men were the ingredients for change in the Democratic Party.

Soapy Williams became the standard bearer, and Phil Hart, one of his University of Michigan classmates, became his sword carrier. The Harts were about the only Democrats in Bloomfield Hills.

But the irrepressible Janey remembers those days with starry-eyed nostalgia as they fought losing, uphill battles against the entrenched Oakland County Republicans. Phil Hart only remembers that they lost.

"I have never yenned for the time when we were going to lose by a half million votes," he says. "Back in those days it wasn't as exciting as it is now. I suppose it was fun then, not having any responsibility, having the ability to scream."

Besides battling Republicans, the young Turks among the Democrats also fought the American Federation of Labor and Teamster Control of the party, and the influence of communists in the labor movement and liberalism.

After Williams became governor, he appointed Hart Corporation and Securities Commissioner, and in that job he prepared to run for Secretary of State. He was trounced and Williams gave him work as director of the state Office of Price Stabilization. Unhappy in that job, Hart, during the last part of the Truman Administration, became U.S. District Attorney.

As part of his duties he prosecuted several Michigan communists under the Smith Act, and has regretted it ever since. When the liberals in Michigan and elsewhere, went on their own anti-communist hunt in the labor movement and other organizations, they unwittingly fed the fires of the McCarthyist monster they came to detest. Since those days, Hart has supported Supreme Court decisions knocking down those laws which he used against Communists in Michigan.

The Michigan battle against the AFL and the Teamsters came to a climax in 1954 when Hart, then legal advisor to Williams, announced he would run for lieutenant governor. Backed by the United Auto Workers, Hart ran in the primary against George Fitzgerald, attorney for the Teamsters and a former Democratic National Committeeman. It was a vicious campaign in which the Teamsters on occasion tried the use of a little muscle against Hart's supporters. But Hart won easily and went on to defeat his Republican opponent.

From then on, the political reporters referred to Hart as Williams' "heir-apparent." When Williams got tired of being governor, it was said, he would go on to bigger things and leave the statehouse to loyal ol' Phil.

Jane Hart, who never got on with Soapy's tempestuous wife, Nancy, chafed at seeing her husband wait at Williams' pleasure. But patient Phil said of Williams: "He and he alone set me on the road. He built the party. I'll wait."

Not only did he wait. He advised Williams to run for the Senate and from there make a bid to get on the national ticket in 1960 or later. But Williams was convinced that his national future would be brighter from a governor's office. He was thinking of the governors then powerful and prominent in party politics—Stevenson, for one. Someone showed Williams an analysis which concluded there was a better chance for national office as a senator than governor. But Williams thought otherwise and made the biggest mistake of his career. He chose to run again for governor

and the way was clear for Hart to run for the Senate.

Hart easily defeated the incumbent, Charles Potter, and in running ahead of Soapy by 170,000 votes began leaving his old teacher behind. And like many a man who is big in his own state, as Hart headed for Washington he left naivete and political virginity behind.

On a night soon after his arrival in Washington, the Senate freshmen of the class of '58 gathered with their wives for dinner at the home of one of their number, Vance Hartke, of Indiana. He was a small town mayor who had come to the senate looking like an overly ambitious button-hook salesman.

During the evening Hartke expansively picked up the telephone and ordered the operator to get Lyndon Johnson at the LBJ Ranch.

"I've gathered the new boys here, Mr. Leader." he said, "because I thought you might want to say a few things to them."

Jane Hart recalls the incident: "One by one, like little boys, they trooped to the phone to say 'Yes, Mr. Leader, No, Mr. Leader, Of course, Mr. Leader.' It was disgusting. I kept hoping that Phil wouldn't go to the phone. But he did. And I chewed him out all the way home."

"All I can say in my defense," said Hart, "is that I was the last to go to the phone.

"I'm sure now it would have made no difference if I hadn't gone to the phone. But politicians are human, and people don't understand this. They are subject to the same pressures as anyone else, even more. But politicians too worry about their job, their bosses, their paycheck. So they go to the phone—to be safe."

Despite Hartke's fawning over Lyndon Johnson, and perhaps because of it, he has never been admitted into the inner circles of the Senate. Nor have many senators who are conscientious, make headlines, and get reelected.

"I don't know that there is any more of a club in the senate than in a local bar association," Hart said. "Some men, by virtue of their ability, their judgment, their trustworthiness, their personality, and the work they do draw more water than others. Some men simply have power because of the positions they hold.

"When a new man comes to the Senate it's like a new boy moving in on the block. He is tested in subtle ways to see what he has, to see if he'll lend a hand when he wants something."

Hartke became a hero to liberals when he broke with President Johnson over the Vietnam War. But fellow senators, including the liberals, knew that Hartke challenged the President out of personal pique and his inability to get Johnson's help in the Senate. Therefore Hartke's opposition to the Vietnam War carried little weight with his colleagues, and his manners offend them.

Similarly, Sen. Eugene J. McCarthy, one of Hart's closest friends in the Senate, could not impress his colleagues when he made his challenge against Johnson. Although he had come to the Senate under the sponsorship of its most influential leaders, during most of McCarthy's tenure he did little work and he wasn't there when embattled liberals needed another voice and another vote.

Although both are liberals, Hartke and McCarthy are at the opposite extremes of Senate style. One, Hartke, was too tight, too openly ambitious; the other, McCarthy, too laconic and indifferent.

It is true that neither had formal position in the Senate and therefore no power to admit them into the club. But this year Russell Long, of Louisiana, chairman of the Power Finance Committee, was defeated as assistant Democratic Leader and thus drummed out of the club. And Sen. Robert Byrd, of West Virginia, an ambitious little man who is majority secretary, seems destined always to carry the bats for the players.

"The way you vote or whether or not you are invincible at home doesn't have a lot to do with where you stand in the club," Hart said. "All I can say is that how much power and influence you wield around here depends on the judgments others make of you for intangible reasons."

For equally intangible reasons, those who are in the club seem to know it. And they operate with an easy self-assurance and a tacit understanding of all the unwritten rules of their league of gentlemen.

You can look down from the galleries to the rich maroon and white carpeted Senate chamber and pick out the club members by the way they saunter easily onto the floor, well-tanned, well-tailored, chatting casually with fellow senators. There are others, with papers and assistants and nervous impatience.

The members of the club frequently cross party lines in their relationships with each other, giving and taking on legislation, favors, tickets to inaugural balls, or the choice of office suites. At the beginning of each session of Congress the leaders will hold committee assignments in abeyance until after the rules and organizational fights, so that the choice of assignments can be used to keep a stubborn Senator in line.

Some members of the club will not allow themselves to be used to help defeat a colleague of the opposite party. Sen. Jacob Javits, of New York, is a Republican but he refused to campaign in Pennsylvania against Democrat Joseph Clark (who was defeated anyway). And two years before Hart helped Eastland out, Michigan Republicans invited Republican Thurston Morton, then Senator from Kentucky, to speak to their state convention. He learned, after accepting the invitation, that he was to help whip up enthusiasm to defeat Hart.

Morton tried to withdraw but couldn't. So he cleared his speech with Hart. He told the Republicans, in effect, that if they wanted to defeat Hart they would have to find a candidate of great integrity, honesty, experience, and ability. Hart had no difficulty getting reelected.

The conviviality of the club, the horse-trading, the seeming hypocritical politeness in debate, produce what is called an area of "enlightened self-interest." And on that bit of ground law is made.

But the pace of progress is painfully slow, and it sometimes seems like retrogression. And so there are critics of the Senate who say, with the support of convincing evidence, that it has become moribund.

Eugene McCarthy, who led a formidable assault on the creeping pragmatism of the political process, believes that it may be irrelevant and unable to cope with the revolutionary crises of the times. That is one reason for his indifference and for his decision to leave the Senate next year.

Hart has spent many hours debating with friends like McCarthy and Sen. Edmund Muskie, of Maine, and himself the worthiness of the Senate process and its snail's pace accomplishments. To wit: Hart may get a favor or two from Eastland, but the people of Mississippi still have him for a Senator.

"My great question is over whether we get taken in by confusing the time and effort and abuse in getting something done, and what gets done. We equate all the work we do with what is accomplished and what is accomplished seems small.

"You can surrender and say the hell with it. But I can't. Therefore you must convince yourself that that's the way history is made—with small accomplishments and much confusion. This is the way society functions, and so does the Senate. But it sure is a drag and depressing sometimes."

When he is not depressed, Hart can recall the voting rights and fair housing bills he helped shepherd into law.

"When I'm eighty years old, a lot of towns are going to be different because of those bills," says Hart.

And the Senate, he believes, is changing rapidly and reforming because of the early battles of men like Douglas, Kefauver, and Humphrey.

"No longer does a liberal have to be an idealistic, visionary, speech-a-day fighter who has to hope that long after he's gone he will have had some effect," Hart said. "Each decade needs a different kind of man, and today we are beginning to get those things men like Douglas wanted."

Thus Hart displays the reason for his calm patience: His implicit faith in the system, the process, the institution.

The United States Senate is only the second such experiment in all of history. The first was the Senate of Rome, organized 700 years before the birth of Christ.

It reached its greatest power during the time of the Roman Republic. But eventually it became bogged in a mire of its own making, dominated by tradition and cliques, preoccupied with games, unable to grapple with really basic issues, then at last supine beneath the Caesars' imperial ambitions.

The American Senate is of course different and more modern than its Roman ancestors. It may still use spittoons, straight pens, snuffboxes, and blotting sand. But the Senators don't wear togas anymore.

ACTION IN THE LUMBER PRICE CRISIS

HON. WENDELL WYATT

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. WYATT. Mr. Speaker, we who are concerned about the problems of the high cost of home building, and, in this connection, the high cost of lumber and plywood, recognize that these problems have many facets.

Clarence W. Richen, vice president of Crown Zellerbach Corp. for Northwest timber operations, is a very forward looking, experienced, and conscientious leader in the wood products business in the Northwest. He recently wrote me concerning the long-range needs of the forest survey, and also of that outstanding installation, the Forestry Science's Laboratory at Oregon State University, Corvallis, Oreg.

In connection with the latter operation, he has pointed out that plans for the development of phase II of this laboratory were completed by mid-year 1967. Nothing further has been done because Congress has failed to appropriate the money for this valuable tool in our continuous battle to insure that lumber and plywood supply is not outrun by demand. The funds for this phase are desperately needed, and should be appropriated this year.

We can make loud noises, deplore the situation, make speeches, and in many other ways show our concern for the high price of lumber and plywood, but here is one action which we can take, one which in the long run will be much more

effective than critical statements or sympathetic understandings.

For the benefit of my colleagues who are genuinely interested in real, solid steps, looking toward providing adequate supplies of forest products, I herewith submit Mr. Richen's letter:

CROWN ZELLERBACH CORP.,
Portland, Oreg., March 7, 1969.

Hon. WENDELL WYATT,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN WYATT: Here in the Northwest the past year's startling upsurge in the price of timber has stimulated many forest owners—public and private, both large and small to seek opportunities for investing more of their funds in intensive timber growing. But before such venture capital can be attracted to tree farming in the large amounts required, forest owners must have far more specific information on the combination of techniques that will yield the best returns under their particular set of conditions.

All of this adds up to a very large series of tasks that forestry research simply has not come to grips with in a realistic way. Forestry researchers have been highly productive in developing the scientific basis for the technology we use today, in view of the fact that they are operating with a fraction of the funding and facilities required to make the progress so badly needed. But they must step up their output.

I know you are familiar with the 10-year National Plan for Forestry Research presented to the Congress a few years ago. I was on the National Forestry Advisory Committee at the time. This is a coordinated plan based on a careful analysis of the most important forestry problems in each region. It was prepared jointly by scientists and research administrators in the U.S. Forestry Service working with counterparts in the forestry research organizations of the Associate State Universities and Colleges. This plan has great merit—first, it coordinates efforts, and second, it has been just recently prepared. Unfortunately it is only about one-half activated.

For these reasons I was interested in reviewing provisions for research included in the budget recommendations for the U.S. Forest Service sent to the Congress earlier this year. For the entire United States, the budget for next fiscal year recommends a 3 percent increase in Forest Service research. Meanwhile the cost of doing research has increased a considerably greater amount as has also the need for the results of research.

I note several small but important increases are recommended for projects headquartered in the Pacific Northwest—Forest Survey at Portland, Oregon, Douglas-fir Silvaculture in Olympia, Washington, Forest Fire Research at Seattle, and Wildlife Habitat at La Grande, Oregon. I am asking your support of these items.

I ask your particular consideration of several research programs, headquartered in Oregon, that merit and need your help now.

The Forest Survey is an essential in any timbered region. This project, conducted by the U.S. Forest Service, is the only source of information on timber resources that covers all owners, both public and private, and shows the relationships between current timber volumes, growth, cut, timber mortality, and opportunities for expanding, or threats of a shrinking timber supply in or tributary to such geographic units as counties and states, as well as regions and the entire nation. It would be virtually impossible to plan and operate efficiently a continuing, complex timber industry today without the basic information and essential analyses supplied by the Forest Survey. The budget proposes an increase of $25,000 for the survey project based in Portland, Oregon, that serves the entire states of Washington, Oregon, California and Hawaii. Actually, an increase of $100,000 in this work is needed to produce the detail of information promptly enough to serve the needs of the rapidly developing timber industry and the communities dependent upon it.

Dedication of the new Range and Wildlife Habitat Laboratory at La Grande, Oregon last October filled an important gap in the forestry research facilities for the Pacific Northwest. The research headquartered there is working out the scientific basis for coordinating management of big-game ranges with timber production, grazing of cattle and sheep and watershed management on the 60 million acres of forest and related range lands in eastern Oregon and Washington. The deer and elk alone in this area furnish more than 2 million man-days of recreation hunting annually. I am pleased to learn that the budget for Fiscal Year 1970 proposes an increase of $89,000 to strengthen the La Grande project and for operating the new laboratory at a more efficient level. Wildlife habitat research got a late start in the Northwest, and this strengthening is much needed. I would also urge the Forest Service to extend wildlife and fish habitat research to the important watershed and timbershed lands west of the Cascade Mountains in Oregon and Washington as soon as possible.

I am particularly concerned at this time about one installation in the National Plan for Forest Research—the U.S. Forest Service Forestry Sciences Laboratory at Corvallis, Oregon. As I remember, you have visited this laboratory. Research at this laboratory is developing improved methods of controlling forest insects and diseases, which alone extract a toll of 7 billion board feet of timber annually from northwestern forests. Another project there is working out the essentials of watershed to minimize damaging siltation, flooding and landslides, while improving the quality and timing of water available for domestic, recreational and industrial use. Still others are working to increase future timber supplies by developing genetically superior trees; improving methods for regenerating, culturing and harvesting forest crops and determining the impacts of chemicals used in land management on the forest environment.

Staff members of my own Company and numerous others are cooperating actively in this work, seeking to speed progress in the development of further research results that all of us need so critically. But progress is retarded because the facilities at the Corvallis Laboratory are grossly inadequate and behind the schedule of development projected in the National Plan. As you know, the Congress provided funds to develop plans for Phase II of this laboratory in 1966—almost three years ago. The detailed plans were completed by mid-1967, but they have not been used because no funds have been appropriated for construction. I understand $2.7 million would be needed if funds were provided to start construction in 1969.

In view of our increasingly serious timber supply situation, and the communities, jobs and industry dependent thereon, I would urge that the Congress provide now for completing the Corvallis Laboratory and for operating the research projects headquartered there at full strength as soon as can now be arranged.

Many thanks to you for your thorough and knowledgeable consideration of the forestry problems and opportunities so important to our national and regional progress.

Cordially,

C. W. RICHEN,
Vice President,
Northwest Timber Operations.

REDUCED RATE AIRLINE FARES

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. WILLIAM D. FORD. Mr. Speaker, I have introduced H.R. 8284, a bill which authorizes air transportation at reduced rates for youths between the ages of 12 and 22, all persons who are over 65 years of age and military personnel who are traveling at their own expense in uniform of those services while on official leave, furlough, or pass.

This legislation has become necessary because of a case that is now pending before the Civil Aeronautics Board. Trailways Bus Co. brought the action. A CAB examiner hearing the case ruled on January 21 that special youth fares were unjustly discriminatory and should be canceled. American Airlines petitioned the decision and the ruling is now being reviewed by the CAB. If affirmed this decision will terminate present youth fares. Under the challenged youth fare system, which was established in 1966, children aged 12 through 21 are able to travel anywhere in the United States by plane on a standby basis, at a 50-percent reduction of fares except at peak traffic times and seasons. Other special rates are allowed for family reductions for husbands and wives or children traveling together.

Youth fare traffic increased from 2,100,100 passengers in 1966 to 5,760,000 in 1968. College students and vacationing families were the chief users of these special rates.

H.R. 8284 would remove the doubt that has been created by the CAB case and make it clear that the airlines may grant reduced rate transportation on a space available basis to military personnel, young people, and senior citizens. Such a provision now applies to ministers of religion. The three groups that this bill would extend coverage to have certain characteristics in common which make such coverage appropriate and desirable. They are all at reduced levels of wage earning capacity; they are all likely to be at rather extended distances from their families; and they are all likely to be traveling at their own expense—as opposed to businessmen who can deduct their travel expenses at income tax time. These three groups would be traveling on a standby basis and therefore not interrupting normal air traffic nor in any way inconviencing full fare passengers.

Specialized treatment of certain groups is not unheard of.

I am especially concerned about extending this coverage to our senior citizens. We are all aware of the special needs of youth and military personnel. Yet many find it far too easy to forget about our senior citizens and our very special obligations to them. An older person who, having worked for 30 to 50 years, retires to enjoy more leisure time often finds that, living on a fixed and considerably reduced income does not leave much room in their budget for

air travel. Yet these are the very people who have the time and the greatest need to visit their children and grandchildren who are often located in distant States.

VIRGINIA SIANO
HUMANITARIAN

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. BIAGGI. Mr. Speaker, I believe we all realize that drug addiction is one of the most insidious scourges of our time, competing as it does with the minds and bodies of our young people. It is a serious challenge which must be met not only by marshaling the efforts of the appropriate government agencies, but by enlisting the help of all of our citizens.

It is gratifying to know that in the Pelham Bay area of my district in the Bronx, there is a woman who, in her dedication to service to those who have become drug dependent, might well be an exemplar for this private help.

Mrs. Virginia Siano, of 1921 Hobart Avenue in the Bronx, has for years been a prime mover in the drive to educate drug addicts into an awareness of the need for new direction in their lives. A wife, a mother, and a grandmother, Mrs. Siano has worked tirelessly, on a volunteer basis, not only to reorient drug victims, but to raise funds for their physical rehabilitation.

This Sunday, March 23, at the Chateau Pelham in the Bronx, Mrs. Siano will sponsor her seventh annual fundraising dinner for the benefit of Synan, an organization devoted to bringing professional help to drug addicted youths. Over the years, she has raised many thousands of dollars for this worthy purpose, her only reward being the satisfaction that comes from seeing defeated human beings return to the full status of dignified and productive members of the community.

Mrs. Siano is endowed with a special gift of compassion, a real sense of duty to her fellow man, and an indomitable spirit of self-sacrifice. Through kindness and understanding, she has opened the door to life for so many, a door that for all practical purposes was forever locked. Her participation and commitment have been total, her success remarkable.

Typical of the indication of respect and affection in which Mrs. Siano is held is a comment from a former drug dependent youth whom she helped. He said, in the full gratitude of his heart:

> I sincerely hope that the good Lord or whoever it is who produces women like Mrs. Siano allows her many more good years on this earth, as there are all too few of her kind.

What a wonderful tribute for any human being.

Mr. Speaker, I am sure there are other Virginia Sianos in this world, rare as they may be, and in expressing our credit to her today, we recognize all those who helped find the way for others who have lost theirs.

LOU RAWLS

HON. ALPHONZO BELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. BELL of California. Mr. Speaker, in these times of turmoil both at home and throughout the world, I would like to take a few moments to call attention to someone who personifies the qualities in life which are too often lacking in our society today. I refer to a gentleman by the name of Lou Rawls. His is a name that is known and respected wherever the soulful music of America's heartland is played. His continued success lies not only in his talents as a performer, but also in his philosophy, and the consideration shown to those around him. Despite a hectic schedule which includes recording, night club, concert, television, and motion picture appearances, Lou Rawls always takes time to visit two high schools each month, at home or on the road, to encourage young Americans of all races and creeds to stay in school. Perhaps because of his own experience, Lou's primary interest is in the area of education. His pet slogan is, "It's easier to teach without hate rather than teach not to hate." He has appeared over the country with one message, "Stay in school."

Lou feels very strongly about the value of education and particularly about the absence of more factual material on black accomplishments and contributions to this country. Toward this end, he has started a project to introduce into the school curriculum factual material designed to bring about better understanding between all ethnic groups; it is his belief that better understanding will follow better awareness. Lou was born on the Southside of Chicago, Ill., deep within the ghetto binding black Americans. Lou's childhood was a struggle for survival within the ghetto, but at the early age of seven he began singing with the local church choir. After graduating from Dunbar High School, he joined the Pilgrim Travelers, a well-known male gospel group. He interrupted his singing to volunteer for the U.S. Army and spent 2 years with the 82d Airborne Division. After finishing his tour of duty, he began singing at local clubs in the Midwest area. In 1959, Lou moved to Los Angeles and began working in local clubs. However, it was not until 1967 that things really broke for Rawls and he was acclaimed by Billboard magazine as the No. 1 jazz vocalist; No. 2 rhythm and blues singer for albums; No. 4 best male vocalist for albums; and No. 86 for singles, which made him the winner of Billboard's Top Artist Award in the musical category.

In the highly competitive entertainment world, where stars rise and fall with remarkable speed, Lou Rawls continues to grow as a star of the first magnitude year after year. Today Lou Rawls is actually three people—businessman, entertainer, a devoted husband to his wife, Mrs. Lana Rawls and their two children, and most important of all an untiring soldier in behalf of furthering education for all mankind. It is indeed gratifying to pay tribute to this outstanding gentleman.

THE FIRST BREACH IN THE WALL

HON. BERTRAM L. PODELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. PODELL. Mr. Speaker, the textile industry in this Nation has been accused of dragging its feet on unionization and civil rights. Over the years, major legal struggles have developed over its resistance to 20th century attitudes regarding union activities and fair employment practices.

Gradually a case was being built up against this industry on several of these counts. Most of this momentum has gone by the boards as a result of Mr. Packard's decision to award major textile contracts for the Pentagon to three of the worst offenders.

Many Negro youngsters serving in the Armed Forces might take issue with his decision. Their uniform cloth will now be made by companies who have been accused of unfair employment practices and discriminatory promotion policies toward categories of workers.

Mr. Packard and the Defense Department have poked that first little hole in the wall. We are taking that first discouraging step backward, as those who have fought advances in human rights silently congratulate one another.

The Washington Post has been conducting a campaign aimed at delineating the dimensions of this sad progression of events. A recent editorial in that paper aptly capsulizes the present situation. I insert it here for the enlightenment of this body.

THE PENTAGON DISPENSES SOUTHERN COMFORT

One of the more mystifying episodes of the past several weeks has concerned a verbal agreement reached between the Deputy Secretary of Defense, David Packard, and the representatives of three Southern textile firms—J. P. Stevens, Burlington Mills and Dan River Mills. The employment policies of all three firms had been under investigation and review by the Pentagon and the Office of Federal Contract Compliance for over a year owing to well substantiated charges that they were racially discriminatory; and all three firms had been so unyielding to Government efforts to bring them anywhere near compliance with the guidelines for Federal contractors that neither the Pentagon's own investigators nor the OFCC would recommend that contracts with them be approved.

Early in February, however, Mr. Packard awarded the three offending firms $9.4 million in Federal contracts, asserting that he had received assurances that they would put "affirmative action plans" into practice. Ordinarily, and by provision of an Executive Order, such assurances would have been put in writing. However, no one but Mr. Packard and the textile firms' representatives seems to know of what these assurances or "plans" consist. They were not committed to paper or shared with officials at the OFCC or elsewhere in the Department of Labor who were involved in the cases and who have a clear responsibility for their outcome. Indeed, more than a month after the contracts have

been awarded and despite the OFCC's effort to find out more about them, the most that could be learned was that the firms had assured Mr. Packard that they would try to meet the Government's standards.

There are a couple of things that ought to be said by way of providing some background and perspective on all this. One is that Mr. Packard's own reputation in this field appears to be good, as is that of the firms for which he was responsible in private life. The other is that contract cut-off or denial has been anything but standard operating procedure in these tangled matters—the custom has been to threaten it or to delay the award until the Government's racial requirements were met. But when you have said this, you have pretty well exhausted what assurance or extenuation is to be found in Mr. Packard's odd act.

The dangers inherent in what he has done are more readily apparent. The Southern textile cases had been building for a long time. They were ripening for a big decision and had acquired the status of test cases, being widely watched in the South and elsewhere for evidence of Washington's seriousness on the question of contract compliance. Now whatever meaning they had in that regard has been spent. Moreover, weak as the Government apparatus for assuring compliance had been, there is little question that it has been drastically further weakened by the exclusion of the OFCC—presumably the maker and judge of compliance policy—from the deliberations between Mr. Packard and the spokesmen for the mills.

Finally, there is the matter of example and direction. In the South, and especially in the areas of greatest recalcitrance, Federal guidelines and official statements about them are read with excruciating, comma-picking care, there is a kind of stock market effect at work, whereby the most minute evidence of loss of resolve in Washington is registered at once in declining cooperation on the part of those companies or school districts or local governments still holding out. Reportedly, right on the heels of Mr. Packard's decision, inquiries did start coming in—from other Government agencies as well as from private concerns—as to whether this did not mean new and relaxed procedures were now in effect.

By May 1, the Southern textile firms in question will be obliged to issue a quarterly report on their progress in meeting Government requirements. Customarily, the Pentagon would issue instructions as to what it wished answered in that report. This routine procedure offers an opportunity to retrieve the situaton somewhat; a public and specific list of what the Federal Government expects to hear about in that report would have the effect, retroactively to be sure, of establishing the compliance terms the mills are expected to meet. Nor would it be a bad idea to issue such a public declaration before the end of March, since additional contracts are scheduled for award by then and some are expected to go to the same three firms. The Administration, via the Pentagon and the Labor Department, should be trying to strengthen the compliance program, not weaken it. They will have the most cause for regret if they open a Pandora's box of resistance and regression.

ROGER L. STEVENS

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. BRADEMAS. Mr. Speaker, last week Roger L. Stevens departed from his position as Chairman of the National Endowment for the Arts. All who are concerned with the arts owe a special debt of gratitude to Mr. Stevens for his leadership during his 3 years as Chairman.

Because he was the first Chairman, Mr. Stevens had a unique opportunity to chart the future course of the Endowment's support for the arts. The tremendous enthusiasm for the Endowment from the artistic community is eloquent tribute to Mr. Steven's effective and creative leadership.

In an age of science and sophisticated technology, he recognized the importance of providing man with the opportunity to enjoy and appreciate the beautiful. Thus, the National Endowment for the Arts took giant steps in increasing the opportunities, for all Americans—in the cities, smaller communities, and the rural areas—to enjoy the arts.

I have been particularly impressed by the Endowment's emphasis on education in the arts. The Endowment has, in the past 3 years, initiated numerous programs to lift the quality of instruction in the arts. Grants to teaching artists have enabled poets, painters, sculptors, and composers to take a leave of absence from teaching to do creative work on their own. On returning to their teaching, they can offer their classes increased inspiration and enthusiasm for their subject. Tours by performing arts groups, assisted by grants from the Arts Endowment, have enabled countless young Americans to experience firsthand, plays, musical presentations, and art exhibits.

Mr. Speaker, I could mention many other instances of exciting projects supported by the National Endowment for the Arts. These examples would further support the conclusion that the Endowment, inspired and led by Roger Stevens, has made a significant beginning in carrying out the task which Congress has assigned to it. The contribution of Mr. Stevens to this auspicious beginning cannot be overstated.

Although Mr. Stevens will no longer serve in a Federal post, it is encouraging to know that he will continue his active interest in the arts through a new private foundation which will attempt to generate increased support for the arts from the private sector of our economy. I am sure that all of my colleagues join me in wishing Mr. Stevens gratitude for his contribution to the entire Nation and good luck in his future enterprises.

ARCHITECT-ENGINEER PUBLIC AFFAIRS CONFERENCE

HON. JOHN A. BLATNIK

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. BLATNIK. Mr. Speaker, the National Public Affairs Conference cosponsored by the American Institute of Architects and the Consulting Engineers Council of the United States, meets this Wednesday and Thursday here in Washington. This meeting of architects and engineers, two key elements in the redevelopment of our cities and the planning and reconstruction of such community facilities as mass transportation systems, sewage treatment plants, and water and sewer facilities, is unique in two ways: it demonstrates the new cooperative spirit between two traditionally rival groups—architects and engineers—and it points up the increasing interest and participation of both professional organizations in the operation of government.

Architects and engineers have for years regarded each other as professional rivals. This week's AIA–CEC conference illustrates the newly progressive relationship of U.S. architects and engineers whose traditional professional jealousy has been replaced by what is jointly proclaimed as "the design team concept." Working together, architects and engineers contribute collectively and equally to the creative process. The winner in this team endeavor is the Government and other clients who are the recipients of A/E cooperative services.

The Architect/Engineer Public Affairs Conference points up a second subtle change now occurring in architecture and engineering. For many years the legislative and political arenas have enjoyed only occasional participation by the design professions. Few architects or engineers have seen fit to seek office, engage in political campaigns, or present a concerted voice to State legislatures or to the U.S. Congress. However, this is no longer true. Today, more than 500 men and women, representing A/E firms responsible for planning many of this Nation's most magnificent public works projects, such as the Chesapeake Bay bridge-tunnel, Shea baseball-football stadium, the San Francisco Bay area rapid transit system, the Air Force Academy, and many many others, are gathered here in Washington to improve their knowledge of the legislative and executive operation of their Government.

Officers and committee chairmen are present from the 50 States. Their interest in public affairs includes self-education and, more, the determination to act—to meet those of us who represent them in the Congress and to discuss with us programs aimed at solving problems of housing, pollution, and transportation.

The American Institute of Architects and the Consulting Engineers Council of the United States deserve a warm commendation for their efforts in establishing productive cooperation between their two endeavors and for bringing these respected professions out of the world of computers and drafting boards and to this city. They bring us their advice and counsel; they come to share with us their ideas on solving our Nation's technical-sociological problems.

With these thoughts in mind, I wish to invite my colleagues to join in welcoming the members of the architectural and engineering professions to the Nation's Capitol and to wish them well in their Public Affairs Conference deliberations.

OTTINGER OPPOSES DEBT LIMIT HIKE

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. OTTINGER. Mr. Speaker, Congress is again being asked to increase the permanent ceiling on the national debt—this time to $365 billion—and to increase the temporary debt ceiling to $377 billion through June 30, 1970.

This is the third time in 16 years Congress has been asked to raise the national debt limit. The Eisenhower administration twice requested a higher debt ceiling and the Johnson administration made one such request. Each request was accompanied by pious assurances that it would be the last time. Each increase in the debt ceiling served only to increase the inflationary pressures and the burden on the American taxpayers. One would think we had learned our lesson by now.

How can this administration and this Congress justify again raising the national debt limit. Can there be any doubt about the need for fiscal reform, instead of merely adding on to the unfair burdens created by topsy-turvy priorities in Government spending and a tax structure which has a loophole for every special interest?

Interest payments on the national debt now come to $16 billion, $12 billion more than we spend for education. In a very real way, we are mortgaging our future.

Since becoming a Member of this House, I have repeatedly expressed my concern over what I consider unsound fiscal policies. It is a tragic paradox that at a time of unprecedented national prosperity marked by a record gross national product and soaring corporate profits, low- and middle-income Americans are caught in a squeeze between higher taxes and higher prices. They are not participating to the extent they should in our overall economic growth and the fiscal policies of this Government are directly to blame.

I am particularly concerned about the plight of the retiree and others living on a fixed income, for they are most cruelly afflicted by fiscal mismanagement at the Federal and State levels.

For 4 years now, I have been calling for comprehensive tax reform and a total assessment of our national spending priorities. I have introduced specific legislation to accomplish these goals and am pleased that at least a first step has been taken by the initiation of tax reform hearings before the Committee on Ways and Means.

It appears that these hearings may take the remainder of the year and that no tax reform legislation will come up for action before 1970, at the earliest. But this is no excuse to delay reevaluating budget priorities—determining which programs and policies are in the national interest in light of economic conditions—and taking immediate steps to eliminate those found unnecessary and defer those found nonessential at this time.

The new administration inherited a proposed budget from its predecessor, but it need not adopt that proposal as its own. There is plenty of fat to trim: Farm subsidies, public works, the supersonic transport, highway construction are all ripe for either deferral or reduction, to say nothing of the Sentinel missile system. Let us not overlook the supposedly sacrosanct defense budget, from which about $10 billion in wasteful spending could be cut, according to an investigation conducted by Congressional Quarterly last year.

A vote to raise the debt limit can serve only to encourage this administration and this Congress to continue the discredited fiscal and monetary policies which brought our economy to the point of inflationary crisis. That is why I will vote against increasing the debt limit: to convince the administration that it must take a long, hard look at its budget and establish realistic priorities.

THE 50TH ANNIVERSARY OF THE AMERICAN LEGION

HON. WILLIAM V. ROTH, JR.

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. ROTH. Mr. Speaker, I would like at this time to salute and congratulate the American Legion on the 50th anniversary of its founding. As a member of Laurence Roberts Post No. 21, in Wilmington, Del., and as a friend of a distinguished Delawarean who is a founding father of the American Legion, National Executive Committeeman Thomas W. Miller, I have long been familiar with the outstanding work of the American Legion on behalf of our Nation and its citizens.

The American Legion is fundamentally a patriotic organization, dedicated and devoted to advancing the ideals of America—justice, freedom, democracy, and loyalty—and to exalting, under the motto "For God and Country," the sacredness of human personality and the inestimable gift of American citizenship. Founded in Paris on March 15, 1919, by 1,000 representatives of the American Expeditionary Force, the American Legion currently has more than 2.6 million members—veterans of four wars: World Wars I and II, Korean and Vietnam conflicts—in some 16,000 posts in the United States and abroad. Bound together in comradeship and service, Legionnaires—"Veterans as Citizens"—actively devote their efforts to four major programs: Americanism, child welfare, rehabilitation, and national security. In addition to working for handicapped veterans, their widows and orphans, an emphasis is placed on citizenship development of youth, with over 5 million participating each year, in such programs as Boys State, Legion baseball, and a national oratorical contest.

The work of the American Legion during its first 50 years is a source of inspiration to all Americans and we are all more comforted in the knowledge that we may look forward to many more years of Legion service to community, State, and Nation.

SOVIET NAVAL BUILDUP IN THE MEDITERRANEAN—PART 1

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. ASHBROOK. Mr. Speaker, in the CONGRESSIONAL RECORD of yesterday, March 17, there appears an extensive article by Jerry Greene of the New York Daily News reviewing the state of the overall military preparedness of the United States. In the article Chairman MENDEL RIVERS of the House Armed Services Committee observed that examinations of the readiness of the Atlantic and Mediterranean Fleets proved to be shocking.

By way of a timely and provocative contrast, the Chicago Tribune began a four-part series on the buildup of the Russian naval fleet in the Mediterranean Sea written by Michael McGuire of the Chicago Tribune Press Service. It stated in part:

> For many months, the Russians have had a well-trained fleet in this sea consisting of modern and highly efficient surface ships and submarines, some of which are capable of launching nuclear-tipped missiles.

Although we are assured that the American 6th Fleet or NATO naval forces could destroy the smaller Russian surface fleet quickly with Soviet submarines presenting more of a problem, the Soviet naval presence brings home to us quite forcefully the urgent necessity of keeping our Naval forces in combat readiness.

While some citizens may lament that defense expenditures are exorbitant, one cannot apply an ordinary economic rule-of-thumb when confronting the Soviet military juggernaut. Our Mediterranean Fleet provides both military protection and psychological reassurance to our allies whose assistance is necessary if the free nations are to preserve their liberties in the face of Communist worldwide designs.

I request that the article, "American 6th Fleet Keeps Eye on Russ Mediterranean Subs," by Michael McGuire and appearing in the Chicago Tribune of March 16, 1969, be inserted in the RECORD at this point.

The article follows:

AMERICAN 6TH FLEET KEEPS EYE ON RUSS MEDITERRANEAN SUBS

(By Michael McGuire)

(NOTE.—This is the first in a series of four articles on the buildup of the Russian naval fleet in the Mediterranean sea. The articles tell how the soviet presence is viewed by United States navy's famed 6th fleet and by senior naval officers assigned to the North Atlantic Treaty organization's southern Europe command headquarters in Naples, Italy.)

NAPLES, ITALY, March 15.—Underestimating Russia's decision to strengthen its naval presence in the Mediterranean sea would lead to grave consequences for the United

States and her European allies, American naval authorities here say.

For many months, the Russians have had a well-trained fleet in this sea consisting of modern and highly efficient surface ships and submarines, some of which are capable of launching nuclear-tipped missiles. The soviet flotilla has been fulfilling a dual purpose mission of showing its nation's flag and keeping an eye on the United States' powerful 6th fleet and the navies of our North Atlantic Treaty organization allies.

Sixth fleet commanders and top-level American naval authorities attached to the NATO southern Europe command headquarters contend the soviet leaders are putting the Red fleet to work primarily as a political and psychological influence on the nations ringing the Mediterranean.

RUSSIAN SUBS ARE THREAT

Military analysts assert that the 6th fleet or NATO naval forces could destroy the smaller Russian surface fleet quickly, but might have problems dealing with the Russian submarines.

Many of the senior naval officers assigned to the 6th fleet and NATO said they fear that if American naval power is withdrawn from the Mediterranean, or if its strength is cut, the defensive backbone would be ripped from the southern flank of NATO's European defense structure. Such a move would leave the allied European nations highly vulnerable "and easy pickings for the Russians," they say.

Some of the senior American naval officers interviewed expressed concern over the American public's general "lack of knowledge" concerning the "important and essential" role played by the United States naval forces in the Mediterranean. They say they fear some Americans are under the "mistaken" impression that our European allies could stand alone against communism.

FEARS TAXPAYER PRESSURE

"I'm afraid that good, solid midwesterner—whose opinion is so important in forming our international policy—may start feeling our presence here is just another funnel thru which his tax dollars flow into a pool or waste," said one senior naval officer. "He may convince Congress that things have changed and the old need to defend Europe has diminished; that the time has come to tighten the budget belt and pull away.

Tho it would be a serious error to underestimate Russian presence some American naval leaders here said it would be an equal error to overestimate the present danger. The entry of one or two additional ships thru the Turkish Dardanelles or past Gibraltar [the only two entrances to the Mediterranean since the Suez canal was blocked] does not represent an immediate and direct military threat to the 6th fleet and NATO navies.

"I think the soviet leaders' intention in considerably strengthening their Mediterranean fleet is above all psychological and political in nature," said Vice Adm. David C. Richardson, 6th fleet commander. He was interviewed by The Tribune aboard his flagship, the U.S.S. Little Rock, anchored in the harbor at Gaeta, Italy.

CAN ACHIEVE SUCCESS

"There is no doubt that if they succeed in convincing certain countries that they have now succeeded in eliminating any chance of the United States coming to their aid in case of danger, they will have achieved a success of considerable importance," Richardson said.

Of the 35 Soviet military ships in the Mediterranean, American naval authorities are primarily concerned with the nine or so Russian submarines, at least two of which are nuclear powered.

The Russians constantly move their submarines and attempt to prove to themselves and to the Americans that, if war breaks out, they can strike the main units of the 6th fleet, and primarily the fleet's two attack aircraft carriers, and thereby destroy American striking power from the outset.

U.S. SURVEILLANCE LIMITED

The American aim is to keep constant track of the Soviet subs, altho a general shortage of anti-submarine warfare equipment currently limits surveillance of the Russian subs.

Sometimes, however, the Americans follow the submarines' movements, or suddenly swoop down on them when least expected. In this way the 6th fleet keeps its own defense plans at high level, and shows the Soviet military leaders the futility of their efforts.

"I don't think it (the Russian submarine presence in the Mediterranean) is a cause for alarm, but it is a cause for concern," said Adm. Horatio Rivero, commander of the NATO forces in southern Europe, which are assigned the defense of Italy, Greece, and Turkey.

NOT IGNORING FLEET

"I do not mean that we are in any way ignoring the Russian surface fleet, but the surface fleet can more easily be located and kept under surveillance than the submarines," said Rivero, 58, who played a key role in United States naval planning during the 1962 Cuban missile crisis.

Some American naval officers said it is impossible for the Americans and the NATO nations to maintain a thoro knowledge at all times of the whereabouts and activities of the Russian submarines. However, one officer said current surveillance facilities made available to American and NATO forces in the Mediterranean allow at least a 60 per cent capability of finding the Russian underwater craft when a concentrated effort is made. The 1,145,000 square miles of Mediterranean water stretch across the 2,000 miles between Gibraltar and Lebanon.

The navy men said that if the submarines came out of hiding to move into attack positions, they easily could be located and destroyed.

ROCKS PROVIDE COVER

Vessels of any kind easily can be spotted passing through the Dardanelles, but the rock-strewn waters around Gibraltar provide ideal cover for submarines to slip in and out through the strait at a depth of a few hundred yards.

Since Greece, Turkey, and Italy are peninsular nations, they would have to depend on receiving more than 90 per cent of their wartime supplies by sea, said a naval officer. Hence, high strategic value is placed on access to the Mediterranean by those nations, the United States, and Russia.

"If you didn't have any submarines to worry about in the Mediterranean, then the lines of communication [sea lanes] and shipping convoys [under threat of attack in war] would not require the kind of warship escort we now must provide, said Rivero in an interview in his Naples NATO headquarters.

APPROXIMATELY 50 SHIPS IN FLEET

Meeting the Russian naval threat is the 6th fleet force which normally consists of approximately 50 ships, 25,000 men, and 200 aircraft. The fleet consists of three main task forces.

The first of these is the attack carrier striking force, which consists of two aircraft carriers, two cruisers, and destroyers equipped with surface-to-air missiles, rocket-launched anti-submarine weapons, and drone anti-submarine helicopters.

Second is the amphibious task force, which consists of a squadron of amphibious attack transports, cargo ships, minesweepers, and a variety of amphibious assault craft. This force also includes a combat-ready battalion landing team of some 1,600 United States marines, reinforced with additional armor and artillery.

FLEET HAS FLOATING BASE

Third is the service force, which forms a floating base that enables the fleet to stay at sea for indefinite periods of time. This consists of auxiliary ships, including tankers, repair shops, and supply-provision ships. This force is a mobile grocery store, repair shop, hardware store, and fuel station.

The 6th fleet receives additional support from land-based aircraft used for scouting and anti-submarine operations, and also includes approximately four submarines used chiefly to provide training services to surface units. Adm. Richardson also exercises operational control over the fleet of Polaris ballistic missile submarines in the Mediterranean.

The presence of Russia warships in the Mediterranean dates back to the days following the close of World War II, when the 16 ships in the 6th fleet forces observed Russian submarine following them about.

INCREASED AFTER WAR

During the 1960s, the Russian warship fleet rose slowly and leaped sharply following the 1967 Arab-Israeli war.

The number of Russian ships operating in the Mediterranean varies according to activities of the 6th fleet and NATO sea forces and the state of political affairs. When the 6th fleet or NATO forces hold exercises, the number of Russian ships increases.

American naval officers here said the Soviets observe these NATO exercises closely. They said the Russians also increase their knowledge of seamanship by observing the methods used by American fighting ships to refuel and take on supplies while under way at high speeds.

REACH HIGH IN AUGUST

Following the Czechoslovakian crisis last August, the number of Russian ships rose to a high of about 60, including submarines. Over the fall and winter, the number decreased to about 30, and then slowly began rising to the present Red fleet strength.

Normally, one-half the Russian fleet consists of combat ships, the rest being a collection of logistic support ships and auxiliary ships.

Despite their confidence that the NATO forces could meet the Russian naval presence successfully in combat, naval authorities assert that a severe blow would be dealt to the overall NATO defense posture if the 6th fleet were withdrawn from the Mediterranean.

HOPES WON'T HAPPEN

"I hope that this will never come about, because the 6th fleet is not only our best important element of our naval power here, it also has a great importance to the defense of the countries in the area," said Rivero.

"It would reduce my capability very substantially, because the 6th fleet in addition to its role in a major war is really a mobile tactical air force," he said.

"This air force can be applied in any particular part of the region where it is needed most. In addition to that, it can provide mobile air support for our merchant shipping which may be attacked by air if the soviets succeed in establishing their presence in the southern part of the Mediterranean.

MAY BE NO SUBSTITUTE

"So the 6th fleet is a very versatile instrument, and without it, I would have to have some substitution. In some respects, there is no substitute because you are operating in areas quite a distance from land, and it is very difficult to provide the air power to maintain control of the air," Rivero said.

Rivero said the 6th fleet also plays an important role in the political and psychological game. It is a visible evidence of the interest the United States has in the countries in the Mediterranean.

RADIO STATION WWDC APOLOGIZES TO CONGRESSMAN OLIN E. TEAGUE

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. TEAGUE of Texas. Mr. Speaker, under leave to extend my remarks in the RECORD, I wish to include copies of two radio editorials from radio station WWDC which I believe to be self-explanatory:

CONGRESSIONAL ETHICS AND CONGRESSMAN TEAGUE

Broadcast of this editorial by WWDC General Manager William S. Sanders was on February 12, 1969. We welcome comments.

Rarely have we seen such blatant and flagrant abuse of congressional power as has been used by Texas Representative Olin Teague. Congressman Teague has openly and shamely helped to blackmail the Maryland State Senate into reversing a vote.

The vote, as originally taken, would have required out-of-state congressmen to pay Maryland state income taxes. Suddenly, the issue was recalled for a new Senate vote, and during angry debate, Congressman Teague was quoted as planning to attempt to halt some three to four million dollars in federal aid to Maryland education if the measure was not reversed. The debate was heated, at times vicious. But the outcome was a reversal and out-of-state congressmen are now exempt from paying state income tax in Maryland. The reversal vote was thirty to ten, with many Senators saying that they were switching for one reason . . . fear of Congressional retaliation.

We feel that Congressman Teague is clearly in conflict of interest. He is currently fighting a Montgomery County lawsuit charging that he failed to pay two hundred dollars in County income taxes.

On this basis, WWDC calls for a Congressional probe into the ethics of Congressmen who have contributed to the obvious coercion of the Maryland State Senate against the best interests of the residents of the Free State.

Thank you for your interest.

APOLOGY TO CONGRESSMAN OLIN TEAGUE

Broadcast of this editorial by WWDC General Manager, William S. Sanders, was on March 6, 1969. We welcome comments.

On February 12th, WWDC broadcast an editorial concerning what we thought was a flagrant abuse of Congressional power by Texas Representative OLIN TEAGUE in his effort to continue the exemption of U.S. Congressmen from Maryland county taxes. We have received further information and we think this information deserves airing.

First of all, the issue of whether Congressman Teague should pay Montgomery County income tax revolves around a principle and is not a personal matter. In fact, the Congressman has offered to donate to charity or a PTA of the choice of Montgomery's County officials, the amount of the tax—about $200. The Congressman pointed out to us too, that when his children attended Montgomery County Schools, he was asked to sign a statement each year that permitted Montgomery County to receive money from the Federal Government as an impacted area. The Congressman further argues, logically we must admit, that if he can perhaps be called a "non-resident" for that purpose, and a "resident" for the purpose of buying auto tags, and an "inhabitant" of his home state for purposes of being a member of Congress, then the entire matter should be straightened out by the court.

WWDC, now feels that the Congressman's case is perhaps a compelling one. At least, it has a great deal of merit and should be seriously considered by our listeners. Congressman Teague's ethics, we are now furthermore convinced, cannot be questioned. Our apologies, therefore, to the Congressman for any implications concerning his conduct, and. . .

Thank you for your interest.

URBAN EXPERTS EXAMINE URBAN-RURAL AMERICA

HON. THOMAS L. ASHLEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. ASHLEY. Mr. Speaker, of deep concern to all of us is the prospect of continued congestion in the Nation's large metropolitan areas and of unchecked economic decline in rural America. A report dealing with this matter in its many facets was published last fall by the Advisory Commission on Intergovernmental Relations. The Commission is a 26-member bipartisan body established by Federal law to maintain continuing review of the relations among Federal, State, and local governments as they seek to discharge their responsibilities to the American people. The members of the Commission are Governors, mayors, county officials, State legislators and Representatives of both Houses of Congress, the Federal executive branch, and the general public. The representatives of this body on the Commisison are the gentlewoman from New Jersey (Mrs. DWYER), the gentleman from North Carolina (Mr. FOUNTAIN), and the gentleman from Oregon (Mr. ULLMAN).

In its report entitled "Urban and Rural America: Policies for Future Growth" the Commission asserts that the current random shifts in population and economic development are producing a growing imbalance between people and opportunities. The Commission declares that a projection of its findings on urban and rural economic growth trends promises that:

A continued build-up in large urban centers and erosion in smaller rural areas will make public and private services more costly in both areas;

Increasing congestion may intensify social and psychological pressures on urban dwellers;

Present migration and population growth patterns, coupled with trends in industrial location, will generate an increasing geographic mismatch of jobs and jobseekers; and

Finally, continuation of the present course of urban growth in suburban areas foreshadows even more "sprawl"—accompanied by a disorderly and wasteful use of land.

The Commission recommends that the National and State Governments formulate policies to help regulate future growth in rural and urban areas and it makes specific proposals—some of them highly controversial—to restore equilibrium between the rapidly growing concentrated metropolitan belts and the rest of the countryside.

The Commission's report and its recommendations are receiving widespread attention. An article in the March 1969 issue of Public Management, the monthly magazine of the International City Managers' Association, contains a brief summary of the Commission's report and perceptive comments, pro and con, by three knowledgeable observers, Prof. Joseph F. Zimmerman, State University of New York at Albany; Mr. D. G. Weiford, secretary, Wisconsin State Department of Local Affairs and Development; and Mr. Charles T. Lanigan, director, New York State Office of Planning Coordination.

The article follows:

THREE URBAN EXPERTS EXAMINE URBAN-RURAL AMERICA

Urban and Rural America: Policies for Future Growth. Advisory Commission on Intergovernmental Relations, Washington, D.C. 20575. 1968. 186 pp. Single copies free on request to ACIR. Additional copies at $1.25 from Government Printing Office, Washington, D.C. 20402.

Major findings: Metropolitan areas . . . have experienced the nation's largest (population) growth. This has been due to the dramatic population increases in noncentral city jurisdictions. . . . The greatest proportionate increase occurred in "metropolitan remainders"—suburban areas outside incorporated places of 10,000 or more.

Urban areas of up to one million experiencing the highest growth rate generally were located in a geographic crescent running from Virginia through the Old South and the Southwest to the Pacific Coast.

Eighty per cent of the net migration into metropolitan areas was attributable to only nine such areas: Los Angeles-Orange County; New York-Northeastern New Jersey; San Francisco-Oakland-San Jose; Washington, D.C.; Philadelphia; Houston; Miami-Fort Lauderdale; San Bernardino-Riverside; and Dallas.

Improved economic opportunities prompt migration but mainly among the better educated and skilled. Blue collar workers, less skilled, many Negroes, and the aged for personal and various noneconomic reasons tend to resist the attraction of job opportunities elsewhere. The result: migration from depressed areas tends to deplete the most productive sector of its work force.

Urban-rural comparisons of population growth, educational and health facilities, housing, and income levels sugegst major disparities for every index, with rural America consistently in the disadvantaged position.

Within metropolitan areas another set of disparities emerges with central cities confronting much greater public finance—public service problems than suburbs and metropolitan remainders.

. . . economic grows of municipalities was most frequently related directly to rates of increase in the total population and inversely to rates of increase in the nonwhite proportion.

Increasing concentration of people in large urban centers will make public and private consumption more costly as a result of diseconomies of scale.

While the evidence is not conclusive, it may well be that increased size and congestion will also take a net social and psychological toll in urban living conditions.

The advantages of suburban and metropolitan remainders in attracting new industry will continue to widen the gap between the economies of central cities and their surrounding neighbors, deepening the problems of many central cities. A most serious aspect of these problems will be the growing inability of the central cities to provide jobs for their residents.

Continued migrtaion of the Negro population to central cities will add fuel to already incendiary conditions in central city ghettos.

At the same time, the nation's smaller

urban places outside of metropolitan areas will be increasingly bypassed by the economic mainstream and will also find it difficult to offer enough jobs for all their residents.

RECOMMENDATION: IMPLEMENTING STATE POLICIES DEALING WITH URBAN GROWTH

The Commission believes that state governments have a role to play in influencing orderly urban growth. The following should be considered as useful approaches to the implementation of state policy regarding urban growth.

State assistance in making credit more readily available for business and industrial location in certain areas by establishing state and regional industrial credit agencies;

Placement of state and local procurement contracts and construction projects to foster urban growth in certain areas;

Assistance and guidance for urban growth through the establishment of state and state-chartered local land development agencies and state property tax deferral for new community development;

State regulation of development along highways and at interchanges where no effective local control exists;

Giving local governments the powers necessary to deal with urban growth by providing urban counties with appropriate governmental authority and organization, by encouraging county consolidation, and by granting municipalities authority to annex territory for new community development under certain conditions;

Authorizing localities to adopt new and strengthened land use and development ordinances and regulations such as official map, planned unit development, and unmapped or floating zone ordinances and dedication or cash payment-in-lieu requirements for parks and school sites.

RECOMMENDATION: A NATIONAL POLICY DEALING WITH PATTERNS OF URBAN GROWTH

To help assure the full and wise application of all governmental resources consonant with the economic and social health of both rural and urban areas and of the nation as a whole, the Commission recommends the development of a national policy incorporating social, economic, and other considerations to guide specific decisions at the national level which affect the patterns of urban growth.

The Commission recommends that the President and the Congress assign executive responsibility for this task to an appropriate executive agency. The Commission also recommends that the Congress provide within its standing committee structure a means to assure continuing systematic review and study of the progress toward such a national policy.

The Commission further recommends that the executive and legislative branches, in the formulation of the national policy, consult with and take into account the views of state and local governments.

Joseph F. Zimmerman, Professor of Political Science, State University of New York at Albany:

"Urban and Rural America: Policies for Future Growth thoroughly documents patterns of economic growth and urbanization and the problems currently faced by central cities, suburbia, and rural areas. Few will quarrel with the report's findings, but many of its recommendations illustrate that writing an acceptable diagnosis is easier than writing an acceptable prescription.

"This brief appraisal, of necessity, must be selective and will focus upon the Advisory Commission on Intergovernmental Relations' call for a national urban growth policy involving major federal-state manipulation of growth trends. The case made for an urban growth policy is a convincing one, but several 'possible components' of the policy suggested as 'useful approaches' are in need of careful rethinking.

"The ACIR states that it wishes to influence 'the movement of population and economic growth . . . so as to achieve generally a greater degree of population decentralization throughout the country.' Such a policy has been followed by a number of countries with little success.

"The Soviet Union has attempted to curb the growth of Moscow since 1931, yet the city has experienced the same rate of population growth as the New York City area. The Irish government has been unable to prevent the depopulation of rural areas and the continued rapid population increase in the Dublin area. And the British government's post war attempt to divert population and jobs to new towns and other parts of the country was unsuccessful in curbing population growth in the London area which had a rate of increase twice as large as the remainder of the country.

"ACIR correctly points out that governments currently are interfering with market forces, but such interference is not sufficient justification for massive interference—via tax incentives, below market rate loans, direct payments, and construction and procurement contracts—with the complex forces which determine patterns of growth. A policy of artificial promotion of growth in certain areas and limitation of growth in other areas can have adverse consequences for the United States. In fairness to the ACIR, it must be pointed out that the report summarizes the principal arguments against its suggested 'useful approaches.'

"A strong case is made for the use of various kinds of subsidies to induce industry to locate in areas which are declining economically or are not growing rapidly enough. Inherent in such a policy is the danger that it may develop into a 'pork barrel' approach similar to rivers and harbors projects.

"If subsidies have to be utilized to induce firms to locate where they otherwise would not locate, it is probable that subsidies would be needed to keep the firms operating in economically disadvantaged locations.

"In the long-run, economically depressed rural areas and labor surplus city neighborhoods would profit most from programs designed to make the areas more attractive to industry; programs that would provide excellent transportation facilities and utilities, suitable sites, and skilled labor. An inefficient transportation system, for example, raises the cost of production and places a region at a competitive disadvantage *vis-a-vis* other regions. By contrast, an efficient transportation system promotes the competitive position of a region's firms and acts as a magnet for new industry. The report unfortunately makes but few references to the transportation system, a dynamic force that heavily influences the rate and pattern of development of areas.

"Since World War II, the hard-core unemployment problem in central cities has among its root causes two opposing movements—the influx of a substantial number of unskilled persons to large cities and the exodus of many industrial firms from cities to suburbs. The problem has been further accentuated by automation which has reduced the demand for certain types of labor.

"The fact that there are 500,000 hard-core unemployed in central cities is paradoxical in that jobs commonly are available in suburbia. This situation has led several observers, including the ACIR, to recommend that industry be discouraged to construct new factories in the ghettoes, to take advantage of available labor, and cool the explosive nature of the unemployment problem.

"Realistically, profit-motivated industry cannot be expected to construct new factories in ghetto areas unless provided with major incentives. Suitable sites in these areas are scarce and attempts to assemble sites are fraught with danger.

"Obviously, it makes more economic sense in the short-run to transport employable persons from the ghettoes to jobs in suburbia. This is more easily accomplished and can be done in a short period of time compared with the time that would be involved in inducing industry to construct new factories in central cities.

"Urban problems are compounded by inconsistent federal programs which are, in part, a response to competing interest groups. The interstate highway program, for example, favors the private automobile and encourages metropolitan sprawl, and appears to conflict with the mass transportation program. And the insurance of home mortgages by the Federal Housing Administration and the Veterans Administration has promoted sprawl, weakened central cities, and made acute the transportation problems of metropolitan areas. Action should be taken, as urged by the ACIR, to coordinate the various federal programs which affect economic growth.

"In conclusion, the ACIR would be on safer ground if its recommendations were more modest and were restricted primarily to: (1) the elimination of inconsistent federal programs which work at cross-purposes with each other, (2) improvement of comprehensive planning to accommodate further urbanization, (3) promotion of policies designed to make economically depressed areas more attractive to industry without the use of subsidies, and (4) development of an inexpensive transportation system to move unemployed workers in central cities to and from jobs in suburbia."

RECOMMENDATION: REDIRECTION OF MULTI-STATE ECONOMIC PLANNING AND DEVELOPMENT AGENCIES

To facilitate the development and implementation of a national policy dealing with urban growth, the Commission recommends that the President and Congress reassess the policies and structures of the existing and proposed multi-state economic planning and development agencies as they affect the geographic distribution of economic and population growth. The Commission further recommends that such agencies be charged with taking national policies into account in the formulation of their regional programs and with developing regional components for the formulation of national policies and programs dealing with urban growth.

D. G. Welford, Secretary, Department of Local Affairs and Development, State of Wisconsin:

"While reading the pages of *Policies for Future Growth* the thought stubbornly persisted that the situation is simply out of control. The message is plain and stark. In the face of a very real urban growth crisis it asserts that we are strangling ourselves with numerous uncoordinated public and private efforts which are doubly ineffective because few people have grasped either the immensity or severity of the problem.

"Yet the quality of life itself is in serious danger. Giant population clusters have already become unmanageable and future growth projections are little short of ominous. Jacksonian democracy is unsuited to meet the crisis and its application merely worsens conditions. Laissez-faire development practices, for example, once a substantial source of national power, have become a killer. Looking ahead even to a single generation the report implicitly concludes that the nation is on a collision course with a dark destiny.

"The proffered solution, like the problem, is a paradox. To provide decent housing, jobs, workable transportation, relief from onerous taxation, a healthy environment, and all of the other factors which are part of the American Dream, power inevitably must be shifted upward to the federal and to some extent to state government. In no other way can impending disaster be replaced with relative order. Failure to embark on wholly new dimensions of leadership and control by higher units of government is the equivalent of national chaos. This is the message of the report as I interpret it.

"In a precise textbook manner the story is unfolded. Disparity prevails everywhere. It

prevails in the fiscal and social plight of the central cities. It prevails in the inability of lone units of local government to solve a host of worsening problems and a corollary disinclination of communities in the same metropolitan area to work together in meaningful ways. It prevails in the decline of rural income levels and needed governmental services. It prevails in those forces which unwittingly created the ghetto and work to maintain its existence. And if things are bad now, what will it be like in some 20 to 30 years when 'estimates indicate a national population increase of 73 per cent . . ., practically all of it urban?'

"In a democratic society, government usually reacts to crisis. Seldom can meaningful plans and expenditures be made for problems which loom somewhere in the future. As I read the report I remember thinking that its message was surely true but that, popularly speaking, it remains largely unrecognized. The typical man on the street does not yet see it as a problem of crisis proportions, and for that matter neither do most members of the state legislatures. This same lack of perspective is shared by many public officials including some municipal administrators. Indeed, the somewhat wicked thought occurred to me that there are quite a few city managers throughout the country who make a very good living representing communities which probably shouldn't even exist as separately organized entities.

"When seen in this light one cannot help but wonder at the desire—to say nothing of the ability—of governments voluntarily to undertake such adventuresome and uncharted missions as advocated in the report.

"Nevertheless the report stands on its own merits. It carefully details the nature of the problem and the inevitable consequences of inaction. It concludes that we must begin with the enunciation of national policy to redirect the forces of urban growth, including action programs to encourage the dispersal of population. It concludes, too, that a whole battery of bold new policies must be carried out by state action if success is to be achieved.

"Because of my position in state government I was inevitably drawn to those sections of the report dealing with 'the appropriate roles' of state and local governments. The recommendations for state action will undoubtedly attract critical fire. An article in the December, 1968, issue of *Nation's Cities* is a case in point. It bore the provocative title, 'What Role for States in Our Federal System?', but concluded that it was at best a minor one and urged Congress to resist arguments for more participation by state governments in the administration of new federal programs for urban America. A majority of the big city mayors support this negative view.

"The ACIR report, however, strikes a note of balance. Important elements of proposed national policy can be implemented only at the state level because inevitably 'the focus . . . shifts to the states.' A stern warning is issued if this responsibility is ignored as it admittedly has been so frequently in the past: '. . . inaction by the states may lead to such a degree of national dominance that the position of state government in the American federal system may be further eroded. The states need to act, rather than merely to react . . .'

"So the challenge is put forth: The states, working within the framework of national urban growth policies, must adopt and implement comprehensive urban growth policies of their own. There must be a strong state planning process as well as the designation of multi-county planning and development districts. Local government, particularly the county, must be strengthened, and areawide planning and functional agencies authorized. The further proliferation of separate governments in urban areas must be halted. State departments of local or community affairs should be established to provide technical assistance to local governments. Imaginative and positive land-use and development controls must be provided. Bold new concepts for encouraging population dispersal should be adopted and set in motion, including a strong leadership role in stimulating and guiding new community development.

"The question of course is whether the states will be able to muster the capacity to play such a key and positive role in coping with the complex problems of urban growth. To date the record has not been good and little evidence exists to indicate that a dramatic change is in the offing. The reapportionment of state legislatures over the country thus far seems to have done no more than exchange a predominantly rural view for an equally parochial suburban one.

"A few states have made notable strides toward achieving some of the action programs recommended in the report but in light of the enormity of the problem these efforts can only be regarded as embryonic. I therefore regretfully conclude that we have no alternative but to look to the federal government for strong leadership including incentives to goad the states into action. Otherwise it may be predicted that most of the states will continue to do little more than to act indecisively, or as the report puts it, to react rather than to exert bold leadership.

"The overriding value of *Policies for Future Growth* is that it indisputably makes its case and then draws a well-conceived and well-balanced action blueprint requiring for success the effective participation of all levels of government and the private sector. Its value to governmental leaders will be great."

RECOMMENDATION: STATE POLICY DEALING WITH URBAN GROWTH

To assure full and wise application of state governmental resources consonant with the economic and social health of both rural and urban areas in the state, the Commission recommends the development of state policy incorporating social, economic, and other considerations to guide specific decisions at the state level which affect the patterns of urban growth.

The implementing legislation should provide for (1) coordination by an appropriate state agency of state, multi-county, metropolitan, and local planning, and relating such planning to regional and national considerations; (2) conformity of programs and projects of state agencies to the state urbanization plan; and (3) formal review by an appropriate state agency for conformance with the state plan of metropolitan area and multi-county plans and of those local comprehensive plans, implementing ordinances, and projects having an impact outside the jurisdiction's borders.

The Commission further recommends that multi-county planning agencies be assigned responsibility to review applications for federal or state physical development project grants in nonmetropolitan as well as metropolitan areas.

The Commission also recommends that the state legislatures provide within their standing committee structure a means to assure continuing, systematic review and study of the progress toward a state policy dealing with urban growth.

Finally, the Commission recommends that the states give consideration both to the national policy and to the views of local governments in the formulation of state plans and policies dealing with urban growth.

RECOMMENDATION: POSSIBLE COMPONENTS OF A NATIONAL POLICY DEALING WITH URBAN GROWTH

The Commission is of the opinion that national governmental policy has a role to play in influencing the location of people and industry and the resulting patterns of urban growth. Some of these ways are of proven capability; others are untried. The following should be considered as useful approaches to the implementation of a national policy regarding urban growth:

Federal financial incentives, such as tax, loan, or direct payment arrangements for business and industrial locations in certain areas;

Placement of federal procurement contracts and construction projects to foster urban growth in certain areas;

Federal policies and programs to influence the mobility of people, to neutralize factors producing continued excessive population concentrations, and to encourage alternative location choices; such policies and programs might include, among others, resettlement allowances, augmented on-the-job training allowances, interarea job placement and information on a computerized basis, and the elimination or reduction in the "migrational pull" of interstate variations in public assistance eligibility and benefit standards;

Strengthening the existing voluntary federal-state programs of family planning information for low-income persons;

Federal involvement and assistance under certain conditions (such as assurances of an adequate range of housing) for large-scale urban and new community development.

Charles T. Lanigan, Director, State of New York Office of Planning Coordination:

"In this recently published report, the Advisory Commission on Intergovermental Relations presents a thoughtful inquiry into urban settlement and growth in the United States today. Nationwide population movement and trends, industrial growth location factors, shifts in personal income, and growing imbalances between governmental service delivery and social service needs are reviewed and analyzed.

"In light of this background, existing governmental policies affecting economic growth and urban settlement are discussed, and their noncoherence is especially noted. Growth patterns, including particularly the building of new communities and the impediments to their realization, are examined. Conclusions are drawn and suggested policies are put forth for consideration by federal, state, and local governments. Most significant of all, the need for a national policy to guide the location and the character of future urbanization is stated in clear, ringing terms.

"A national urban-rural development policy, in the words of ACIR's Assistant Director David B. Walker, requires a 'consideration of the dynamics of the economic process and its effect on urban-rural America; the need for job training, a national resettlement policy and uniformity in welfare programs; and evaluation of the existing and future role of state and local government.'

"Given a national policy, Governor Nelson A. Rockefeller said recently, each state in cooperation with local government should set goals for urban and rural areas and develop a comprehensive plan to achieve these goals. States also should make a careful assessment of projects and programs in relation to urban and rural growth and should amend or supplement these policies and actions to promote a rational pattern of settlement.

"As a director of a state planning agency I am particularly interested in ACIR's suggestions for better coordinated, more effective state policies to bring about a desired balance in urban-rural growth.

"First, states ACIR, there should be a statewide planning process sufficiently advanced to create a state growth and development policy. Physical, economic, and social considerations must be taken into account; the structure, form, and direction of growth determined; state agency policies and programs understood and adjusted in terms of their effect on settlement patterns; guidance for local, metropolitan, and regional plan-

ning and development programs provided; and the interplay between local efforts and national regional policies enhanced.

"In New York State's publication, *Change/Challenge/Response*, released in 1964 and a successor document presently in preparation, we have set forth an urbanization policy in the form of a state development strategy. The purpose of this endeavor is first to project the kind and location of urban settlement that will improve the economic growth of the whole state and second to suggest the component functional and regional substrategies needed to effect this pattern of urbanization.

"We are convinced that numerous balances are required: in urbanization and open land retention; in physical, economic, and social factors; in transportation networks and public facility provision; etc.

"Our next steps will be to test this development strategy against regional development policies being prepared by the various regional planning agencies and against the plans and programs of state functional departments. The planning significance of New York's PPB system lies in the continuing interweave of state functional plans with overall statewide urbanization policy.

"To implement a state policy for urban-rural growth ACIR suggests that states consider the enactment of a number of programs and other legislative mechanisms. Among them: creating state and regional industrial credit facilities; authorizing locational preference in awarding public contracts; providing for the chartering of state and local land development agencies; authorizing property tax deferral for new community deveolpment; strengthening county government; permitting noncontiguous municipal annexations; and authorizing local governments to adopt more flexible and more effective land use and development controls.

"The extensive material in this report stimulates a lot of thinking about urban and rural development and indicates a number of areas for further exploration.

"We need, for example, to develop new measures of urban density, to better understand the effects and side effects of population intensity levels on the well-being of urban dwellers, and to provide for compensatory features and facilities.

"We need to evaluate the implications of a state urbanization policy that selects certain areas for either major growth or whole new community development in preference to others. How are such decisions justified? How are the questions of individual property and local government autonomy in relation to the general urbanization needs and the more inclusive authority of state government resolved?

"There is much work ahead for us to understand how new communities can be brought into being so as to contain a representative mix of metropolitan population and to offer families of all incomes and situations a real choice in where they shall live. The problem of land acquisition and financing must be dealt with; housing construction costs must be lowered on a large scale basis; and resettlement policies in the way of educational programs, job training opportunities, and encouragement must be instituted.

"We need to build governmental mechanisms—the state and local governments in joint effort—that will permit the creation of governmental units for new communities with sufficient capabilities to meet the needs of their ultimate population. In less formalized new community government situations we need to set the stage for the accommodation of local zoning ordinance and building code specifics with the overall proposals of land development corporations.

"The implementation of a statewide development plan for the settlement of the whole state requires the understanding and support of its citizens, who are citizens of localized urban and rural areas as well. From our various viewpoints we need most of all to understand the nature and dimensions of urban and rural problems, their interrelationships, corrective policies for each area, and their interrelationships. In publishing this report, ACIR has taken a major step to create this understanding."

HOSTILE SHORES MUST STILL BE TAKEN

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. BOB WILSON. Mr. Speaker, in a recent interview published in the Armed Forces Management magazine, Marine Corps Commandant Gen. Leonard H. Chapman presented some perceptive thoughts on the future role of our fighting marines. I am certain that his comments will be of interest to our colleagues and for their benefit I submit the following article for inclusion in the RECORD:

HOSTILE SHORES MUST STILL BE TAKEN—THE MARINE CORPS' AMPHIBIOUS ASSAULT ROLE HAS NOT DIMINISHED

(By Craig Powell, editor)

The next two years may be the most crucial in this one hundred years believes United States Marine Corps Commandant General Leonard H. Chapman. "The world is living in troubled and decisive times," he says. "The years 1969 and 1970 can well be the determinative years for the United States in the Twentieth Century. Thus, the decisions made in this time frame may well be the factors that will chart the course of U.S. national security affairs for many years to come."

The Marine Corps' 24th Commandant continued, "It is for this reason that we are doing the very best we can devise to insure that the United States Marines will always be able to carry out its part in the defense of the country."

It is an unfortunate fact of life that in any composite picture certain elements or portions of the composite can become blurred or out of focus. This is perhaps true of the composite profile of the Marine Corps, today. Not so much so to the initiated. But rather to those who view segments out of context with the whole.

HAS TIME OVERTAKEN?

Over the past two decades the accelerating pace of world affairs has been such that military forces, concepts, and tactics have been in a constant state of flux and evolution. It is not necessarily unusual then, that to a peripheral viewer it might distortedly appear that time has overtaken the requirement for a Marine Corps. The last such viewer of importance was President Harry S. Truman, who had to beat a hasty retreat.

Historically, Marines' duties have been amphibious in nature; providing landing forces, both sea and air. Their task, assault and secure the beachhead. Outwardly, during the Korean war and now in the conflict in Southeast Asia the Corps' operations have been tasked with fighting in a protracted situation, a type of conflict usually related to Army operations.

These factors, plus the Army's advanced techniques in helicopter operations have caused some to pose the question: "Is there a need for the Marine Corps in the future, or can its role now be filled by elements of the other services?"

To answer the questions and to clarify such misconceptions, AFM talked with Commandant Chapman who recently returned from a trip to Southeast Asia and asked him to address the subject as well as indicate the future of the Corps in the post-Vietnam world.

In no-nonsense Marine fashion, Chapman attacked the subject with a direct frontal assault. "First," he said, "it is true that in Vietnam today, we are on what can be termed a strategic defensive. This was the case at Khe Sanh and now in holding positions at the DMZ (Demilitarized Zone). However, let me point out that, the Marines are charged not only with maintaining landing forces but also with carrying out such other operations as may be directed by the President of the United States. The latter is what we are doing in Vietnam. And it is the restricted nature of that war, by national policy, that brings about the current situation."

The General went on to explain that at the same time strategic defensive positions are being maintained, the Marines are tactically on the offensive and have been since their commitment in March of 1965.

MARINES ON THE MOVE

In the I Corps area this is truer today than ever before. Across South Vietnam, Marine battalions are constantly on the move. Both day and night, in the jungles, in the mountains, and in the low-lands they are searching out the enemy. Airlifted by helicopter and utilizing supporting air and naval arms, this mobile concept is well in keeping with most typical Marine operations.

The main force units of the Viet Cong and the North Vietnamese regulars have been defeated and have mostly retreated to the sanctuary of Laos and North Vietnam. The weather is currently good, and the Marines have adequate forces to get away from fixed position to engage the enemy in ambushes, patrol confrontations, and cordon operations. He is even being hunted out within the Viet Cong infrastructure.

The Marine chief told AFM, "Our forces are highly mobile, hard hitting units. We are patrolling constantly and extensively, seeking the enemy; and when he is located, we have the mobility, firepower, and flexibility to be able to build on that contact and inflict high casualties upon him."

Further expanding, he pointed out that activities in Vietnam employ many of the features of the landing or amphibious type operations. "Our actions have often been spread out over a long beach line with Naval gun support and supply support. In like manner the air-support has been typical of that employed in a traditional Marine assault role just as helicopter support has been the same as in beachhead attacks."

Illustrating the point further, Chapman stated that in Vietnam there have so far been some 62 battalion-size Special Landing Force amphibious operations. The most recent, *Bold Mariner*, a part of Operation Russell Beach, involved two Marine battalions and an Army brigade (approximately 8000 men). "All of these," he continued, "have encompassed the techniques and tactics standard in traditional Marine operations.

CLAIMS VALIDATED

"The Corps should be a force in readiness and I think we have clearly demonstrated that our claims to that effect have not been merely advertisement." In fact the Marines in Southeast Asia have never missed a deadline and have always landed on schedule fully combat ready. This has been true since the 9th Marine Expeditionary Brigade went ashore in March 1965 through the ultimate buildup to the current strength of two and one third Divisions and the equivalent two Air Wings. Even the 27th Marine Regimental Landing Team, which deployed to Vietnam during last year's TET offensive, moved out in 48 hours.

Maintains the top Marine, the Corps' charter mandates that it provide the capability to move anywhere in the world on a moment's notice. That includes the organiza-

tion, the training, equipment, and logistics to enable it to do so. Chapman feels that the Marines can do so. Obviously, then, to assume that there has not been a role for the Corps in Vietnam is fatuous. To assume that there will be any diminution of that role in the post-Vietnam world would be more so.

PREDICTIONS ARE DIFFICULT

Trying to predict what contingencies may be over the horizon in that post-war arena necessitates a certain amount of "crystal balling." Still, a pragmatic appraisal of the future and the roles and missions of U.S. military forces that may be necessary is, perhaps, a little more exact science. Particularly when based on past history and a well of military experience.

Surveillants of the U.S. defense scene have noted a growing trend toward retrenchment; the advocacy of "rapid response" and "instant deployment." Under this strategy U.S. forces would be retained within the Continental United States, at the ready, with sufficient airlift and sealift necessary for "rapid response." Here again, the uninitiated might conclude that this discipline in itself equates to a lessening importance of the "landing force" role. Quite the contrary is true.

These same surveillants of the defense scene will, if they are doing their home work well, note that the U.S. has given up many of its advanced bases around the world subsequent to World War II and Korea. The nation is already down to only a portion of those hard-fought-for bases. Even today negotiations are imminent for the return of additional bases such as those in the Philippine Islands.

States Chapman, "It is obvious that we must increasingly rely on going back across the oceans; quite likely to land on a hostile shore against a determined enemy. And if that time comes there will be only one way to go ashore and the Marine/Navy team must execute those operations. In this light, the future holds not a lessening, but a growing requirement for amphibious or Marine type landing forces."

If then, the role of the Marine Corps in the future has not diminished, what changes in organization, equipment and tactical doctrine are in the offing to cope with the ship-to-shore-assault mission? Not a great deal believes the General. He envisions there will be an evolution. Today's organizational structure and training techniques will alter some as better methods of doing things are found. Too there will be some changes in tactics with the advent of new equipment and weapon systems.

"We are following all new weapon systems development to see how they may fit our needs," Chapman commented. "We would very much like to have a V/STOL or VTOL aircraft. There are many advantages for us in this type of plane."

Expanding, the Marine chief explained that there is always the necessity to get Marine air ashore as quickly as possible. Currently there is a reliance on a fixed base such as the SATS (Short Airfield for Tactical Support). The SATS is really a carrier deck ashore. It is a light, easily emplaceable, durable airfield matting with light catapult and arresting equipment. It also includes an Instrument Landing System (ILS) and Ground Control Approach (GCA). It does the job and is reliable. "We had one on hand in Vietnam and at Chu Lai it was expeditiously emplaced with the first aircraft landing and taking off on a combat mission on the 26th day," Chapman said. However, there are drawbacks to this system. It requires flat terrain and there is a commensurate concentration of aircraft and facilities which greatly increases its vulnerability to attack. "Thus," remarked Chapman, "the VTOL aircraft is attractive in that it can be dispersed, solving the concentration/vulnerability problem. They can also be operated off of small vessels."

The General also indicated that the Corps is looking approvingly at the British Hawker-Siddley *Harrier* which is now going in to the Royal Air Force active inventory. "It is the first V/STOL to have true operational capabilities and good ones. Frankly, we are most interested and are trying to get some as a start. I would like to believe that the Marines are the logical ones to receive the first of this type of aircraft. It seems to fit well to our role."

It is Chapman's opinion that there is no need to put a V/STOL or VTOL behind every bush. However, he thinks that the Marines should start in a small way to gain operational experience in this type of equipment. "We need to learn how to handle and fly this type of aircraft," he said. "We should determine the best methods of attack, formation flying and tactics in general. Actually our immediate requirement is for an operational test and evaluation program leading toward an eventual capability of three or four squadrons. But I think we should start soon and the *Harrier* certainly has merit and I am hopeful that we are successful in acquiring it."

In light of the increasing airmobile capabilities in the Army, AFM asked the Commandant about the helicopter in future Marine plans. The General was most directly candid, "Nothing could be more solid in our planning than our concept of 'vertical envelopment.' We have over the years been extending and elaborating on it. Now it is at full scale and the helicopter is almost as common as the jeep."

Reemphasizing the point, he told AFM that through the late 1940s the Corps went through laborious efforts involving the use of the then limited capability helicopters and landing teams to develop tactics, techniques and doctrine for their successful use. In 1950 when the Korean conflict started the Marines had the first operational helicopter squadron in combat. A parallel Navy program provided the flight decks for the follow on squadrons and this has grown to the full-fledged capability of today.

By way of example, Chapman cited 50,000 to 55,000 Marine helicopter sorties per month in Vietnam moving some 75,000 troops each week. "While a number of rotary wing aircraft have been lost in Vietnam, they are not as vulnerable as some people think. This is apparent when losses are compared to the magnitude of operations.

"The important lesson we have learned in Vietnam, in this area, is the need for more light helicopters. The large transport helicopters CH–46 and CH–53 are doing an excellent job. However, we need more gunships and utility type helicopters like the *Huey*."

AFM asked if the Marines had any interest in the Lockheed AH–56A *Cheyenne* (Advanced Aerial Fire Support System). "I don't think we would want it at this time," he answered, "but we are watching it. We prefer a mix of jets, Cobras (Huey gunship) and naval gunfire support. It better fits our requirements at this time."

In relation to advanced systems, the Commandant was also queried as to what relationship the new hovercraft, the C–5A *Galaxy*, and the programed Fast Deployment Logistics Ships (FDL), might have on future Marine operations.

"The hovercraft," he said, "has some attractive features. It enables one to move rapidly over certain types of terrain. At the same time it is an extremely complex piece of machinery and requires a considerable amount of power. Like other developments, we're keeping a close eye on it, though at this time we have no plans to acquire this type of vehicle for our inventory.

"As to the C–5A and the FDLs, this perhaps needs a little explanation. Future contingencies may require the capability to move across oceans and accomplish landing operations under fire. This, of course, is the responsibility of the Navy/Marine team. However, the supertransports and the Fast Deployment Ships do not actually figure into this type of action. They are more applicable when there is a need to move whole armies in what can best be described as an 'administrative landing.' However, there is a valid requirement for both types of operations and they are complementary to each other. Certainly, the C–5A and the FDLs will be an asset in the rapid development of large numbers of troops, but they are not really germane to the Marine role."

In wrapping up the discussion, Chapman noted that the Corps' immediate preoccupation is the continued support of the III Marine Amphibious Force in Vietnam. "Our secondary, yet equally important task," he continued, "is to keep our other Fleet Marine Forces in readiness. Within those we have three Marine Expeditionary Forces (MEF); one in the Eastern United States composed of the 2nd Marine Division and 2nd Marine Air Wing; one in the West, the 5th Marine Division and the 3rd Marine Air Wing; and one in reserve, the 4th Marine Division and 4th Marine Air Wing. The III MAF is in superb condition and uncommitted MEFs are in good shape to take on any commitment that may be made."

To Chapman the many facets of the composite are all clear. He leaves no doubt of his conviction that there is a very explicit role for the Corps in both today's military forces and in the nation's defense posture of the future.

Over the past 193 years the Corps has been prepared for, hardened and tempered in the crucible of war. In time the conflict in Vietnam will have passed and the men of the Corps will move out. But the role for the Marines as delineated in the "Key West Agreement" will remain. The planners must consider that sooner or later there will be a need to take a hostile shore. When that time comes the job will be done by the Navy/Marine team.

The Corps may in time vary its tactics and its equipment. But essentially, it will retain its role and its identity. Or as the 17th Commandant once said, "The only secret weapon developed by the Marine Corps is the Marine.

ELECTORAL ABDICATION

HON. AL ULLMAN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. ULLMAN. Mr. Speaker, the New York Times printed an excellent editorial today criticizing the administration for its hesitancy to support the direct popular election of the President. I agree that we cannot ignore the steadily growing public opinion favoring this method, out of misplaced fear that such reform may not be ratified in the State legislatures.

The editorial follows:

ELECTORAL ABDICATION

In major political battles, as in major military ones, neutrality can often be an oblique way of taking sides. To refuse to come to the aid of a good proposition when its fate is in doubt to undermine its success. This is exactly what the Nixon Administration has done with regard to Electoral College reform.

Attorney General John N. Mitchell, testifying before the House Judiciary Committee, has reiterated what President Nixon had said earlier: The Administration favors direct, popular election of Presidents and Vice Presidents, but it will not urge Congressional approval of this reform because it does not think the plan could win ratification among the states. Instead, the Administration has

offered its own reform proposal, a wholly inadequate substitute that spins a host of new complications of its own.

The reason for this posture is difficult to understand. Is the Administration too timid to make a fight for what it considers right? Or does it really oppose thoroughgoing electoral reform?

The view that the best possible reform is unattainable is a view contradicted by every available poll. A sampling of sentiment among state legislators showed overwhelming support for direct popular election of Presidents and Vice Presidents. As for the voters themselves, polls show as many as 80 per cent favoring direct election.

Perhaps still another poll of state legislators would give the Administration the courage of its convictions, if its convictions really support direct election. Senator Birch Bayh, long an advocate of electoral reform, plans to conduct such a poll.

But responsible political leadership should not depend on a wet finger windward or the results of the latest poll. By its own testimony the Administration favors direct election of Presidents and Vice Presidents. It ought to fight for this most basic of electoral reforms.

UTAH LEGISLATURE URGES LESS FEDERAL GOVERNMENT

HON. LAURENCE J. BURTON

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. BURTON of Utah. Mr. Speaker, the Legislature of the State of Utah recently passed House Joint Resolution 12 entitled, "A joint resolution memorializing Congress to cease and desist the proliferation of Federal power." The resolution, I think, is representative of an ever-increasing attitude among citizens throughout the country, citizens who have a genuine and certainly not unwarranted concern for the preservation of a proper balance between National and State government operations. We in the Congress would do well to take to heart the message of this resolution, and dedicate more of our efforts to the strengthening of State and local governments, and less of them to adding to the powers and responsibilities of the already overlarge Federal Government. The resolution follows:

H.J. RES. 12

A joint resolution memorializing Congress to cease and desist the proliferation of Federal Power

Be it resolved by the Legislature of the State of Utah:

Whereas, the Congress of the United States continues to expand the proliferation of federal control over our cities, counties and states, and

Whereas, this proliferation of national government is contrary to the thinking of our founding fathers, contrary to the fundamental tenets of federalism, and

Whereas, if such proliferation does not cease, our federal system, which once manifested a delicate balance between federal and state powers, will become a giant state engulfing monster; Now, therefore, be it

Resolved by the 38th Legislature of the State of Utah, both houses concurring therein, That Congress be memorialized and respectfully requested to cease and desist from further encroachment on state and local powers reserved to the states under the Constitution of the United States; Be it

Resolved further, That Congress immediately consider systematic withdrawal of many of the non-productive and expensive federal agencies which result in unnecessary taxation imposed upon citizens of this and other states, and allow states to appraise their own social and economic needs and levy and collect taxes to provide for these indigenous problems; Be it

Resolved further, That the Secretary of State of Utah be, and he is hereby directed, to send copies of this resolution to the Senate and House of Representatives of the United States, to United States Representative Wilbur D. Mills, and to the Senators and Congressmen representing the State of Utah in Congress.

HAVEN J. BARLOW,
President of the Senate.
LONIE N. PACE,
Speaker of the House.

Received from the Governor, and filed in the office of the Secretary of State this 13th day of March, 1969.

CLYDE L. MILLER,
Secretary of State.

BOSS WHO DOESN'T WANT ADVICE KEEPING EXPERTS BUSY

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. GAYDOS. Mr. Speaker, lack of communication can often create seemingly insurmountable problems which reduce themselves to minimal proportions when lines of communication are opened up.

I call the attention of my colleagues and place in the RECORD a recent article from the Pittsburgh Press, which describes an interesting experiment on the subject, conducted at the U.S. Department of Commerce Field Office:

BOSS WHO DOESN'T WANT ADVICE KEEPING EXPERTS BUSY: PUTTING OUT OFFICE FIRES TAKING MORE TIME THAN EVER

(By William Allan)

More than 50 red-blooded American business types spent some 75 minutes trying to fashion toy towers out of paper, paper clips, soda straws and the like at the U.S. Department of Commerce Field Office here the other day.

They're not candidates for padded cells. They were taking part in a very interesting experiment in communications.

A team of five specialists from Arthur D. Little, the Cambridge, Mass., management consulting firm, set up the experiment because it constituted a challenge with unfamiliar materials.

"Technical knowhow, therefore, was of very little use," explains Arnold J. Judson, the chemical engineer member of the Little team.

He adds that communications constitute a very real problem in most firms. Research scientists don't talk to marketing people, production managers clam up when the finance section is represented and the president complains that no one understands what he's trying to do.

The fact that so many Pittsburgh business people showed up for an all-day conference on the subject is some proof that communications are a concern—although none of them probably would own up to the above description.

The fact there were in attendance some presidents of rather large corporations, plus some vice presidents of gigantic firms, indicates the concern is at the top.

Lewis E. Conman, director of the Commerce Field Office here, says the session was set up on request and that this was the first time the Little team worked with such a heterogeneous group.

He adds that industries report to him that the amount of management time wasted "putting out fires" is reaching staggering proportions.

Interestingly, Kenneth J. Beck, whose specialty is social problem solving, reports there oft times are more communications blocks in small firms because people are closer and have built up more walls than those in conglomerates.

Mr. Judson is specific to emphasize that there is no "formula" to solve the communication's problems of any firm and that when a team of experts attacks a problem in a firm, it expects to tangle with it for at least several months—and sometimes several years.

Typical problems include the boss who doesn't want any advice, the marketing department which stifles everything from the research people and the research people who look down their noses at the marketing people as "idiots."

Despite all you hear against "rule by committee," the Arthur D. Little people like it.

"Risks are involved and taking risks is easier for a team, because the risk is spread," explains Mr. Judson, "while the team also concentrates all the resources you have available."

Sometimes the resources come from without.

He told of a firm which came up with a terrific new food product which everyone thought was great, but which had a shelf life of only six weeks. While everyone in the firm was arguing among themselves, it was suggested that the distributor be involved (communications) and he volunteered the answer by speeding up his end of the deal.

Quite often communications are so poor the obvious is overlooked.

NEW DANGER IN THE MEDITERRANEAN

HON. ALBERT W. WATSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. WATSON. Mr. Speaker, the noted author and newspaperman, Anthony Harrigan, has written a very astute and highly analytical article for the March 10 issue of the American Security Council's Washington Report which dramatically points out the alarming shift of the balance of power in the Mediterranean toward the Soviet Union.

Because of the tense and vexing problem posed by the various conflicts in the Mediterranean area, I consider Mr. Harrigan's article especially timely, and I include it as a part of my remarks, as follows:

NEW DANGER IN THE MEDITERRANEAN

(By Anthony Harrigan)

The ugly riots that greeted President Nixon on his arrival in Rome last month are but one indication of deepening trouble throughout the Mediterranean world. In Italy, the Italian Communist Party (Partito Communista Italiano—PCI) is gaining strength through cooperation with the socialists. The Christian Democratic Party, which saved Italy from communism, is split into seven warring factions. The political climate in Italy is reflected in the recent announcement by Foreign Minister Pietro Nenni, a so-

cialist in the coalition government, that Italy had decided to recognize Peking. Recognition of Hanoi may be forthcoming shortly.

PRESSURES ON ITALY

The threat to Italy as a free nation is not only internal. If Yugoslavia should be invaded by Soviet troops, as Czechoslovakia was invaded, Russian forces would be poised on Italy's northeastern frontier. With a Russian military presence on her land frontier, and with a Soviet naval presence in the Mediterranean, Italy would be placed in a nutcracker. It also should be realized that the Soviet fleet soon may spend more time in the Adriatic Sea—between Italy and Yugoslavia—as part of a pressure operation against those two South European countries. Nor can the Italians, any more than the Greeks, ignore the ominous military buildup in little Albania across the Adriatic. Earlier this winter, Albania announced a 40 per cent increase in defense expenditures. The money, derived from Communist China, will go for the construction of naval facilities and other military installations. In aiding Albania in this manner, the Chinese Communists have in mind establishing a military foothold in the Mediterranean. They understand the military and political potential in what Sir Winston Churchill called "the soft underbelly of Europe."

Meanwhile in Italy, the campaign against the NATO alliance is stepped up. Foreign Minister Nenni says that his country will support it only with reservations, meaning that the socialists in the coalition want to isolate Greece which is ruled by a military government.

Italy's continuing drift to the left causes some observers to believe that the time will come when Italy may have a government similar to the one now in power in Greece. The thinking is that Christian Democrats, because of their divisions, may be unable, at some point, to arrest a communist-socialist takeover of the government. If that happens, the Italian military may feel they have an obligation to the country and its traditions to intervene, at least temporarily, until communist pressure has eased. It would be a tragedy for the free world as much as for the Italian people if Italy, the ancestral home of the Western world order, were, after two decades of struggle, to succumb to communist domination. The U.S. public, certainly, should be aware of the dynamics involved in the Italian military situation and how these dynamics may possibly affect U.S. commitments to the defense of NATO's southern flank.

THE TEST CASE IN GREECE

A test case already has arisen in Greece. The military junta governs in Greece because of a leftward drift of the former parliamentary government of that country—of its leaders, not the Greek people. Again, the Greek military decided they had a responsibility to the Greek nation not to allow the national interests to be severely damaged by the misguided "neutralism" that was strong in the government before the coup. The Greek junta has been wise, however, to stress that the country continues to be a monarchy.

Observers in Athens believe that King Constantine will be permitted to return from exile before very long, though his real power will be reduced and he will be limited to ceremonial duties similar to those of the British monarch. For the United States, the emergence of the Greek military government has posed some vexing questions. The U.S. unquestionably prefers that parliamentary rule be restored as soon as possible. But the U.S. has properly refrained from trying to impose an American-type political solution on the Greeks. What is of central importance to the United States is that Greece not be handed over to the communists. As in the case of Italy, it would have been tragic if the last parliamentary government of Greece had discarded the country's links with NATO and thereby taken the first step in bowing to the Soviet Union's new might in the Mediterranean.

As a practical matter, the U.S. Sixth Fleet in the Mediterranean must have access to the territorial waters and air space of Greece. The Sixth Fleet, in order to carry out its deterrent duties and keep the peace, must be free to thread the maze of Greek islands in the Aegean and the Sea of Crete. U.S. planes must have permission to overfly these islands. The airfield on Crete, with its 9,000-foot runway, provides the planes of the Sixth Fleet with an important safety factor. In addition, the Crete field makes possible vital reconnaissance flights over the Eastern Mediterranean. The security of many NATO countries thus depends on continued use of Greek territories and installations.

NEGOTIATIONS WITH SPAIN

At the western end of the Mediterranean, concern is growing over Spain, which is not a member of NATO but which is vital to the alliance. Under a bilateral U.S.-Spanish treaty, currently in process of renegotiation, the United States bases Polaris submarines at Rota in the southern part of the country. The major air base at Torrejon, outside of Madrid, would be enormously important to the United States if a limited war broke out in the Mediterranean, requiring reinforcement of U.S. forces in the region. In the future, reconnaissance over the entire western Mediterranean and the increasingly dangerous northwestern zone of Africa will depend upon widened access to Spain's air facilities.

Observers of the Spanish scene are watching not simply the progress of the treaty negotiations, governing the four existing bases, but the situation inside Spain. General Franco, who has ruled the country since the 1930's, is now an old man whose health is reported to be worsening. The "state of exception" in force in Spain is widely interrupted as a prelude to an announcement governing the political succession in the country which officially is a monarchy. In the event of General Franco's death or incapacity, surviving communist and anarchist elements, which have been invoked in strikes and student protests in the last two years, might renew the terrible civil war that devastated Spain.

In view of this danger, it is believed that the Spanish armed forces would be the decisive element at a moment of political change—the first in more than 30 years. Informed students of the Spanish scene note the existence of Spain's crack armored division, the "Guadarrama No. 11," outside of Madrid. This division, commanded by General Tomas Garcia Rebull, recently executed seize and hold exercises in the capital city.

The NATO countries have a deep interest in the next generation of political leadership in Spain and in Spanish military and foreign policies of the 1970's. The existence of a powerful Algerian army and air force, outfitted with superior Soviet equipment and trained by Red Army advisers, is not only a grave threat to Spain but to the NATO countries. History-minded Europeans have not forgotten that Western civilization faced its greatest threat in the early medieval period when the Moors swarmed out of North Africa and seized Spain. In the 20th century, the Soviets—far removed from the Spanish scene—came close to turning Spain into their first satellite.

The Algerian threat might be manifested first against Spanish Sahara, a large, empty but highly strategic territory in Africa. If the Soviet Union were able to become politically and militarily entrenched elsewhere in West Africa, Spanish Sahara suddenly could assume tremendous importance to the United States as a site for airfields.

A SOVIET "MARE NOSTRUM"?

The long-range objective of the Soviet Union is to turn the Mediterranean into a closed sea, or a "sea of peace" as Soviet propagandists describe it. If Spain could be politically controlled, or successfully intimidated by Soviet-equipped forces in Algeria, Moscow would have an excellent chance of literally closing the Mediterranean to the passage of U.S. warships. In the Gulf of Finland, which lacks a narrow passage such as exists at Gibraltar, the Soviets already have enforced their closed sea doctrine.

As one looks around the Mediterranean, it is relatively simple to discern the Soviet grand strategy for this historic basin. The political and military squeeze is being applied by Moscow at all the key points.

First of all, a Soviet squadron has been successfully inserted into what has been virtually an American lake since the formation of the Sixth Fleet in the late 1940's. This Soviet fleet now operates from one end of the Med to the other, and is welcome in the major Arab ports. Large administrative and repair facilities are located at Alexandria in Egypt The Arab states, with the exception of Morocco, Tunisia and Libya, have been drawn into the Soviet orbit. The Soviet naval force also has engaged in some interesting political maneuvers, such as the anchoring of a Soviet warship off Sicily during a recent election—a show-the-Red flag mission that paid off for Sicilian communists. Leftist demonstrations in Istanbul have resulted in the cancellation of a U.S. Sixth Fleet visit to another Turkish port, and Turkey generally has shown increased fear of offending the Soviets. Internal pressures have been increased in Italy and Spain. In short, the Soviet strategy for the Mediterranean is working well. Whereas this was a secure area for the West not long ago, it is now a region that's "up for grabs."

The need now is for U.S. and NATO countermeasures against the Soviet Union and its client states along the southern littoral of the Mediterranean. From the strictly naval standpoint, it is essential that the U.S. Sixth Fleet be strengthened to provide adequate protection to friendly states that may be politically menaced or that may be subjected to attacks by Arab states under cover of Soviet rocket cruisers. The U.S. and the NATO alliance also must be alert to the danger that the Soviets may try to win the tiny island-country of Malta to their side and transform it into a communist air and naval base.

Ideally, Spain should be made a full-fledged member of NATO. This, more than any other action, would indicate to the Soviet Union the seriousness of the Atlantic countries in determining to check Russian aggression in the Mediterranean. If this course is not politically feasible at this time, the next more important action would be a considerable expansion of the U.S.-Spanish base agreements to provide for wider air coverage of the Western Mediterranean and, thereby, to acknowledge the threat from Africa that is a threat to the entire NATO alliance.

Because of shrewd political and military maneuvers, the balance of power in the Mediterranean has been shifting towards the Soviet Union. To restore the balance of power to the Western side, and to deny the Soviets further opportunities to extend their influence, the U.S. will have to augment its forces in the Mediterranean and give convincing expressions of solidarity with anti-communist forces in the NATO nations of southern Europe.

ST. PATRICK'S DAY, 1969

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. RODINO. Mr. Speaker, St. Patrick's Day is a joyful time for the

Irish and for those of us who are privileged to join them in celebration of this wonderful occasion. For it commemorates the conversion of that mystic and beautiful island to the Catholic faith, as well as the introduction of Ireland to the mainstream of Western European civilization.

St. Patrick's Day is observed in the United States with great festivity. Irish Americans throughout the country devote March 17 to commemorating their ties to the homeland, while demonstrating their own particular vital quality of Americanism. Parades, the wearing of the green, merrymaking and celebrating—these are the essential ingredients of St. Patrick's Day throughout the land.

But, on a deeper level, St. Patrick's Day should remind every Irish American—and all Americans as well—of the singular contributions which the Irish people have made to that Western society of which their patron saint so long ago made them a part. Statesmen and poets, scholars and patriots—all have contributed in colorful fashion to the pageant of Irish history. Edumund Burke was born in Dublin; Oliver Goldsmith reminded the world of Irish suffering. Later, William Butler Yeats and Charles Parnell, in the struggle for Irish independence, contributed the Irish virtues of imagination and determination to Ireland's successful fight for freedom and self-expression.

These men and others, and indeed all Irishmen, are remembered on St. Patrick's Day. For the world would be poorer—as would the fabric of American life—without Ireland, the greenest of the Western isles.

NATIONAL HEALTH INSURANCE

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. DINGELL. Mr. Speaker, national health insurance—that is, comprehensive health and medical care for every American—has been a dream of many in this Congress for many years. Now, according to AFL–CIO Social Security Director Bert Seidman, there are clear signs that such a proposal has a much improved chance of adoption. In a Labor News Conference interview on the Mutual Broadcasting System, Mr. Seidman outlined what such a national health insurance plan should include. I think that many of our colleagues would find his views on this subject helpful, and, under unanimous consent, I place a transcript of the program, as well as an AFL–CIO press statement commentary thereon, in the RECORD, as follows:

Growing public and congressional support for national health insurance make the proposal more politically feasible this year than in recent years, the AFL–CIO's social insurance expert reported today in a Mutual Radio Network interview.

"People are becoming very much concerned about unmet health needs in this country," declared Bert Seidman, director of the AFL–CIO's Department of Social Security. He said that generally favorable experience of the Medicare program has demonstrated the effectiveness of meeting those needs "on a comprehensive basis."

The union spokesman cited a recent national Harris poll showing that 57 percent of those responding favored "a system of Medicare for everyone."

That is "essentially what national health insurance is," Seidman explained, and such strong support is particularly significant, since this has not been a "burning issue in Congress in recent years." The AFL–CIO produced public service program was broadcast Tuesday at 7:35 p.m. (EST).

Seidman stressed that a national health insurance program would make comprehensive health and medical care, including prevention, diagnosis, treatment and rehabilitation, available to all Americans, but would not prevent anyone from receiving care and treatment outside the system, if they so choose. He turned aside the suggestion that such a system would be a "poor care program."

"We would try to put in the incentives to make it a program of excellent medical care . . . for the entire population, as is now the case in many other countries," he asserted.

He said that there is wide misunderstanding about the amount of health insurance that people now have and what it covers. Although a "considerable portion of the population, perhaps as high as 70 or 80 percent, has coverage for hospitalization," only a much smaller proportion has covered for medical services other than surgical, he noted.

"In 1967, private health insurance in this country covered only about 22 percent of personal health care expenditures," he declared.

Reporters questioning Seidman were Judith Randal, medical editor of the Washington Evening Star, and Jerome Brazda, editor of Washington Report on Medicine and Health.

GROWING SUPPORT FOR NATIONAL HEALTH INSURANCE

Guest: Bert Seidman, Director, Social Security Department, AFL–CIO.

Reporters: Judith Randal, medical editor of the Washington Evening Star; Jerome Brazda, editor of Washington Report on Medicine and Health.

Moderator: Frank Harden.

HARDEN. Labor News Conference. Welcome to another edition of Labor News Conference, a public affairs program brought to you by the AFL–CIO. Labor News Conference brings together leading AFL–CIO representatives and ranking members of the press. Today's guest is Bert Seidman, director of the AFL–CIO's Department of Social Security.

The AFL–CIO has long sought the best medical care for all Americans that the wonders of modern medicine make possible. In an article published in the January issue of the American Federationist, the AFL–CIO's official monthly magazine, Mr. Seidman declared that the time has come for labor and other progressive groups to unite in a determined drive for medically advanced and economically sound national health insurance. Here to question Mr. Seidman about that proposal are Judith Randal, medical editor of the Washington Evening Star, and Jerome Brazda, editor of Washington Report on Medicine and Health. Your moderator, Frank Harden.

And now, Miss Randal, I believe you have the first question?

RANDAL. Mr. Seidman, what exactly do you and the AFL–CIO mean by a national health insurance system?

SEIDMAN. Miss Randal, we consider national health insurance to be a system whereby people pay in advance, through a governmental insurance system like Social Security, for the costs of their health care.

We think that this ought to be divided three ways, with the employee paying one-third, the employer one-third and the government one-third. And, incidentally, this is a system that many foreign countries have had for a long time.

RANDAL. You would vision this as voluntary or compulsory?

SEIDMAN. We think that in order for such a system to be effective, it should be a compulsory national health insurance system, just as Social Security and our other forms of social insurance are compulsory. In this way, all people would contribute. But, at the same time, all people would have the benefits of the system.

BRAZDA. Where do the existing health insurance companies—Blue Cross, Blue Shield and the many commercial companies—come in? Do you legislate them out of existence?

SEIDMAN. I wouldn't legislate them out of existence. It is at least possible that they might be able to provide some kind of complementary insurance, as they have for older people under the Medicare program. But I would think that most people would have most of their health care covered under the national health insurance system.

BRAZDA. This has been tried before—at least proposed before—has it not—the idea of national health insurance?

SEIDMAN. Yes, there have been bills in Congress for many years for national health insurance. During the Truman Administration, particularly, there were bills which were supported by the then AFL and the CIO, for setting up a national health insurance system. At that time, this effort was not altogether successful, but, instead, a conscious decision was made to try to get this kind of protection for the group that needed it the most—that is, the elderly. And, that is what we got under Medicare.

RANDAL. Do you envision that Medicare will become amalgamated with this? What would happen to Medicare?

SEIDMAN. I would expect that Medicare would become a part of the national health insurance system. As a matter of fact, you might say that national health insurance, in a certain sense, is Medicare for everyone.

It isn't just the elderly who have unmet health needs, and, it isn't just the elderly who have difficulty meeting the costs of their health care. There are many other people with the same problems. This is what national health insurance would do—it would cover everybody.

RANDAL. Now, since the advent of Medicare, we have had a very rapidly rising cost picture, where health care is concerned. Do you envision that you would have a "charge-what-the-traffic-will-bear" situation, as we now have with Medicare in open-end fee arrangement? What would be done to control this?

SEIDMAN. I would hope that if we set up a national health insurance system in this country, or, even under the present Medicare system, that we would begin to introduce controls on costs and incentives for efficiency and coordination that, up until now, we haven't had.

One reason we haven't had it is that the tail has been wagging the dog. In other words, people get the kind of medical care that they are able to pay for and sometimes this isn't the best medical care or the most efficient medical care. If all their health care needs could be met financially, then we could begin to put the system on a more rational basis.

BRAZDA. Under your idea, is everyone going to get the same sort of medical care—rich, poor, middle-income alike?

SEIDMAN. Under national health insurance, Mr. Brazda, everybody would have the same opportunities for health care.

When you say the same kind of health care, of course, that would be determined by their needs. A person who has a more acute illness will get a different type of health care than the person who is not quite so ill, or, depending upon the type of illness and so on.

But, everybody would have the same kind of across-the-board health care, ranging all

the way from prevention, through diagnosis, and treatment, and rehabilitation, and so on. Now, if people wanted to get their health care outside the system, they would have every right to do so. It wouldn't require all doctors to have their entire practice within the national health insurance system.

That, also, has been the experience of other countries, by the way, that have national health insurance.

BRAZDA. If you have a national, compulsory health care-health insurance program, why would anyone go outside it? What could they get by going outside the system?

SEIDMAN. The only answer that I can give you, Mr. Brazda, is that it may be a status symbol. You know, people who just want to go to the Park Avenue doctor and pay him more, so as to be able to say that they are paying more for their medical care than their neighbors are.

I can't think of any other reason, because, I think, people would be able to get good medical care under national health insurance.

RANDAL. This idea, of course, has been discussed for many years. What makes you think that it is now "an idea whose time has come?" Why is it politically feasible now, when it might not have been, say, a generation ago?

SEIDMAN. One reason, Miss Randal, is that we have now tried it. And, while the AFL-CIO has some criticisms of the Medicare system, we do know that the elderly are getting much better care under Medicare than they have ever had before.

A second reason for this is that people are becoming very much concerned about unmet health needs in this country. Not just those of the poor, but the unmet health needs of a lot of other people, as well. People are looking for some way of dealing with this on a comprehensive basis. As a matter of fact, a poll taken not too long ago by the Louis Harris organization showed that when asked whether they thought there should be a system of Medicare for everyone—which is essentially what national health insurance is—that 57% of those who had an opinion favored this.

I think that's quite surprising, in view of the fact that, as you say, Miss Randal, this has not been a burning political issue in the Congress in recent years.

BRAZDA. You are talking, then about a "poor care" program, aren't you—medical care payment program for the poor? This is really what you are proposing in proposing a national health insurance program, isn't it?

SEIDMAN. Not at all, Mr. Brazda—this is not a "poor care" program—quite the contrary.

We would try to put the incentives to make it a program of excellent medical care—and not just a program for the poor, either. It would be a program that would cover the entire population, as is now the case in many other countries.

BRAZDA. I have a good health insurance program through my employment and I expect that you do—most regularly-employed people now have health insurance of one sort or another. Are you going to do something better for these people, or, are you going to simply supplement health insurance to make sure that everyone has it?

SEIDMAN. Well, in the first place, I think that there is often a very incorrect idea of the amount of health insurance that people do have and the coverage.

A considerable proportion of the population, perhaps as high as 70 or 80 percent, has coverage for hospitalization, but, the proportion of people covered for medical services other than surgical, is much smaller.

The fact is, and this may surprise some people, that in 1967, private health insurance in this country covered only about 22 percent of personal health care expenditures. The government, through various programs, including Medicare, accounted for about a third. But 44 percent of all personal health care expenditures came out of the pockets of the people who were sick.

So, we don't have the kind of broad health care coverage under the present hodgepodge of systems that we have. That's why we are for a national, across-the-board health insurance system.

RANDAL. Mr. Seidman, one of the things that opponents of compulsory health insurance system frequently cite is that we are woefully short of health manpower and facilities. What do you think could be done about this in the face of the institution of such an insurance program?

SEIDMAN. I think one of the things that could be done is to improve the efficiency of the system.

We do have efficient health care for people who are in what's called prepaid group practice plans. These plans are not operated on the traditional solo practitioner basis—you know, the single family doctor system or the fee-for-service system. Instead, they are groups of doctors providing the whole range of medical services. People are in this system on what's called a capitation basis. That is, a person pays so much to the group that he belongs to, to cover all his medical services.

It has been found that this kind of approach to medical care provides a much more efficient system.

Fewer people go to the hospital, and hospital care is the most expensive kind of care. There is also a very great shortage of personnel for in-hospital care.

You even need fewer doctors under the group practice system, because there is a considerable emphasis on prevention that we don't have in our ordinary medical care.

These are the kinds of things that we think can be done under national health insurance.

BRAZDA. Speaking of doctors, Mr. Seidman—organized medicine, at least—which represents a good part of the doctors of this country fought Medicare with every resource at its command. How is organized medicine going to accept an idea of a national health insurance program with government backing?

SEIDMAN. Frankly, Mr. Brazda, I don't think that the American Medical Association is going to join with the AFL-CIO in fighting for national health insurance.

They weren't with us in the fight for Medicare, but we won that one. At the time, the doctors said they would never participate in the Medicare program, and so on. Yet, almost all doctors are participating in the Medicare program.

We think the same thing would happen under national health insurance. We don't expect the American Medical Association to support this. But, we do expect many progressive doctors who don't see eye to eye with the AMA to support us. And, we do expect that if the Congress, as we hope it will, enacts national health insurance, the doctors will participate in it.

RANDAL. Speaking of prepaid group practice, Mr. Seidman, this is illegal in many states. What kind of incentives do you think could be offered to get state legislatures to move on this—state legislatures, which tend, perhaps more than the national legislature, to be influenced by the AMA?

SEIDMAN. Well, I'm not a constitutional lawyer, Miss Randal, but I think that this can be done in one of two ways.

The hard way, of course, is to do it state-by-state. This is being done. That is, the repeal of laws which restrict or prohibit the development of prepaid group practice in a particular state.

The other way of doing it is to establish some kind of national standards which would, in effect, repeal these laws.

In any case, I think that we should do everything possible, both under our present arrangements and if we get national health insurance, to encourage the development of group practice. This is the efficient way of making medical care available to more people.

BRAZDA. Do you actually have a plan? Do you have a national health insurance plan—clauses, and phrases, and sub-clause, and so forth.

SEIDMAN. If you mean, have we actually drawn up the bill that we will introduce in this session of Congress, the answer is, we have the general specifications for such a bill, but we haven't actually written any legislative language.

We would do that, of course, in cooperation with the Congressional sponsor of the legislation.

BRAZDA. Do you plan to do that in this session?

SEIDMAN. We do hope that legislation for national health insurance will be introduced in this session of Congress, along the lines of what I suggested at the beginning of the program. This is, tri-partite financing by employers, employees and the government. We think, incidentally, that workers would be paying less for better medical care under such an arrangement than they are paying now for inferior medical care.

BRAZDA. Well, this is not the most liberal Congress we have had in some time, even though it is Democratically controlled. How do you assess the chances this year and next year, in the 91st Congress, for such an expensive program?

SEIDMAN. Well, in the first place, I don't quite know what you mean by an expensive program. I think that what we have now is expensive. It is costly, inefficient medical care.

National health insurance, in the long run, would be much less expensive for the American people.

Of course, I can't predict what the Congress will do. I think that there is greater interest in national health insurance—some kind of system which would comprehensively cover the health needs of the American people—greater interest than there has been in a long time. This has been expressed by leading members of both political parties, and I think that there is a good chance for it.

At the same time, I think that we should also do everything possible to extend the present programs, until we can achieve national health insurance.

RANDAL. Mr. Seidman, you said earlier that the AFL-CIO has some criticisms of Medicare. I wonder, first of all, what they might be, and secondly, are you going to seek legislative remedies or are you going to let this drop, in the hope that you can get a national health insurance program launched?

SEIDMAN. Our main criticism of the Medicare program is that there are not sufficient cost controls or enough encouragement for the development of quality in the program. We do favor doing what can be done under existing law. We think that more can be done to control physicians' fees and hospital charges. If necessary, we favor legislation to do this.

Bills have already been introduced which would have the effect of moderating physicians' charges under Medicare.

RANDAL. Do you think they have much chance of passage in this session of Congress?

SEIDMAN. Whether those particular bills have a chance of passage or not, Miss Randal, I don't know.

But I do not think that many people feel that the increases that have occurred in medical expenses and medical costs are simply out of line. For example, there is a publication called Medical Economics, which goes to all doctors, and so far as I can tell, it is financed by the advertising of drugs and so on. That publication, which is not anti-physician or anti-AMA, said that for most doctors, expenses had risen only slightly or not at all, since the advent of Medicare, since there has also been an uptrend of pro-

ductivity. Frequent or large fee increases during the past two or three years are hard to justify, except, of course, in cases where they were overdue.

They make it clear that the 14 percent increase of fees over the last two years and the 20 percent rise of doctors' net incomes—income after expenses—are simply not justified.

As far as hospital expenses are concerned, as you know, everybody has been talking about the increase in hospital workers' wages. We feel that increase was long overdue, but actually, the non-salary hospital expenses have been going up faster than wage and salary expenses.

Non-salary expenses have gone up 27 percent in two years, as compared with only 18 percent for wage and salary expenses. Now this is the sort of thing that we think needs control, to keep these expenses in line.

If it is going to take legislation, then this is what we need.

BRAZDA. Your tri-partite plan—financing plan—envisions the federal government, under Social Security, paying a third, the employer paying a third and the employee paying a third. What about those unemployed widows and so forth, where there is no employer-employee relationship? Who pays that two-thirds?

SEIDMAN. Well, I would expect that under those circumstances, we would have the same situation we have under Medicare. The government would, as they say, buy into the program for people who are not employed, and can't afford to make the payments, and have no employer to make it for them.

BRAZDA. The federal government then would be paying the entire insurance for these people?

SEIDMAN. For people who are unable to meet the costs and are not employed—yes, that would be the case. But this is true under the Medicaid program now, as well.

BRAZDA. What about people who are employed, but who are temporarily unemployed? Would it be part of their unemployment insurance that their health insurance would be fully continued until they became employed again?

SEIDMAN. I think you would have some kind of arrangement whereby their health insurance would be continued under those circumstances. And, we do have this under private arrangements at the present time. I would see no difficulty in doing this.

But, the important thing is that national health insurance would cover all of the people with a full range of medical care. That's why the AFL–CIO feels that national health insurance is the way to deal with the health problems of the American people.

HARDEN. Thank you, Miss Randal, and thank you, gentlemen. Today's Labor News Conference guest was Bert Seidman, director of the AFL–CIO's Department of Social Security. Representing the press were Jerome Brazda, editor of Washington Report on Medicine and Health, and Judith Randal, medical editor of the Washington Evening Star. This is your moderator, Frank Harden, inviting you to listen again next week. Labor News Conference is a public affairs production of the AFL–CIO, produced in cooperation with the Mutual Radio Network.

A FAIR PER DIEM ALLOWANCE FOR GOVERNMENT EMPLOYEES

HON. ROBERT N. C. NIX

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. NIX. Mr. Speaker, I have today introduced a bill which would increase the per diem allowance of Federal employees from the present figures of $16, $30, and $10 to a new set of figures of $25, $35, and $15.

The fact is that this country is subject to severe inflationary pressure. All of our costs are rising, including the cost of hotels and necessities that every traveler needs. We are now asking Federal employees to finance Government business out of their own pockets since per diem does not cover their travel expenses when they represent the Federal Government away from their own homes.

Simple justice requires that we act and act soon, this week or next, on per diem allowances that are now a joke. These allowances must be changed so that they pay for the necessary expenses of traveling Government employees.

HOWARD BERTSCH

HON. AL ULLMAN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. ULLMAN. Mr. Speaker, too often these days the departure of a great and dedicated public servant goes unnoticed and unheralded. Such a departure occurred when Howard Bertsch resigned after 8 distinguished years as administrator of the Farmers Home Administration.

We in Oregon have long been proud of Howard Bertsch. Here is a man who devoted his entire adult life to the cause of small farmers and rural people—nearly 30 years.

He started his long career with the Federal Government with the old Resettlement Administration soon after graduating from Oregon State.

Working as he did in personal contact with the distressed and dispossessed farmers during the depression he developed a deep concern and a broad understanding of their problems and their needs. This experience also gave him new insight into the unshakable integrity, great will and ability of rural people to overcome adversity if only given the opportunity. These attitudes were to characterize his approach to his work and decisionmaking for the rest of his Government career.

He moved up steadily through the ranks of farm security and then the Farmers Home Administration. In 1949 he was put in charge of the agency's national farm ownership loans division.

In 1954 he went to Iran to serve as financial advisor to the development bank and the agricultural bank of Iran. For his work there, he was awarded "the Order of the Crown" by the Iranian Government.

In 1961, President John F. Kennedy called him back to the United States and appointed him as his Administrator of the Farmers Home Administration. Mr. Bertsch built a dedicated staff and a team that shared his concern for farm families, the rural poor and a desire to improve the rural communities. For his work that first year as Administrator he was awarded the highest honor the Department of Agriculture can bestow on any employee—the Distinguished Service Award.

Thus, there began in 1961 with the appointment of Mr. Bertsch a period of dramatic growth in services to rural people and a multiple increase in the agency's responsibilities.

The administration and Congress, concerned with rebuilding all of rural America to stem the flow of people to our cities, gave the agency a greatly expanded rural housing program, a series of rural community-building loan programs and credit tools to alleviate rural poverty.

In 8 years the credit assistance to farm families and rural communities—who were unable to obtain credit elsewhere—increased fivefold, from $300 million in 1960 to nearly $1.5 billion in 1968. In his final year as Administrator, Farmers Home Administration assistance was benefiting some 4.5 million rural people as compared to 900,000 in his first year on the job.

When he left office last month, the Farmers Home Administration was providing loan assistance to provide the equivalent of 50,000 new homes in rural areas to low and moderate income families. In his 8 years, the agency helped more than 3,000 rural communities to install water or sewer systems.

Mr. Bertsch had the satisfaction, as did the Nation, to see the impact of these programs on rural America. There is clear evidence that the exodus of rural people to our cities is slowing down and in some areas, rural population is increasing as business and enterprise are attracted to these communities who now have basic facilities and new homes.

The thrust and the momentum that Mr. Bartsch generated behind these programs to rebuild the countryside and improve the living environment of rural people will continue. This is the legacy this great and dedicated public servant has left to this Nation.

Mr. Speaker, I could not let the departure of this devoted and able man who gave a lifetime of service to rural people pass unnoticed and without a word of praise and appreciation for his contribution. Others of my colleagues who knew him and worked with him over these 8 years will, I am sure, join me in saying "well done and thank you, Mr. Bertsch."

CHEAP SHOE IMPORTS—ACTION NEEDED NOW

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. WYMAN. Mr. Speaker, New Hampshire, and indeed the whole of New England, is largely dependent upon the textile and footwear industry, the major employer of the area. The manufacture of footwear plays a vital role in our economy.

Recent statistics show that the importation of foreign shoes continues to threaten and may soon outdistance our own manufacture. Imports in 1968 came to almost 30 percent of our domestic production and if these imports continue to grow at the present rate, by 1975 we

could easily have a situation where foreign manufacturers will produce over 50 percent of the footwear used in the United States. Some estimates go as high as 90 percent.

The following chart shows vividly the inroads being made in this important source of livelihood for the people of New Hampshire and other States:

SHOE IMPORTS—OTHER THAN RUBBER

Year	Pairs (in thousands)	Percent increase over previous year	Value (in thousands)	Percent increase over previous year
1963	62,820	14.1	$89,545	11.6
1964	75,372	20.0	103,674	15.8
1965	87,632	16.3	118,478	14.3
1966	96,135	19.7	153,569	29.6
1967	129,134	34.3	217,593	41.7
1968	175,438	35.9	328,543	51.0

Mr. Speaker, how long can an industry endure this gradual erosion? Since 1958 we have been told repeatedly that the trend against the country's export position was only temporary. More than 10 years later can it still be considered "temporary"? Something must be done and it must be done now.

In this connection, I urge action on a bill which I have cosponsored—H.R. 7696—to promote equitable competition in this field. I urge thoughtful and careful consideration of this legislation and support when it comes up for a vote.

A PEOPLE-ORIENTED FARM PROGRAM

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. FINDLEY. Mr. Speaker, today I have introduced a bill—H.R. 9009—which I consider to be a comprehensive program to strengthen marketplace income for farmers, reduce the influence of Government in the management decisions of farmers, and provide financial assistance to farmers who need skills training and other forms of assistance in order to develop off-farm income.

The emphasis of my bill is Government action to assist farmers in their adjustment as people to changing technology, in contrast to present farm programs which deal almost exclusively with Government action to adjust commodity supplies.

The principal provisions of the bill are:

First. The 5-year program begins January 1, 1971, and runs through December 31, 1975. It would amend the Food and Agriculture Act of 1965. The program provides for a 5-year transitional period during which acreage controls, base acreages, marketing quotas, processing taxes, and direct payments for wheat, feed grains, and cotton would be phased out.

Second. Limit the total funds that may be spent on all direct payments for wheat, feed grains, and cotton under the Food and Agriculture Act of 1965 to 80 percent of the amount spent on 1969 crops in 1971, 60 percent in 1972, 40 percent in 1973, and 20 percent in 1974.

Third. Reduce the cost of wheat certificates to processors to 80 percent of the 1969 level in 1971, 60 percent in 1972, 40 percent in 1973, and 20 percent in 1974.

Fourth. Effective with 1975 crops, discontinue all acreage allotments, base acreages, marketing quotas, processing taxes, and direct payments—annual land diversion, compensatory, and certificate—for wheat, feed grains, and cotton.

Fifth. Continue the cropland adjustment provisions of the act of 1965 with amendments: First, to require that programs be operated on a competitive bid basis with emphasis on whole farms; and, second, to direct the Secretary of Agriculture to retire at least 10 million acres per year in 1971, 1972, 1973, 1974, and 1975.

The Secretary would announce in advance the maximum acreage to be contracted for each year. If accepted bids do not exhaust this acreage, higher bidders could be offered the opportunity to negotiate contracts at the accepted bid level.

Provide that loan rates for wheat, feed grains, cotton, and soybeans, shall be set at not more than 85 percent of the previous 3-year average price, beginning with the 1971 crop year.

Prohibit the sale of CCC stocks at less than 150 percent of the current loan rate plus carrying charges, except when sales are offset by equivalent purchases in the open market.

In addition to and conditional on the adoption of the second, third, fourth, and fifth items: Authorize the Secretary of Agriculture to offer a special transitional program in 1971, 1972, 1973, 1974, and 1975, which would be open to any farmer who has had average gross annual sales of farm products of not more than $5,000 and off-farm income of not more than $2,000 per year for husband and wife for the immediately preceding 3 years. Such farmers would be eligible to receive one or more of the following:

First. Compensation for acreage allotments and base acreages surrendered to the Secretary for permanent cancellation. This would apply to all commodities having acreage allotments or acreages. Such compensation would be in addition to land retirement payments under the cropland adjustment program and would also be available to eligible farmers who wish to surrender their acreage allotments or base acreages without participating in the cropland adjustment program.

Second. Retraining grants of not to exceed $1,000.

Third. Adjustment assistance of not to exceed $2,500 per year for 2 years.

Fourth. Loans under existing credit programs further to facilitate the transition of eligible farmers to more gainful employment.

SNOOK WINS AGAIN

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. PICKLE. Mr. Speaker, Snook, Tex., is not just a little town with a pretty name—it is a legend. Snook, for the third time, is the home of the Texas class B championship basketball team. They won this title before in 1965 and again in 1966. They won it again this year at the Texas Interscholastic League Basketball tournament in Austin. They are due our heartiest congratulations.

I would venture to say that, in its league, Snook has won as many championships as any other town in Texas. I do not see how they keep on winning, but I am glad they do. It proves the boys have determination and strive hard to maintain their reputation. It proves also, that they are well coached. Jimmy Horn has taken his team to the finals five times in his successful career at Snook. He can take short boys and make them giants. The Snook Blue Jays gave up a height advantage of 1½ inches per man, but they have patented the delay game combined with a full court press.

The next time the nominees are considered for the Basketball Hall of Fame, Jimmy Horn should be in the running. I am honored to represent the people of Snook, and to point out to my colleagues that there really is such a place as Snook, and that it is a vibrant and successful little community in Burleson County.

DEVELOPING COLLEGES MAKE SENSE FOR DEVELOPING COUNTRIES

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. OTTINGER. Mr. Speaker, during the early days of the Peace Corps I was privileged to meet and work with Derek S. Singer, a dynamic and capable person who came to the corps from an outstanding career overseas with CARE and the International Cooperation Administration. He very ably served as Acting Director of Latin American Programs and as Chief of Programs for the East Coast of South America in Peace Corps-Washington and overseas as Peace Corps Director in Bolivia, Indonesia, and Tunisia.

Currently the director of the faculty development project of the American Association of Junior Colleges, Mr. Singer recently presented an incisive and challenging paper on the role of higher education in the world's developing nations and the important and meaningful contributions which can be made by 2-year colleges. The issues he has raised and the proposals made deserve our full and careful consideration.

I commend this paper to the attention of our colleagues and am pleased to insert it, herewith, for inclusion in the RECORD:

DEVELOPING COLLEGES MAKE SENSE FOR DEVELOPING COUNTRIES

(By Derek S. Singer)

I am convinced that the time has now come for many American junior community colleges to make plans to increase their involvement in international programs, particularly in the developing countries of Asia, Africa and Latin America. A greater commitment of time, energy and resources would pay big dividends both for the less-developed

nations with which they can work as well as for many colleges.

Before joining the Association one year ago, I lived and worked abroad for 13 years, primarily in the less-developed countries. My assignments gave me the privilege of serving in posts as diverse as Bolivia, Colombia and Costa Rica; in Formosa (Taiwan), Japan and Indonesia; and in Tunisia and the Congo. In each case, I worked in jobs relating to economic, cultural and social development, usually in programs designed to accelerate the educational and manpower development processes of the "host country."

Positions which I held while assisting in the accomplishment of these goals included being a director of two CARE relief programs, a training officer for four AID (State Department) missions, and a Peace Corps director in three countries. In my judgment, all but one or two of the countries to which I was assigned needed and could support a modest national community junior college system, to supplement their predominantly European-oriented "white-collar" universities. In fact, at least two of them (Japan and Taiwan) already possess a national network of two-year post-secondary schools. Many other "developing countries" have also expressed recent interest to the Association in exploring for themselves the great potential of America's two-year college experience, and adapting its application to their own urgent, practical needs to provide trained manpower in development programs of national urgency.

Two such countries have already been mentioned. Some others which I know are seriously contemplating or actually experimenting with the flexible, pragmatic opportunities offered by community junior colleges include India, Ceylon, Chile, Brazil and Kenya. Several European countries also have pilot two-year colleges, particularly in specialized fields. Examples include hotel management (Germany), fashion technology (France), and distributive education (England). Such schools have often been developed with the cooperation of U.S. "sister" institutions. In addition, there are actually American-style AAJC member colleges in Switzerland, the Canal Zone, and Puerto Rico. In all probability, more of these programs are underway or being planned in still other countries, with particular stress on the technical and vocational fields in which trained manpower is in most acute demand, to match the pace of accelerating national development programs.

Today, volunteer assistance groups such as the Peace Corps, Papal Volunteers, and the Friends Service Committee, all provide paraprofessional personnel overseas on an interim basis. Working abroad with manpower supply groups such as these has indicated very clearly to me that the kind of young workers which they send often hold jobs which require the same kind of training and skills as are generally acquired by the graduates of many U.S. two-year colleges.

My own list of the "two-year college skills" most needed, and in shortest supply in the developing world, would include:

Automobile mechanics, diesel mechanics, farm machinery management, machinery and equipment maintenance and repair, secretarial and business, data-processing, engineering technology, medical laboratory technology, physics and chemistry laboratory technicians, X-ray technology, fire science, recreation and physical education, elementary education, community service.

Considering the relatively modest level of technology and industrialization in most of the developing countries, many of the more specialized programs at U.S. two-year colleges are not suitable for Asia, Africa, and Latin America. However, the situation is one which changes and rapidly evolves: new skills not required today may be urgently needed tomorrow. The establishment of a modest, flexible but growth oriented comprehensive community junior college system in many of the newer countries overseas could well complement and facilitate the rapid modernization and growth which they so earnestly seek. Such a solid training infrastructure could prove invaluable to planners and programmers in many developing areas.

Beyond skills alone, introducing the "comprehensive" aspect of America's public community colleges could lend still another important dimension of the foreign two-year college movement. Enlightened leaders in many developing countries have come to realize that true "nation building" and country development programs must proceed hand-in-hand. The potential of community services, of adult education, and of the recreational, social and developmental "outreach" programs of U.S. community colleges can provide a unique and positive extra, to supplement the scholarly, research-oriented colleges and universities so typically found in many new nations. Even as they bravely strive to develop, grow and progress on many fronts at once, most of these states must also fight the ignorance, indifference, and inertia of a large proportion of their national population. To combat poverty, disease, and hunger effectively, such countries are discovering that they must first overcome the dead hand of the past. They must rid themselves of many inherited influences from a colonial history which gave them some benefits, but which most often discouraged initiative, cooperation, and our popular American spirit of working together as equals to tackle and solve common problems.

Although the community college approach could never solve all these problems, I believe that, wherever adopted, it could represent an important catalyst for civic pride and cooperation in many developing countries, where such national "rallying points" are in particularly short supply. Last year, Daly C. LaVergne, the director of AID's Office of International Training put the matter this way at AAJC's national convention in Boston.

The type of post-secondary educational institution most generally needed in the developing countries probably more nearly resembles the American junior and community college than the four-year college. In addition to the similarity of objectives (producing educated people who can immediately be absorbed by the critical skilled manpower needs of the wider community), the U.S. junior college and the developing country colleges face similar problems.

With all these advantages and benefits possible, why have there been so few opportunities for our community junior colleges to foster the growth of counterpart colleges abroad? Why have so few AAJC members been called upon to perform overseas, in contrast to the hundreds of American four-year colleges and universities which have enjoyed governmental contracts and foundation support for many years with technical assistance projects abroad?

Answers to these questions are neither simple nor easy to come by. Some of the reasons are historical. In its present form, the comprehensive community junior college has simply not been around as long as many of the better developed, many-sided university programs whose experience is now being tapped for the benefit of developing countries. Also, as mentioned earlier, an outdated, colonial-type attitude toward higher education has long been predominant in the majority of so-called new states. Thus national educational goals and attitudes favorable toward such practices as open-door admissions, extensive and continuing student personnel services, and a commitment to community outreach programs in general have been the exception, not the rule. It is only in very recent years that such historical biases as these have begun to change. Finally, perhaps, the U.S. two-year college movement and important sections of the developing world are ready to meet together on equal terms.

Another, more serious roadblock still remains. A number of AAJC member institutions have formally signified an interest and willingness to expand their world studies programs, to welcome foreign students on their campuses, and to work toward an overseas faculty exchange program. Some would also send modest-sized education advisory teams to the less-developed countries. A number of these junior and community colleges constitute the membership of the Association's Committee on International Education, which currently represents 8 member colleges (and others interested in overseas work). In addition to these schools, representatives from at least a dozen other two-year colleges have also indicated to AAJC an abiding interest in seeking help and advice to develop some kind of program with an overseas counterpart school or college. And yet, with rare exceptions, the problem of "image" and "academic standing" has blocked most efforts to reach a "take-off" point with such programs. In government-sponsored projects particularly, invidious and unfavorable comparisons with the supposedly-superior faculty, campus resources, and reputations of the "4/Us"—the four-year colleges and universities—have effectively prevented serious consideration of the community or junior colleges for AID or other government-sponsored education projects in the developing world.

Some noticeable recent evidence of this negative attitude can be found in an extensive AID report entitled *University Resources for International Development*. This study was prepared in 1968 for the Agency for International Development by the prestigious Academy for Educational Development in New York, and authored by Chester M. Alter, former Chancellor of the University of Denver.

It should be noted first that Dr. Alter's purpose was to compare and evaluate for AID the overseas performance record or "score" of several major categories of institutions of American higher education in carrying out AID contract programs abroad. There were nine classifications discussed, all subsumed under the general rubric of "universities." only six two-year colleges were selected for the survey sample, although three or four times that number were sampled in most of the other categories examined. Not one member of the Academy's twenty-man study team, nor of its ten-man advisory committee, was drawn from a junior or community college. The great majority were presidents, deans, directors and senior faculty members from four-year colleges and universities. A further analysis of the study group and its committee reveals that at least six members were either then or formerly employed by colleges and universities which currently or recently held AID-financed contracts abroad. Needless to say, the community junior colleges had no such connections on Dr. Alter's study group.

Turning to the study itself, its approach and methods seem quite straightforward. Basically, *University Resources for International Development* tries to analyze several "criteria for excellence," as described in another report prepared by John W. Gardner in 1964 entitled *AID and the Universities*. In this study, Mr. Gardner also used the word "universities" in the generic sense, and listed eight separate areas in which he advised AID to establish and monitor high performance standards by its overseas contractors. These criteria included:

Institutional resources, caliber of faculty, interdisciplinary programs, research resources, administrative capability, overseas experience, quality of personnel, institutional commitment.

Considering both the historical limitations on community junior college involvement overseas (above), and the backgrounds of most of the survey members responsible for the study, its conclusions should probably surprise only the naive or the incorrigibly optimistic.

By and large, the impression gained from Dr. Alter's conclusions neatly illustrate the old adage of damning with faint praise. Here and there his report to AID does say a few kind words about the contributions which two-year colleges might make to a few particular development projects abroad. However, typically and almost inevitably a big "but" accompanies nearly every such reference. Some modification, restriction or proviso virtually emasculates whatever slight praise the author may give to the two-year college. To illustrate, a few quotations follow from *University Resources*, together with my brief commentary on each:

Quotation 1: A high degree of interdisciplinary sophistication probably would not be found in the typical junior college. Naturally, there are individual exceptions . . . (but) for the purpose of marshaling enough over-all strength to warrant a total institutional contract, many junior colleges would be found lacking.

Comment: To view the bias in this section of the Alter Report ("Caliber of Faculty"), one only need take note of the large "straw man" which the authors jerry-rig here, only to topple over with the greatest of ease. Logically neither AID nor the developing countries it serves should be interested in generalizations about the "typical" junior college, nor whether "many" such colleges may or may not be lacking in over-all institutional strength. While such generalizations are dubious and unsupported in themselves, there is something even more important. Assertions of this type are irrelevant and quite useless to foreign policy-makers who must carefully assess whether a specific community or junior college is both competent and willing to help AID implement significant portions of its educational assistance programs in some of the less-developed countries.

Quotation 2: The usual expectations of the typical junior college would lead to the conclusion that this criterion (personnel quality) probably or even usually, would not be met adequately.

Comment: In general, the comments made about the first example pertain. In addition, the superficial, unsupported generalizations of the report are particularly evident here. *Whose* "usual expectations of the typical junior college," one could ask Dr. Alter, and by *which* standards of "personnel quality" does the staff and faculty of the junior community college fail to measure up? Define your terms, professor!

Quotation 3: (In discussing foreign programs) a typical comment from junior college administrators is: "Yes, we are interested, . . . but frankly we are so new, are growing so fast and we have so many things to do here that we just have not had time to develop overseas work." Such expressions are not at all exceptional and are without doubt logical and legitimate.

Comment: Once more, can words such as "typical" and "not exceptional" truthfully be applied, considering that the (supposed) attitudes of administrators at only six two-year colleges are cited? Even more dubious and suspect is the condescension implicit in the concluding comments in this, the report's final section, entitled "Institutional Commitment". One reads in the report, "As of the fall of 1966 there was only one junior college on AID's list of university contractors." Forty universities, colleges and consortia were surveyed in the Alter report alone which held AID contracts at that time for training, research or technical assistance abroad. It seems reasonable to conclude that such "institutional commitment" becomes much easier to discern when a school has already enjoyed the generous support of one or more government contracts!

Many more examples could be cited. All in all, I believe that the conclusions drawn and the inferences left by this AID report are frequently distorted, sometimes biased, and often consist of such unsupported allegations and meaningless generalizations as those that are quoted.

It is necessary to combat such distorted images of America's two-year colleges wherever that may be found. However, it is more important still to stress the positive, constructive potential of modern junior and community colleges for making creative and worthwhile contributions to the education and manpower development of the newer countries overseas. Everyone's time is wasted in contentious value judgments about which kind of institution has the "best" faculty, which has a greater institutional commitment, or which has a "superior administrative capability" to work effectively abroad.

In any case, the criteria devised by John Gardner for AID to measure the effectiveness of its overseas education contractors seem more applicable to help assess a different kind of performance. Quite possibly, a different kind of standard should be applied to the special contribution which the two-year colleges might make to foreign education assistance work. Writing in the Junior College *Journal* of May, 1958, Mr. Gardner made clear his conviction that excellence indeed could mean one thing for one group of schools, quite another for a different one. He wrote:

As things now stand the word excellence is all too often reserved for the dozen or so institutions which stand at the very zenith of our higher education in terms of faculty distinction, selectivity of students, and difficulty of curriculum. In these terms, it is simply impossible to speak of a junior college as excellent. Yet sensible men can easily conceive of excellence in a junior college.

The traditionalists might say "Of course! Let Princeton create a junior college and one would have an institution of unquestionable excellence!" That is correct, but it leads us down precisely the wrong path. If Princeton Junior College were excellent in the sense that Princeton University is excellent, it would not be excellent in the most important way that a junior college can and may be excellent. It would simply be a truncated version of Princeton. A comparably meaningless result might be achieved if General Motors tried to add to its line of low-priced cars by marketing the front end of a Cadillac!

Thinking back on my own years of service in the developing countries, I am certain that John Gardner's analogy was a perceptive and accurate one. Whether through government projects, by cooperation with foundation programs, alone or in consortia with universities, through exchanges with the small but growing group of "counterpart colleges" abroad, or in other ways, I am convinced that the particular excellence of our institutions can be focused with increasing effectiveness and growing results on programs of international studies, institutional service, and faculty enrichment. After all, the style, the motivation, and the goals of "democracy's colleges"—a uniquely American contribution to the world's educational growth and progress—do seem to fit the needs and aspirations of so many of today's developing countries. For many such nations, the community junior college may truly be a good idea whose time has come. One "old hand" at working to introduce the movement to such countries is Mr. William R. Kunsela, President of the State University of New York Agricultural and Technical College at Delhi. A few months ago, in a report to the AAJC Committee on International Education, Mr. Kunsela put the matter this way:

The fact that only a few of our institutions have had experience in developing countries should not be a deterrent, nor should it be interpreted as lacking interest.

The community college will be given the opportunity to apply its expertise on the international scene only at such time as the developing nations are encouraged to become familiar with and experiment with the community college as a solution to middle-level manpower needs, and to this manner of expanding educational opportunity.

The Association intends to do its best to provide such encouragement, to awaken an international interest in the two-year college, and to stimulate the kind of frank and informed questions and dialogue which can lay the ground work for expanding the movement wherever and whenever representatives from the new countries are ready to "talk shop". Perhaps Uncle Sam may also want to take another look one day soon at the exciting resources which America's two-year colleges could contribute to America's assistance programs abroad.

COMPLICATIONS OF DESEGREGATION

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. DERWINSKI. Mr. Speaker, a very frank, thoughtful column reflecting an objective grassroots commentary on complications of desegregation written by columnist Leonard Carriere was carried in the Thursday, March 13, Blue Island Sun-Standard.

The communities served by the Sun-Standard are encountering the typical complications of school integration problems. Mr. Carriere, an outstanding civic leader in his community, discusses the subject in a penetrating, thoughtful, and calm fashion:

COMPLICATIONS OF DESEGREGATION

(By Leonard Carriere)

Desegregation cases can get rather ridiculous when a mathematical formula is at the heart of the matter. Why otherwise intelligent people lose all sense of proportion when it comes to this area of thought I do not know. There must be something hypnotic in the magic numbers.

The U.S. Supreme Court has agreed to hear a case originating in the deep south from a school district that has a 60 per cent white and 40 per cent Negro student population. The problem does not arise over the mix of the students but rather over integrating the teaching staff. When the matter was heard in the Federal District Court having jurisdiction, there was a finding and an order that the teaching staff was to be integrated at 60 per cent white and 40 per cent Negro, or on a 3 to 2 basis. Without more, it is clear that the result was directly correlated to the racial proportion that prevailed in the district.

It did not rest there. The matter was taken up on appeal where it was reversed. Now the U.S. Supreme Court has agreed to look into the matter. What they will decide remains to be seen. It has some extremely interesting possibilities.

I cannot help but think in conjunction with these matters of the pledge of allegiance that the school children recite. In it, you will recall, there is a reference to "one nation, indivisible . . . with liberty and justice for all . . ." Now I ask, how indivisible is this nation that the Constitution seemingly requires a division based on racial proportions? How much justice is there when the prize goes not to the most capable but rather in accordance with someone's idea of a proper division? Where is the equality of opportunity, on either side, when it is necessary to make an allocation based simply on the fortuitous circumstances of the racial composition of a community? What has happened to the time-honored American doctrine that each of us stands on our merits irrespective

of race, religion, national origin or political affiliation?

Like the French poet Villon, one might also ask, "But where are the snows of yesteryear?" Gone my friends to the place from whence they came! However, let us get back to our 3 to 2 school district.

Assume that this particular district requires a teaching staff of 100. Following the formula, it becomes necessary to hire 60 white teachers and 40 Negro teachers. If, from the number of applicants, it develops that you have hired the 100 most capable teachers on a 60–40 basis, everything is fine. Yet, this would at best be a strange and rare coincidence. Suppose you have 150 applicants, out of which there are 80 exceptionally well-qualified and capable white teachers but only 20 equally well-qualified and capable Negro teachers. You cannot hire the other 20 white teachers as common sense would dictate. There is the formula. The same is equally true where you have the reverse, or 80 exceptionally well-qualified Negro teachers but only 20 of their white counterparts. To keep the balance you would need to hire 40 second-rate white teachers when you have available to you 40 better teachers that you must turn away.

Somehow it just doesn't make good sense to go about fulfilling one of our most fundamental obligations in this fashion. The children deserve better, unless one were to reword the pledge of allegiance to read as follows—". . . to a nation infinitely divisible, as expediency may from time to time require—or as the population may from time to time change—with liberty and justice in accordance with the percentage I may from time to time bear to the whole—"

It isn't only the Danes whose nostrils are offended.

TUSCALOOSA

HON. WALTER FLOWERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. FLOWERS. Mr. Speaker, it is with much pride that I call the attention of this House to the particular significance of the year 1969 in our great State of Alabama. This year we celebrate the 150th anniversary of our State and my hometown—Tuscaloosa.

The name Tuskaloosa, has been given to a city, a county, and a river in Alabama. In the language of the Choctaw Indians, "Tuska" and "lusa" signifies "warrior" and "black." Tuskaloosa was the name of a giant Indian chieftan whose village and tribe suffered a cruel fate at the hands of DeSoto in 1540. The United States later allowed the Creek Indians to establish their Black Warrior town in the year 1809, but in 1813 it was burned to the ground following an Indian revolt. Following this defeat of the Creek Nation by Andrew Jackson, white settlers began to enter the area where explorers only had been before, and the first settler in the vicinity was Thomas York in 1816.

The town was incorporated on December 13, 1819, which was 1 day prior to the State of Alabama's entering the Union. Beginning in 1826 and for over 20 years. Tuskaloosa was the State capital of Alabama. That period witnessed the opening of the University of Alabama and the building of the capitol and more than 35 of Tuskaloosa's elaborate antebellum homes. Also, many industries such as foundries, cotton mills, and canneries began to locate along the banks of the Black Warrior River. From this early beginning, we have grown into a thriving community of over 75,000 people.

The University of Alabama was founded in our city in 1831 with an original student enrollment of 96 young men. The Tuscaloosa Female College and the Alabama Central Female College were later combined with our university which has grown to today's enrollment of over 20,000 students.

Historically, Tuscaloosa has been a center of educational opportunity, industrial development, economic progress, and wonderful living. We are proud of its heritage, enjoying the dynamic present and looking forward to a fantastic future.

Tuscaloosa celebrates its 150th birthday, April 19 through April 26, 1969. The citizens of our community, both young and old, as well as the many welcomed visitors who come, will share a wonderful fun-filled week of festivities, entertainment, historical pagentry and good old southern hospitality.

Mr. Speaker, with unanimous consent of this House, I spread upon the RECORD a schedule of events for our 150th anniversary celebration in the city of Tuscaloosa, together with the names of our citizens who are participating in the planning and organization of the celebration:

SESQUICENTENNIAL CELEBRATION COMMITTEE

General chairman: Tom Shurett.

Executive committee: Harlan Meredith, Charles Snyder, John Pradat.

Committee chairmen: C. J. "Cuz" Hartley, Mrs. William O'Conner, Lewis Manderson, Tom Moore, Bill Walker, Hilliard Fletcher, Van Brown.

Committee members: Tom Hester, Joe Colquitt, James Kincaid, Lane Hubbard, Teddy Neilson, Mrs. Rainey Collins, Mrs. Byron Morris, Dayton Hale, Wayne Norwood, Cary Findlay, Mrs. Jimmy Hinton, Lou Couto, Mrs. David Partlow, Mrs. Harry Pritchett, Jerry Belk, John Ross, James Doster, Jimmy Walker, Don Barnes.

Kelly Tucker, Mrs. Sam Phelps, Travis Partain, Gary Fitts, Lyman Mason, Russ Chappell, James Cowden, Jim Wilder, Bill McGuire, Don Mize, Mrs. Thad Matkin, John Cade, Norman Bassett, Marvin Harper, Rufus Bealle, Otis Walters.

SCHEDULE OF EVENTS

Saturday, April 19—Homecoming Day

The opening of all sustaining events, including Sesquicentennial Headquarters, Hospitality Center, exhibits and displays, historic sites, registration of dignitaries and former residents begins.

Opening Ceremonies at a central location by Sesquicentennial Officials.

Major Sesquicentennial Parade.

Annual Pilgrimmage of the Tuscaloosa Preservation Society.

Post-parade reception and luncheon by the Mayor.

Sesquicentennial Anniversary Cotillion, a grand and dignified Celebration event climaxing opening day.

Sunday, April 20—Religious Emphasis Day

Monday and Tuesday, April 21 and 22—University of Alabama Days

Annual festive days planned by the University with this year's events and activities programmed to the Tuscaloosa Sesquicentennial Celebration.

Wednesday, April 23—Business, Industry, Labor and Government Day

Special luncheon with the Greater Tuscaloosa Chamber of Commerce as host honoring Tuscaloosa's outstanding leadership in the above areas.

Open Homes Tour: Antebellum and more modern homes of Tuscaloosa which many are desirous of seeing are opened to the public.

Tours of industrial facilities planned.

Premiere performance of the historical spectacular, "The Black Warrior Saga" with a cast of over 500 utilizing the entire arena floor of the Memorial Coliseum portraying in drama, comedy and music the thrilling highlights of Tuscaloosa's 150th commemoration.

Coronation ceremony for Tuscaloosa Sesquicentennial Queen and her Royal Court of Honor.

Thursday, April 24—Ladies Day

"White Collar Girls" breakfast, featuring an old fashioned style show of what the working girls of yesteryear wore.

Ladies Club luncheon honoring outstanding club women leaders of civic projects. The speaker will be the Honorable Patricia Hitt, Assistant Secretary, Community and Field Service, Department of Health, Education and Welfare.

Friday, April 25—Salute to Youth Day

Saturday, April 26—Sesquicentennial Men's Day

Burial of the Sesquicentennial Time Capsule, containing many Sesquicentennial souvenirs, letters to future government leaders, pictorial material of Tuscaloosa today.

THE USELESS SAFEGUARD

HON. ROBERT W. KASTENMEIER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. KASTENMEIER. Mr. Speaker, the President's decision to go ahead with the ABM system was unwise. I have stated the reasons for my own objections on many occasions in the past. Of all the criticism of President Nixon's decision, the following New York Times' editorial stands out in its brief but lucid exposition of the inadequacy of the President's present position on the ABM:

THE USELESS SAFEGUARD

President Nixon has put the best possible packaging on a bad decision. It would have taken bold executive leadership to reverse the policy on the Sentinel antiballistic missile system which Mr. Nixon inherited from the Johnson Administration; to overrule Secretary of Defense Laird and the Pentagon planners, and to confront the military-minded Congressmen on Capitol Hill who automatically equate more weapons with more security.

Instead, the President offers the nation a delusive compromise. He has moved the proposed ABM sites away from the cities to make them less visible to justfiably angry taxpayers. He promises a saving of $1 billion in next year's budget, but the ephemeral nature of that saving is made plain by his own estimate that over the next several years the ABM system will cost $6 to $7 billion, or more than Sentinel would have in the Johnson version. Moreover, all experience with the spending habits of the Pentagon suggests that this project will wind up costing much more than any initial projection.

The President has placed his emphasis on protecting the nation's Minuteman missiles, which is technically feasible to some extent, as against the original impossible goal of providing realistic defense for the cities against a massive Soviet attack. But he has also retained the anti-Chinese orientation of Sentinel, claiming that the ABM system

would defend the country against the Communist Chinese for the next ten years. It adds up to an unconvincing package.

To shift part of the ABM system into the role of protecting the American nuclear deterrent accents the most plausible—and least destabilizing—case for this project. But it is still a hollow case. The increased measure of protection is decidedly marginal. It is simply not a sensible way for this country to invest several billion dollars in this tense period of domestic crisis. The nation's awesome nuclear striking power affords all the protection that is needed. It is not necessary to add this Maginot Line in the sky when there are so many alternative uses for the money here at home.

As for the threat of the Chinese Communists, they have not shown themselves over the past twenty years to be more reckless than the Russians. What basis is there for believing that Peking will launch an attack on American cities with comparatively unsophisticated missiles and thereby foolishly risk a devastating American nuclear retaliation?

The best that can be said for this decision is that by moving the ABM sites away from the cities, the President has removed at least for the present the danger that Sentinel would actually be the beginning of a "thick" defensive system. The building of such a system would not only be fantastically expensive but might also make the Russian leaders genuinely fearful about United States intentions. But President Nixon could have disposed of this entire issue more effectively if he had called upon the Soviet Government to begin arms control talks now and announced that he would withhold a decision on the ABM system until he saw how those talks were progressing.

It is now up to the Senate to defend the national interest. The ABM system is a project as wasteful as the Pyramids and not much more useful. It is not necessary for a majority of the Senate to remain in bondage to the Pentagon pyramid-builders in order to show that they care about the defense of this country.

WOUNDS FATAL TO LINCOLN GI

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. GAYDOS. Mr. Speaker, Army Sp4c Lee D. Thomas, a brave young man from Lincoln, was recently killed serving his country in Vietnam.

I wish to honor his memory and commend his courage and valor, by placing in the RECORD the following article:

WOUNDS FATAL TO LINCOLN GI: SP4C LEE THOMAS KILLED IN VIETNAM

The combat death of a young Lincoln serviceman in Vietnam has been reported by the Department of Defense.

Army Spec. 4 Lee D. Thomas, 18, was killed Friday, according to a telegram received by his parents, Ronald and Cella Loop of 178C Port Vue Road.

The telegram said Spec. Thomas died as a result of wounds suffered when the military vehicle in which he was riding was ambushed.

Spec. Thomas entered the Army in July, 1967, and was assigned to Vietnam in October of last year. He had attended South Allegheny High School.

Funeral arrangements will be announced by the Jack L. Teichart Funeral Home, Duquesne, following return of the serviceman's body from Vietnam. Military services will be conducted.

NEWS CONFERENCE BY DEPUTY SECRETARY OF DEFENSE DAVID PACKARD

HON. GLENARD P. LIPSCOMB

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. LIPSCOMB. Mr. Speaker, Deputy Secretary of Defense, Mr. David Packard, has been supervising the Defense Department's review of the ballistic missile issues. On March 14, 1969, shortly after the conclusion of the conference at which President Nixon announced his decision on the ABM system of substantially modified design, Mr. Packard at the Pentagon presented an excellent briefing in which the system was described in more detail.

In order that all Members may have a readily available, more complete description of the system as presented by Mr. Packard, I include the text of his remarks at this point in the RECORD.

NEWS CONFERENCE BY DEPUTY SECRETARY OF DEFENSE DAVID PACKARD

Mr. PACKARD. Ladies and Gentlemen, I am pleased to have the opportunity to come before you today and give you the results of some of the things that we have been working very hard on, as you might expect, for the past few weeks.

Mr. Laird, Dr. Foster, the Service Secretaries, the Joint Chiefs of Staff and I have examined thoroughly the ballistic missile defense issues. We have examined the needs for such a defense, the objectives of the program, the technical feasibility and the various alternatives available. After this extensive review, we forwarded our conclusion and recommendations to the President. These views can be summarized as follows:

1. We have not recommended deployment of a defense of major cities against a massive attack, the kind the Soviets could launch, because it would not materially increase our security. We must deter such attacks with our retaliatory forces.

2. Protection against ballistic missiles can and should be made available to our land-based nuclear-war deterrent forces. Such added protection will help insure the survival of the American deterrent forces in the face of the still growing Soviet threat. We recommended that an ABM system be configured so that extra protection and warning will be given to missiles, bombers, and the national control center as the threat develops.

3. The people of our country can be protected effectively from a small missile attack, the kind the Chinese Communists will probably be able to launch sometime in the 1970s. We judge such a defense to be a prudent and practicable measure and recommended that it be deployed as the threat develops.

4. Locating sites away from major cities should make clear to the Soviet Union that the American defense is designed to preserve our deterrent—not to change the strategic balance. We recommended that the sites for ABM radars and missiles be determined by the needs of the defense and that they be moved away from cities to the extent practical.

5. A careful review of existing ballistic missile defense components convinces us that the program is sound and feasible technically. We so informed the President.

6. A phased installation of a ballistic missile defense will provide the option to meet the threats as they materialize. We recommended a specific deployment plan to meet this objective.

7. Such a deployment plan would provide for early shake-down of integrated operational components and offer the most economical deployment.

8. A decision to deploy such a defense and the pacing of the deployment is fully consistent with our national objective of meaningful agreements with the Soviet Union on the limitation of strategic offensive and defensive systems.

9. A rigorous research and development effort is needed to seek better ways to defend against enemy missiles. We recommended that these efforts be continued.

The Department of Defense sent the President its analysis of four basic possible resolutions of the ballistic missile defense issue. These options were:

1. A heavy defense designed to protect major cities against a massive attack.

2. The existing Sentinel.

3. Modifications of Sentinel that would improve planned protection of our deterrent forces as the threat materializes, protect our population against a small attack, and demonstrate clearly that we are not attempting a heavy defense of major cities.

4. Cancellation of Sentinel, continuing just research and development but with no real option to deploy a defense in the next two or three years, regardless of the threat that may develop.

The President, as you know, rejected a heavy city defense, rejected the option of no defense and approved the phased protection of our land-based forces and the light, overall protection of population. This deployment will permit a shift of radar and missile sites away from major cities.

Our budget-revision request to the Congress will reflect those Presidential decisions. Budget details will be announced when they have been submitted to the Congress. In general, I can say that the President's decision will permit us to reduce ballistic missile defense obligation in this fiscal year and the next by a total of $1 billion. Total investment costs of the fully deployed missile defense will be somewhat more than the Sentinel.

The net effect of the new decision is to establish a Modified Sentinel program which will enhance our ability to deter a massive attack and provide a capability to defend against a small attack. Thus, for an acceptable cost, we add significantly to the credibility of our deterrent posture and to the security of the American people.

The concepts involved in protection against missile attack are complex. They have raised many difficult questions during recent public discussion of the Sentinel system. In order to contribute to an informal discussion, I want to describe the Modified Sentinel, particularly its deployment sequence, and finally answer further questions that you might have.

In presenting a description of the system, I am very well aware that many of you have studied this issue over the last few weeks and know a good many of the details, but I would like to go through the whole system very quickly with you so that we have an understanding about the terms. Then we can get into any issues that are still troubling you in the question period.

Question. When did the system acquire that name, Mr. Packard?

Mr. FRYKLUND. We would appreciate it if you would hold off questions until we are through and everybody gets a shot at him.

Mr. PACKARD. I think it's helpful to talk about the concept of an area defense and the concept of a localized defense. The two work together in the system, but I think it's helpful in looking at it in these two different concepts.

In the area defense concept we have a Perimeter Acquisition Radar, which we call PAR, which has a long range; its range is limited by the horizon and it can see out far enough so that as an enemy target comes

in, the PAR can pick up the target, acquire the threat; information is fed from the PAR back to a computer system located in the area, and the track of the incoming missile is predicted, and the possible point of impact, the probable point of impact, I should say, is provided by the PAR.

As the missile approaches more nearly the range of the Spartan missile, it is picked up by the missile site radar which then acquires the target, and also provides the guidance information for the Spartan to produce the intercept at a point high above the atmosphere and at a considerable distance away from the site of the radars, the missiles and the target.

I want to point out particularly that in the area defense configuration of the system, the operation of the system, the Spartan impacts the incoming weapon at a very high altitude.

There has been some talk about possible effects from the fact that this impact is with a nuclear warhead. I want to assure you that there are no significant effects on either people or property because this intercept is made at a very high altitude, above the atmosphere of the earth.

The terminal defense concept involves a capability which if for any reason, the area defense capability does not acquire the warhead, the warhead then is still within the range of the MSR radar, it comes down into the atmosphere and a very fast missile called the Sprint is sent, again guided by the missile site radar to a point of impact below the atmosphere.

I would like to go through the basic components of the system. Again I expect you have heard a good deal about these, but I wanted to go through them again for you.

The Perimeter Acquisition Radar, the PAR. It is a very large building. It is large because it needs a very large radar phase to provide the long range capability, the accuracy, and to be able to provide the information for the system to do the jobs that the system has to do.

It has a detection range of greater than 1,000 miles. It is in a building that is some 200 feet square and 130 feet high. It has an antenna diameter of 112 feet. Just as a matter of interest, this radar uses what we call a phased array principle. In order to provide the capability for this system, it has to be able not only to detect the enemy warhead out quite some distance, it has to be able to detect a number of them, if necessary, because we have to be prepared for a number of missiles coming in at the same time.

The radar provides for an electronically sweeped beam so that this beam can be swept across the sky very rapidly and a great deal of information can be acquired from this.

The concept you are familiar with is a bid disc that's moved around mechanically and would not be suitable at all for this sort of a system.

The PAR is in this development status. The components have been tested. Because it is a large installation it has been decided that the first radar would be assembled and tested at an operational site. I am confident that the technology involved in the PAR is well known and sufficiently reliable so that this proposed procedure is entirely appropriate.

The missile site radar is designed with the same general technical principles, the phased array principle, and has to do very much the same kind of a job that PAR does, except that it has a shorter range and provides to again pick up the position of the missile and also to guide the local Sprints and Spartans to the intercept point.

This has a detection range of several hundred miles. It is not quite as large as the PAR—120 feet by 120 feet. A good deal of it is placed below ground because it is desirable that it be hardened because it is located in the area where there might be targets.

The prototype unit of the missile site radar has been installed at the Kwajalein test area, and is undergoing tests out there to check out and work out its operational capability.

One of the things I might point out, you can see the picture indicates that the missile site radar has faces on two sides, it actually has faces on all four sides, and one of the changes we made in the system, which will come out later, is to add some additional faces to these radars.

The Spartan missile is the long range missile which is used with the area defense concept. As you can see, it is a rather large missile. It has a thermonuclear warhead. There have been flight tests in progress. Actually, successful flights have been accomplished in intercept. Additional work will be necessary for the warhead development. On this point, the question has been raised whether we are going to have to test these warheads in the atmosphere. The answer is we do not intend to do so. We can handle this with the present underground testing program.

The Sprint, as I said, is a very fast missile. It has to get off the ground and get up and intercept the incoming warhead when it is within the atmosphere. This is really a very tremendously impressive development. There have been successful flight tests and I have no doubt at all about the capability of this component of the system.

The area defense concept is provided by the Perimeter Acquisition Radar to intercept the warhead a long way out, the missile site radar to acquire it when it is within range, and to guide the Spartan or Sprint to the intercept point.

This shows you about the coverage that you get with the Spartan so-called area defense capability and this is a simulated location to give you some idea as to the approximate coverage you would get in the area defense concept with one missile installation. This doesn't represent a particular installation in our program.

In studying this problem, I've had the opportunity to go rather carefully through the technical capabilities of these components that I have described to you. There is one other component that is very important in the system and that is a large computer. Because the information from these two radars is fed into the computer, a good deal of calculations have to be made and the information sent back to the radar and the missile to provide guidance for the intercept.

The computer capability is extensive and is one of the things that provides a very impressive capability for the entire system. I have looked into that and looked into the things that the computer is expected to do. I am confident that we will be able to tie the system together effectively with the computer capability that is well within present technology, and I see no difficulty in being assured that this can and will be done.

In addition to looking at the capability of the system, to try and decide in our own minds whether this proposed system would indeed do the job that was suggested for it, or such other jobs as might be appropriate, we also felt it was desirable to go back and see if there have, in fact, been changes in the threat between the time the system deployment was proposed back in 1967 and the present time.

You will recall that when the present Sentinel deployment was proposed, it was said that the Chinese ICBM threat was imminent. It was thought that their ICBM capability might be approaching the test stage. It was also thought at that time that the Soviet ICBM effort was leveling off, or was expected to be leveled off.

It was also thought that we would have adequate warning for our bombers to get off in case they needed to be used. There have been some changes in the information we have and the way we see the threat between then and now. I would like to go through those with you on a specific basis.

The Chinese ICBM is still delayed, but we think it is still expected. They have, in fact, as you know, gone ahead with their thermo-nuclear warhead development. They have actually tested thermo-nuclear warheads of rather impressive size.

We know also that they have done more work in expanding their missile test facilities, so there is still a good deal of concern and, I think, agreement that the Chinese ICBM threat which was predicted in 1967 is still likely to come about sometime soon, and we still, therefore, believe that this should be taken into consideration in such deployment as we might propose.

One of the things that impressed me very much in the studies that I have made is that we have a good deal of evidence, I think quite hard evidence, that the Soviet ICBM deployment and development is continuing. It was this that caused us to take another hard look as to what we should do with this ABM capability.

We also know that the Soviets have been moving ahead with a rather active program in producing Polaris-type submarines. They are now in production. They are not yet deployed as far as we know. But this gives the Soviets the possibility of launching missiles from locations close to our shores, and we are very much concerned about this threat of reducing the ability of our bombing force to get off in case we need it.

I think there was some talk about the fractional orbit bombardment system at the time the previous decision was made. There has been some further work on that and it looks as though the Soviets may be planning to use this for some purpose.

Before I talk about the specific recommendations that we made, I would like to take a minute or two and give you a little outline as to the differences between the job of protecting our cities against a nuclear attack and the job of protecting our deterrent forces.

In the terms that you use in this business, cities are what you call soft weapons, they are easily destructed, easily destroyed and we get into the very important concept that you can use smaller weapons, a large number of smaller weapons is in fact just as effective against cities as a smaller number of large weapons.

Further, that it really does not take very many nuclear warheads to give an acceptable destruction to the cities. On the other hand, when you are trying to defend a single position, particularly a hard point, such as the Minuteman in a silo, this can be done more effectively with a larger weapon, and it requires more accuracy.

In a city defense, you don't really have to worry too much about your missile accuracy, but if the enemy develops or has large warheads which can be delivered very accurately, this poses a very serious threat against the Minuteman even in hardened silos, and the differences between the problem of trying to protect a city and trying to protect hardened Minuteman silos and other hardened positions is a significant factor in coming to the decisions and the recommendations we have made.

So we recommended, really, four different alternate deployments of the ABM capability. They are, of course, different gradations between these, but I think this gives a fairly effective range which enables a decision to be made.

We considered a thick anti-Soviet defense of our cities. We looked into this very carefully. As I have indicated to you, we rejected the thick anti-Soviet defense as not being a desirable thing to do at this time. We reviewed the original Sentinel, looked at its characteristics and considered the desirability of recommending simply that the President continue with the present Sentinel program.

We considered some modifications to the Sentinel program, which I will describe in more detail to you in a moment, and we also considered the possibility that we should not have an ABM defense, or in that general range might simply fall back to a research and development program.

I am sure you heard the President's speech this morning and know the decision that he has made as a result of our recommendations. I think, then, it might be well for me to go through and give you a little more detail about the system that we have proposed to him and that he has recommended to proceed with.

This is the modified Sentinel program which we have recommended and which the President has decided to proceed with. I will point out first that this rejects the thick system. This rejects the concept that we try to defend our cities against a heavy Soviet attack.

We looked at the possibility, needless to say, if it were possible to completely defend our cities from a ballistic missile attack, a nuclear attack of any kind, it would be a very desirable thing for us to do, and if we felt that this could be done with present technology we would have certainly recommended this to the President, and I rather anticipate he would have considered it very carefully. But we do not believe this is the right way to go and I think the President outlined the reasons quite well this morning, as we outlined them to him.

The second and important factor in the modified Sentinel program that we have recommended is that this plan gives the President the opportunity to deploy the system as the threat develops.

Third, and, of course, essential in the consideration, is that the system we are recommending is designed to provide for increased protection of our deterrent forces. This, of course, is a very important factor. We have shifted the emphasis from the defense of our cities to the defense of our deterrent forces.

The system that we are recommending does provide, continues to provide, the area defense of our population against a light or an irrational attack, or against accidental launches.

The system that we are deploying provides about the same measure of area defense capability as the Sentinel system provided, but it did not provide a base on which you can build a thick system.

We have recommended that the national command authority be included in the protection. Here, of course, we are talking about providing this capability close to a city because the most important center of our national command authority is in the city of Washington, and if we are to provide adequate protection for the national command authority, it would be necessary to put the full system in the area of Washington.

The President is not recommending that as an initial step. This preserves the option for the President to curtail or re-orient the system if arms control agreements are reached.

Our recommendation included a recommendation to strengthen our R&D effort, or looking toward a providing for such improvements in the system that might be feasible, even though we propose to start some installations as quickly as we can.

The final deployment will not be achieved even on the first of the two systems we are recommending until several years later and we believe it is prudent to continue a strong research and development effort.

Because the deployment is going to be measured against the threat, this gives us an opportunity to incorporate such improvements as may be able to be achieved from this R&D effort as the deployment moves ahead.

And, of course, this recommendation we are making moves the sites away from major cities. Again I want to emphasize that at least in my studies and in the conclusions that I have come to in studying this matter, this is very important because this provides us with no base in the system we are recommending for the thick deployment for any base for going ahead with the thick system.

Now let me go through and give you a little more information as to specifically what we are recommending to do in the immediate future.

We are going to include in the FY 1969 budget revisions and the FY 1970 budget provision, obligational authority to start construction and procurement to be able to install sites in two Minuteman wings.

These will be up in the northern areas of the country and this program is planned to include two complete sytsems, including Perimeter Acquisition Radars, the missile site radars, the Sprints and Spartans.

One of the reasons we are doing this is because this is a complex system and we believe it is very important to move ahead and be able to have one completely operational site ready to work on the test and shakedown as early as possible.

In looking at this I have concluded that in a system like this you are not likely to have all of the problems worked out in the laboratory or in experimental work, and I therefore think it is very important that we proceed to have an actual operational site so we can put the radars and computers together and have the whole thing so that we can shake out the problems of adjustment, test and so forth, that are certain to be necessary in a complex system of this kind.

We are recommending also that we proceed with surveys, with site selection, and actually we are going to recommend that we go ahead and acquire all of the sites necessary for the deployment that may evolve if we follow this development and the President decides to go ahead.

We are recommending that because we hope to provide for the President, in recommending this option, the ability to move ahead more rapidly if he decides that is desirable. And in order to do that we have looked at two factors which we think might be significant in pacing the deployment, if he does decide to go ahead more rapidly.

One of them is this matter I have already mentioned, of getting a complete operational site so we can get on with the shakedown that is going to be necessary.

Second is to go ahead with the selection of the sites so that we can have all of the site available and not have delays that might be incurred in the site selection.

We are going to plan, as I've already indicated, to continue all necessary RDT&E. I might say when I talk about RDT&E there have been some suggestions that maybe we haven't looked at some of the other kinds of ABM systems that some of the Services are recommending. I assure you we have and we do indeed have some other development money to continue exploration of other kinds of ways of doing this job. But we conclude that this is the way to go ahead at this time.

The program we are recommending is going to include in the Fiscal Year '69 budget revision; and the Fiscal Year '70 budget revision which will enable us to move ahead on the installation at these two Minuteman sites and to acquire the sites necessary for the rest of the system.

The construction toward the deployment of other parts of the system or the whole system will be determined by considerations that may be made at a later date by the President.

These considerations will be determined by how the arms talks come along and how the threat develops. For example, if arms talks are not successful, and there is a continued increase in the USSR threat, we can move ahead with more protection for more of our Minutemen; we can go ahead and deploy on other sites, or we can go ahead with any combination of these as might be thought appropriate at the time.

If the developing Chinese threat actually develops, then we will have to consider the possibility of going ahead to provide the area protection, and we will have the sites available and we can move ahead on that program.

(Chart 12)

This shows a map giving the location of both the sites which we are proposing to begin with right away and what we see now as the deployment of the full system at such time as it may be appropriate to deploy the entire system.

Let me point out some of the changes that we have made from the Sentinel program as I go through the map. In the first place, we are locating these installations at or near Minuteman bases, and we will provide for the opportunity to do that at other Minuteman bases in addition to these two if we decide to go ahead.

We are recommending that the other sites be located so that they will be in the general area of our bomber bases or other facilities which we think are important.

They will not be located adjacent to cities unless we find some area where we can't get close enough to bomber bases without being close to some city. I don't think that is a very serious problem.

One of the things that has changed as I indicated is that the submarine launched missile threat from the Soviets is now in our view a serious one. This had made it necessary for us to add perimeter acquisition radar in the Southern California area and in the Florida area. It has also made it necessary for us to provide additional faces on these perimeter acquisition radar so that they can look out over the ocean areas where submarine deployments might be located; the same way on the East coast. We have, therefore, provided a more comprehensive look around the country with the perimeter acquisition radar.

We continue to maintain a strong picket line, you might say, of the sites across the northern boundary of the country. This is important because the threats from the land based forces of both the Soviet Union and the Chinese tend to come generally from this direction.

We have, as I have already told you, added complete look-around capability at all of the missile site radars. In the Sentinel deployment it was not considered necessary to provide for this threat coming from other directions, so we have added that capability.

These sites in almost all cases will have both perimeter acquisition radar, missile site radar, and both Sprints and Spartans. You can see the blue circle indicates the locations where we will have the perimeter acquisition radar, the five across the top of the country and the two down here (indicating) to provide this protection for submarine launched missiles. All of the sites will have missile site radar and they will also all have both kinds of missiles.

The Washington, D.C. location, as I have already indicated, is we think the important one, in terms of the command control capability.

So now, Ray. If I could have that next to the last chart again. Well let me just take one more minute and reemphasize again what we plan to do in the initial step. We plan to ask for construction money and money to proceed with the production of the components for the installation of two complete systems at the Malstrom Air Force Base and the Grand Forks Air Force Base.

These are Minuteman missile site locations. We plan to ask for funds to purchase sites at all of the points you see here on the map. Again, we think that is important so that if we do find the threat develops and it is necessary to proceed more rapidly, that will save us some time in ability to move ahead.

So, if I could go back and just summarize for you, the system that we are proposing, what we proposed in this plan to the President was the modified Sentinel, you might

call it. It's important, I think, to emphasize that it's based on the concept which rejects the idea that we can protect our cities from a heavy Soviet attack and provides for a deployment on which it is not possible to build such a deployment. Yet, it gives us the capability of measuring the deployment as the threat develops.

It is concentrated largely on the protection of our deterrent forces, our land based deterrent forces. It provides for the defense of our population against the light or irrational attack from third country launches. It provides for protection of the national command authority. It provides protection from this submarine launched missile threat that we have described.

We plan in this program to strengthen our R and D effort. We believe this is the least that should be done at this time in order to provide the capability that this country needs to make sure that our nation will be safe.

Before I answer questions, we would like to show this very short film for you. Then I will be glad to come back and answer whatever questions you have.

This is the Kwajalein area here. Do we have a soundtrack with this or shall I be the soundtrack?

Mr. FRYKLAND. Norm?

Question. Is this a PAR?

Mr. PACKARD. That is an MSR. I have not seen this. This is a test at Kwajalein where we are actually firing some missiles guided by MSR.

Question. Is that a Spartan?

Mr. PACKARD. That is a Spartan. There have been a number of successful intercepts with the Spartan. Not of course with a nuclear warhead on them.

That is a Sprint there.

That Sprint is really a tremendously impressive development.

Question. This is a slow motion film, isn't it?

Mr. PACKARD. Yes. It goes a lot faster than that.

Question. You had only one firing of the Spartan? Were there two firings of the Spartan?

Mr. PACKARD. There were two firings of the Spartan in that picture. There have been more than that. All right, we will have some questions now.

Question. Can the Spartan and the PAR handle the sophisticated decoy problems? If not, why are they necessary for missile base protection?

Mr. PACKARD. We have looked into that question rather carefully and the answer is that we believe that they can handle the penetration aid problem very well. I can't assure you that we can handle all possible aspects of it, but I am confident we can handle the penetration aid problem and I think our technology is good on that.

Question. That is in the face of the Presidential Science Advisor's recommendation or conclusion?

Mr. PACKARD. I have looked into this thing very carefully and I think in spite of the fact that there are some of our scientist friends around who think it can't—I have been working with scientists for a long time and I find they are not always in agreement with each other.

Question. Mr. Secretary, can you explain why the cost of your system is nearly a billion and a half more than the previous system yet it has possibly a half dozen complexes fewer?

Mr. PACKARD. In order to do the job that we believe needs to be done we found it necessary to provide additional capability in the system. I have already told you we have to put more faces on the PAR radar. We have to put in additional PAR and that is a fairly extensive installation. We've gone back and put in the missile site radar, the capability of looking all around. We have added some more Sprints in the plan, not a great many more. Also by providing the flexibility, we got a little cost when you put flexibility into a system. But in general we are providing additional capability for the money and we think it is the right way to go.

Question. What will this new budget figure be? I thought the President indicated that it would be half of a total figure now, but that this was $1.8 which would reduce it to almost a billion dollars.

Mr. PACKARD. The plan that we are proposing is a little complicated because it combines both the FY '69 budget and the FY '70 budget.

The reduction that will result from changes in both of these budget authorizations will be about $1 billion less than was in the previously proposed program.

Question. It is 1.8 plus another billion. That is what?

Mr. PACKARD. The round figures are there was a 1.9 in the '69 budget, 1.8 in the '70 budget, and these will be reduced. I don't remember the exact figure. We will get some reduction in '69 budget and some additional reduction in the '70 budget. So the two combines will be about a billion dollars less.

Question. Mr. Packard, would you tell us something about the so-called protection of the national command center or Washington, D.C.?

Mr. PACKARD. We think this is an important element in the program because the decision making process at the time any crisis might come about could be crucial. I think this simply says I certainly don't subscribe to a system that we can program a computer and put all the information in it and have it make the decisions. We have to preserve the ability for somebody to make the decision on these matters and we think the protection of the command capability is important. I can't assure you of the timing on this but we think this is a very important element in any system.

Question. Mr. Secretary, is the southern New England site the Sentinel site in Andover and Reading that you already own?

Mr. PACKARD. I don't know. I can't tell you exactly where those sites are. We are going to go out and reconsider all of the sites in terms of the new concept.

Question. Mr. Packard, I would like to follow up that one question. Don't you think you are going to get a political kick-back since Washington, D.C. is the only city in the country that is being protected?

Mr. PACKARD. I guess you can anticipate that as well as I.

Question. Mr. Secretary, can you break down the $6 to $7 as between production, construction and R and D?

Mr. PACKARD. I don't know that I have a complete breakdown on that. I think the best thing to do, if you would like to have that, we can get it for you.

Question. Can you tell us how many Spartan missiles and how many Sprint missiles in total would be in this?

Mr. PACKARD. Yes, I think so.

Mr. FRYKLAND. No, you can't.

Mr. PACKARD. No, I can't. That is classified.

Question Can you tell us how many will be at each site?

Mr. PACKARD. No, we can't tell you that.

Question. Can you tell us when it was decided not to put the city of Washington into the initial program along with the two missile sites? When was it decided not to go ahead with that in the initial——

Mr. PACKARD. Let me go back and tell you why we decided to do what we decided to do.

In looking at this whole system, I was anxious that we move ahead with a complete system so we could put these components together, put them together with a computer and, as I have already indicated, do the check-out.

We didn't think it was appropriate to do that at Washington. We thought it would be desirable to do that at the Minuteman site where we could undertake some testing and do the things necessary to get the system checked out. So we selected these two initial sites really on that basis and I am convinced that by doing that, it is going to help our time scale so that if we do want to go ahead, this will help us do so.

Question. Are you going to go ahead with Washington no matter how the arms talks go?

Mr. PACKARD. That is a decision the President will have to make.

Question. Mr. Secretary, how much time is there for making a command decision on launching an anti-ballistic missile once an attack has been determined? Does this have to be done by a computer or is it actually done by authorities in Washington?

Mr. PACKARD. Well, this is not done by a computer. I can't describe to you the details of how the decision is made, but a decision has to be made. In fact, the system is designed so that it won't keep going unless somebody keeps telling it to go.

Question. How much time is involved?

Mr. PACKARD. Johnny? Twenty minutes?

Mr. FOSTER. It depends on the nature of the attack. For attacks from the Soviet Union it could be as long as 20 minutes. For attacks off of our coast, it would be only a few minutes.

Question. Mr. Packard, looking at 1973, if we drew foot prints on this current chart as they did on the Johnson proposal, would there really be very much difference between their extension into the 1973 period and your extension into it?

Mr. PACKARD. Do you mean if you look at the footprints of the area defense?

Question. That is right.

Mr. PACKARD. No.

Question. Is the only difference the priority to which we are now assigning the first two sites?

Mr. PACKARD. No. There is a very significant difference, I have already mentioned and that is, we have decided we cannot protect our cities and we do not provide a base for building up a thick system. The area defense will be very similar and provide complete coverage.

Question. Will it provide the same sort of area defense which was envisioned by Mr. McNamara in September 1967?

Mr. PACKARD. But only the area defense.

Question. Mr. Secretary, does that mean there will be as much life saving capability in this one against China as there was in the other one? Do the figures still hold?

Mr. PACKARD. I think the life saving capability will be comparable. You will recall that in the previous system, it was anticipated that in a given attack there might be 10 million lives lost without the system and maybe one million or none with the system. I must say I find it a little hard to consider these numbers very accurate. They are a little speculative. But the same area defense capability will be provided in this system. I think our capability is similar.

Question. I was wondering why you keep emphasizing that there is no city protection. Are you simply trying to tell us that this is not going to be expanded later to a thick system? Is that what you are trying to say to us?

Mr. PACKARD. Well, I am trying to tell you, I think, that with the present day technology, it is not possible to provide a complete defense of our cities. I think the President described it rather well this morning. If you want to completely protect the cities or to protect your cities in any useful way, you have to provide a high level of protection. You can't—preventing 50 percent of the missiles coming into your cities is absolutely useless, because they can completely destroy them.

Question. Was that not implicit in the original Sentinel?

Mr. PACKARD. It may have been. I can't go back and determine the reasoning in the original Sentinel.

Question. Mr. Secretary, we are all aware that the Joint Chiefs of Staff are on record with Plan A and Plan B. Plan A was to protect 25 cities and Plan B was to protect 50 cities. So, doesn't your decision today represent a reversal of the Joint Chiefs of Staff?

Mr. PACKARD. The Joint Chiefs of Staff, as I indicated, concur in the recommendations to the President.

Question. Mr. Secretary, would you expand on the Presidential role in this? Does he actually push the button or isn't there enough time for him to act?

Mr. PACKARD. I think that's a matter that I am not privileged to talk about.

Question. Could you say that he will have a final say what goes into the computers or is there a way that he can approve of taking this action or launching them?

Mr. PACKARD. The President has to make the final decision as to when a nuclear attack is necessary, of any kind.

Question. Mr. Packard, to what extent is there any delay in the initial operating capability here as opposed to the Sentinel plan that you considered when you went into the review?

Mr. PACKARD. There will be some delay. If you look at the schedule that was in the original Sentinel plan when it was proposed a year ago you will find some figures of the estimated date of deployment.

Question. Could you mention those so that we will be able to compare?

Mr. PACKARD. It was 1963—We can get the figure for you if you wish. As a result of the decision that has gone along on the last few months, the fact of the hold up on sites and so forth, there has, in fact, been some delay put into the original Sentinel plan, so that if we went ahead with the original Sentinel plan today it would be delayed somewhat beyond, pushed somewhat beyond the dates that were predicted at the time it was authorized.

If we compare what we could do with the Sentinel today, with this present plan, we are somewhat in the neighborhood of one year further out, 9 months further out, and again I hesitate to be specific on this because after looking at it I concluded that one of the key factors is to get a system together and get all the shakedown done. I think that in fact will have some bearing on when it is actually deployed.

Question. Mr. Packard, it still is not clear whether or not you are foreclosing a thick system or not. You suggested in one place you were, but in the others you are going to acquire other sites and add sites to protect population if necessary. Does that not lead you to a thick system situation?

Mr. PACKARD. No. No, because in order to have a thick system you have to include Sprints close enough to the cities so that they can protect the cities.

We are not including that capability.

Question. Mr. Secretary, since we have oriented the system against Russia now as well as Red China in the original conception, I am at a disadvantage because I don't have hearings with me, but I believe that Dr. Foster has testified previously to Congress that for a little more money the Russian offense can always beat whatever amount of money we put in the defense and it is a losing battle, that the offense can always, by adding penetration aids, overpower the defense.

I would like to hear from Dr. Foster or you.

Mr. PACKARD. No, I believe I would prefer to answer that question. I've looked at that very carefully. The situation is that if you are trying to protect your cities, the Soviets can do this with a large number of small warheads, as I have already indicated. It does not take a very large warhead to inflict unacceptable damage on a soft target, like a city. Therefore, if you are deploying this in a way in which you protect your cities against a Soviet attack, if you get 90 percent of the missiles coming in, ten times more and you are right back where you were.

Question. I am talking about penetration aids outside the atmosphere where you don't have the atmosphere to discriminate them. You have to discriminate with your radar between 1000 decoys.

Mr. PACKARD. In any case, the arguments are that if you tried to deploy a system of this technology to protect against attacks on your cities, it is very difficult to do that.

But if you use this capability to protect your land based missiles, you do a very good job if you save only half of your missiles.

That is really the answer.

Question. Sir, could you tell us, please, taking into consideration what you have just said, could you please give us your hypothesis on what would be the number of lives saved, if any, in the Washington area which would be in the national command control?

Mr. PACKARD. Well I think I would rather not make estimates on that.

Question. Mr. Packard, how was the idea of the superhardening——

Question. We can't hear the question.

Mr. PACKARD. I will repeat it. The question is why wouldn't superhardening protect your Minuteman just as well as an active system?

I think it might be useful for me to go through the situation on that. You can harden your sites against a certain size warhead and indeed if the accuracy of the Soviet warheads is a small fraction of a mile, but they are very heavy warheads, if they get no closer, say, than a half mile, I can't give you these figures exactly, you have some protection.

But if they can find ways to further increase their accuracy, there is no extent of hardening that is possible to protect our missile sites. So the simple proposition is that if the Soviets were able to produce very accurate missiles, hardened sites would not provide protection. In that case, the active defense might turn out to be the only protection you had and that is one of the reasons why we think there is an important ingredient. There are all sorts of alternatives, but this provides added protection for our Minuteman capabilities.

Question. Mr. Secretary, in his discussion this morning the President said that the FY '70 defense budget submitted by President Johnson would be cut by $2.5 billion. What are the other areas besides ICBM?

Mr. PACKARD. I can't comment on the defense budget. It hasn't even gone through the Bureau of the Budget yet, and we have some other things. It is probably a little too early to predict exactly what the Budget's going to be.

Question. On the Sentinel thing, on your map of the modified Sentinel, you say in the corner that all sites have Sprint and Spartan coverage. How can you achieve this for the Florida-Georgia area, especially in the case of Sprints from sites in North Dakota?

Mr. PACKARD. You don't use your Sprints up in North Dakota to protect Georgia. You use the Sprints in Georgia to protect areas in Georgia.

Question. But it says all sites have Sprint and Spartan coverage?

Question. And you also said you have to get money to purchase the sites?

Mr. PACKARD. At every site we locate Sprint and Spartan missiles. Therefore, those Sprint and Spartan missiles protect the sites and the areas around them, the bomber bases or missile sites, or whatever they are. So every site has both Sprints and Spartans located on it.

Question. Mr. Secretary, do you think the Johnson Administration made a serious mistake placing the major emphasis on the people-saving capability of the Sentinel system rather than putting prime focus on the defense of military bases like you have?

Mr. PACKARD. I would not want to make a judgment on the Johnson Administration. As I pointed out, there have been changes in the threat. I think they did not feel at the time that the Soviets were going ahead with the deployment of their large warhead missiles. We know they are now. So there are some changes in the threat between the time the Johnson decision was made and the time we are making this recommendation. I think the recommendation we are making is appropriate in consideration of the threats we now see.

Question. Mr. Secretary, you said that it is not possible under the current state of the art to defend the cities. Is the research and development program of the Pentagon now going ahead to see if it is possible in the future to develop a system that could defend the cities?

Mr. PACKARD. Well, the research and development program of the Pentagon includes a very wide range of things, including research and development of other ways to protect the country against the threat of nuclear war.

We are hoping that possibly you can find such a capability, but I don't see that as being possible today in the present technology.

Question. In other words, it is not altogether impossible that ultimately we will have a thick system if you can find a way to do it?

Mr. PACKARD. When you are talking about scientific things, I hesitate to say anything is impossible. The next time you look at it, somebody has come up with a way of doing it. It is a very difficult job to be done because you have got to provide very good protection, if you want to protect your cities.

Question. Mr. Secretary, when could you get all these 12 into operation, if necessary?

Mr. PACKARD. The total deployment here will be a little bit after the mid 70's.

Question. Sir, on the blackout problem which has been raised by Dr. Bethe and others, what confidence do you have in the ability of the system to deal with an electronic blackout caused by nuclear explosions?

Mr. PACKARD. Needless to say I have looked at that problem. The explosion of a nuclear warhead high above the atmosphere generates a concentrated ionization that can interfere with the ability of radars for a short period of time. I have looked at that carefully, and I believe that for the use of the system to protect our Minuteman bases, with the deployment we have, we will be able to deal effectively with that blackout problem.

Question. Mr. Secretary, looking at this and the map that we used to have of the Sentinel system, I just can't imagine how your footprints are going to cover the whole country for area protection against the Chinese. Can you make circles with your finger or something?

Mr. PACKARD. There is a small protection down in the southwest part of the country where the overlap is going to be very, very light. You also have to remember that in drawing those circles you are talking about an 80 percent probability of kill or 50 percent. By having fewer sites the protection is a little bit lighter but it covers the whole country.

Question. Mr. Secretary, this morning in the President's statement, he said, in discussing the options open to him, that he had ruled out the course of increasing the number of sea and land based missiles and bombers.

Is the thinking in the Administration that there will be a freeze on bombers and missiles, sea and land based, similar to the freeze in the last Administration? And did the Joint Chiefs of Staff go along with the idea of limiting it at this time?

Mr. PACKARD. Again it is difficult for me to project what the last Administration's position and thinking was on it. But we have a

very adequate deterrent capability right now. We have a good, strong land based missile force. We have a very capable Polaris system. We have a very capable manned bomber system. I think if we could have assurance that the Soviets would agree to something along the present level, this would provide a very stable situation. This program we have is designed not to enlarge the system but to protect the system.

Question. Where is the security gap then, sir?

Mr. PACKARD. I don't know. I haven't talked about that.

Question. Mr. Secretary, could I ask you a question? Is it safe to say that if Sentinel is ever actually used, you'd also want to clear the Minuteman? Therefore, when Sentinel was actually fired, the Minuteman would be cleared of the silos and we would take offensive action at the same time?

Mr. PACKARD. That is a decision that would have to be made depending on the circumstances. I think it is safe to say that in a nuclear situation you have to have control of both your offensive and defensive weapons. One of the things that is helpful to have the first installations at these Minuteman sites is so that we can work out those command control relationships that are going to be important.

Question. Is this to say, Mr. Secretary, that we are prepared to accept a small-scale nuclear strike without retaliation?

Mr. PACKARD. I can't answer that. That is not my decision.

The PRESS. Thank you.

BUCK JONES' COURAGE

HON. LAURENCE J. BURTON

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. BURTON of Utah. Mr. Speaker, much has been said and written about the 60-year-old father of 11 who miraculously survived a mine cave-in at Lark, Utah, just a few miles from Salt Lake City. After spending 8 days surrounded by rock, some 300 feet below the surface of the earth and 20,000 feet into the tunnel, William Vernon Jones was rescued. The Christian Science Monitor on March 13, 1969, editorialized on the indomitable human spirit exemplified by this Utah coal miner. I commend it to the attention of my colleagues:

BUCK JONES' COURAGE

Perhaps the most remarkable thing about the rescue of William V. (Buck) Jones after 8 days trapped in a Utah mine was his strong spirit throughout the ordeal. For the first 3½ days he could communicate with no one. He was caught in a closet-sized space by a 25-foot thick slide at the end of a tunnel 4½ miles from the mine entrance.

"I'd never got out if the Lord hadn't had his arms around me," he explained when brought to the surface by his fellow miners.

His words echoed those of the Psalmist who also found real comfort and security in an awareness of God's nearness: "Whither shall I go from thy spirit? or whither shall I flee from thy presence? If I ascend up into heaven, thou are there: if I make my bed in hell, behold, thou are there. If I take the wings of the morning, and dwell in the uttermost parts of the sea; even there shall thy hand lead me, and thy right hand shall hold me."

There is always a widespread emotional involvement during the long days and hours of an uncertain rescue attempt. Many who followed the reports of the rescue mission were buoyed by the miner's calm and courage.

Utah Gov. Calvin Rampton put it best when he said, "It makes you proud of the resiliency of the human spirit."

Mr. Speaker, after spending a week in a Salt Lake City hospital, I am happy to report that Mr. Jones is back on his feet and reports that he wants to get back to work in the mines.

GENERAL CLARKE ADDRESSES ARKANSAS BASIN MEETING

HON. ED EDMONDSON

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. EDMONDSON. Mr. Speaker, last weekend I had the privilege of attending the annual meeting of the Arkansas Basin Development Association in Tulsa, where the principal speaker was Maj. Gen. Frederick J. Clarke, deputy chief of the U.S. Army Engineers.

General's Clarke's speech on that occasion was a thoughtful, penetrating analysis of this Nation's efforts, achievements, and needs in the field of water resource development. I would like to have it appear in the RECORD, and I feel sure all the Members of this body will be as impressed as I am with the size of the job we have to do in this field and the vast benefits we will realize when the job is done.

The speech follows:

REMARKS BY MAJ. GEN. FREDERICK J. CLARKE, DEPUTY CHIEF OF ENGINEERS, U.S. ARMY, BEFORE THE ARKANSAS BASIN DEVELOPMENT ASSOCIATION, TULSA, OKLA., MARCH 14, 1969

It is good to have so warm a welcome back to your Valley. Although this is only my second visit with you, I have followed the progress of the Arkansas Basin project with close attention, and I assure you of my continued strong and constructive interest in the fulfillment of its great promise during the coming years. Considering the showing made so far, and projections for the future—and the sustained drive you are putting behind it—I feel sure that the project is going to be one of the outstanding success stories in the history of water resources development in this country.

The coming years of our national growth are sure to present challenges many haven't fully realized. The impact of population growth and resulting urban pressures and social problems are now beginning to be felt. Solutions have not yet materialized. These challenges have special relevance in the field of water resources conservation and management because the availability of adequate good water and related benefits will be fundamental to the acceptable accommodation of the 400 million Americans expected to be on our census rolls fifty years hence—twice the population of the United States today. Such tremendous increase in numbers could have disastrous consequences unless we think and plan wisely *now* along every line and in every part of our country to provide all the social benefits which can be derived from our water resources. This is essential if we are to meet the needs of all our citizens of tomorrow.

Almost three-quarters of our people live in large cities today, and every year millions more are pouring into them seeking jobs and advantages they cannot find elsewhere. Too often they cannot find what they seek in the city, and their frustration is one of the major causes of social unrest and upheaval. It is also becoming increasingly difficult in fast-growing metropolitan complexes to furnish many essential services, notably of concern to us to supply sufficient good water to meet basic requirements.

Substantial acceleration of water resources development on a regional basis is a must in most parts of our country if rapidly rising urban water demands are to be satisfied. But even more important in the long run, far-sighted development programs can help to slow—perhaps, in time, even to reverse—the population drift toward the megalopoli we conceive today. Through such programs, meshed with the many others being undertaken at various levels of government to achieve social betterment, increased opportunities can be created for a fully satisfying life outside of present urban areas.

New vigor can be breathed into smaller towns and villages, and new self-sustaining communities can be created, affording young people a real chance to apply their initiative, energy, and enthusiasm to the building of successful careers in challenging but less crowded surroundings.

The Arkansas Basin project furnishes a fine example of what I'm talking about. It is already giving powerful impetus to the economic advancement of the Valley. When your new waterway becomes a going concern throughout its entire length—when the full range of benefits becomes available, the project will have a continually accelerating effect on the development of the entire basin. This new area of golden opportunity fostered by the expansion of basic and collateral industry, and by the growth of communities and the commercial enterprise necessary to support them, will provide social benefits far beyond the more narrowly defined benefit/cost ratios on which we justify projects today.

Senator Mundt stated recently in the Senate that: "Our failure to include among the benefits derived from projects many of the actual and potential benefits to be obtained from such improvements has tended to magnify our problems and to cause the rejection or delay of many projects of vast importance to America's future."

There is much apprehension that in many cases urgently needed development may be blocked, or at best severely restricted, by the new and considerably higher discount rate recently established by the Water Resources Council for the computation of benefits and costs. Continued use of the present criteria will make it more difficult to justify *all* the new development which will be necessary in the years ahead. But the retarding effect of the higher discount rate could be offset to a large degree by a broader approach to the identification and evaluation of the total benefits which water resources development provide.

I doubt that anyone could really believe that the benefit estimates used in the justification of any project truly reflect the *actual* value of its contribution to the national good. Up to now, projects have been justified largely on the basis of primary benefits creditable to the national account—generally such "hard" items as the savings that will be effected in transportation costs, the market value of power which will be produced, and the amount of structural flood damages which will be prevented.

What are considered *secondary* benefits—additional and real contributions to national development—have generally been ignored in the calculation. Nevertheless, these additional benefits sometimes in the long run make far more valuable contributions to national development and other objectives than the primary benefits.

Consider our waterways in this context. The primary commercial transportation and related benefits of a waterway are merely the seed from which tremendous economic values grow and multiply year after year.

Just since 1952, the advantages waterways provide have attracted to their banks well over $133 billion worth of new industrial plant. Already you have announced plans for $400 million of new plants along the Arkansas. Part of the soaring payrolls, rising bank balances, broadening tax bases, and other results of such economic expansion surely should be given appropriate consideration in benefit/cost analysis as additional credits both to expanded national growth and regional development. Similarly, not only the market value of power but its effect in the building and strengthening of a regional economy should enter directly into b/c calculations. The real benefits of flood control are by no means limited to the prevention of calculable structural and similar damage, which is the practical basis for evaluation. For example, projects also prevent very serious economic losses such as those resulting from pay and production stoppages. But, above all, of course, they help to prevent great loss of life and tremendous human suffering, benefits which are not susceptible of measurement by any formula so far devised, but which ought to be taken into full and effective consideration. I might also point out that long experience has proved forecasts of the dollar value of flood damage prevention even under the primary benefit criteria are often far too conservative.

In many instances, as you know, the entire cost of a flood control project has been "recovered," so to speak, by its prevention of losses on a *single occasion*. Overall, our flood control program has prevented damages of more than $3.30 for every dollar invested in it.

The social benefits I referred to earlier—the contribution of water resources development to the relief of urban pressures through the dispersion of population and creation of new environments for a satisfying life outside the great cities—these certainly should have meaningful reflection in the justification of future projects wherever appropriate. So should contribution to the inspirational values associated with the conservation and enhancement of the natural environment. Only a part of the tremendous recreational potential of our projects can be included in the benefit/cost ratio under present authorities. All of it should be. Likewise, the value of the contributions of development to the enhancement of water quality should be adequately represented.

In the case of tangible secondary benefits such as industrial and related expansion, it is not too difficult to make tolerable forecasts. However, the evaluation of intangibles—the saving of life and the prevention of human suffering, the social benefits of population dispersal, the conservation of natural values, the enhancement of water quality—present a real challenge to the imagination and the vision of everybody concerned, for as yet we possess no yardsticks by which such benefits can be measured. But I am sure that if informed and capable people in all areas who are vitally interested in an ongoing program of water resources development, such as the members of this influential and farsighted Association, put forth their best efforts, we can come up with some workable answers.

Some more flexible device, one more responsive to growing and changing needs than the benefit/cost ratio as we know it today, is required to arrive at the true value of a project in the light of our overall national objectives.

The Arkansas Basin Project for many reasons is the best laboratory we have ever had for the clinical observation of a major project through all stages of its development and on through the years of the fulfillment of its purpose. We are going to learn many lessons from its performance which will be of immeasurable future value to our whole country in determining where we are going in the field of water resources development, and how we are going to get there. I don't need to urge you to do all you can to assure the fullest success of this project. However, I do ask that you insure a broad appreciation of the full range of social benefits which water resource development provides. It will help in meeting the challenge of the future.

Thank you.

A CASE AGAINST THE UNO

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. RARICK. Mr. Speaker, an ever-increasing number of people feel it is time for a walkout on that instrument of global subversion—the UNO. Korea, Vietnam, Czechoslovakia, Hungary, Tibet, Germany, Palestine, the Congo, Katanga, and a myriad of other reasons demand it.

A most interesting analytical comment on the U.N. appeared in the South Africa Observer for December 1968. I include this comment of Mr. S. E. D. Brown following my remarks:

INSTRUMENT OF GLOBAL SUBVERSION: TIME FOR SOUTH AFRICA TO WALK OUT OF UNITED NATIONS

The United Nations' vote on November 19 approving the text of the proposed international convention on war crimes and crimes against humanity—which blandly included the policy of apartheid in its category of crimes—was another example of the debased standards reached by this criminal and communist-orientated organisation.

This again raises the question: Does it serve any purpose for South Africa to continue its membership of this much-vaunted organisation of "international peace and security"?

Supporters of continued membership argue that it is in South Africa's interest to remain a member, because it affords our delegations the opportunity to reply to the attacks made on us. However, since the first session of the General Assembly in 1946 South Africa has been continually attacked, insulted and reviled. These attacks have been replied to and our policies have been explained, but our enemies have never taken any notice of our explanations.

In any case, during the past five sessions, the Black members have staged regular walkouts when the South African delegate has taken the rostrum.

FINANCIAL BURDEN

There is also the financial burden on South Africa. Over the past 22 years, this cost has amounted to approximately R14-million. Participation in the Korean War cost South Africa another R6-million, apart from the loss of life it entailed.

In view of these facts, in view of the actions of the organisation against Rhodesia and Portugal, and in view of its sustained hostility and threats against South Africa, it is our considered opinion that it serves no purpose whatever for South Africa to remain a member of this organisation.

REVOLUTIONARY GOALS

The tragic truth to be faced is that the United Nations today functions with an entire lack of system, rule and principle in giving its rulings; and its disregard of its own Charter to suit its subversive, revolutionary ends has become standard practice.

It is now wallowing in double-dealing, double-standards and blatant hypocrisy so deep, that the time has now come for South Africa and every other self-respecting nation—white, black, yellow or brown—to turn the searchlight on the organisation and on its origins, goals, and revolutionary activities.

CHRISTIANITY NOT MENTIONED

The United Nations was engendered by the American people and the West in an honest and fervent desire for universal peace. It was proclaimed from most pulpits as more or less of a going concern, and almost as a panacea for the reign of Godliness and Christian living.

Yet God and Christianity are not even mentioned in its Constitution!

This omission was not accidental. It was planned that way, to suit the atheists of Moscow and the traitors and enemies of Western civilisation.

GROSS DECEPTION

When the U.N. Charter was first presented to the nations of the world, great stress was laid upon Article 2, Sub-paragraph 7, which states:

"Nothing contained in the present charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the members to submit such matters to settlement under the present charter."

But this has proved to be a gross deception, as South Africa and other small countries have learned to their cost.

This fundamental provision in the Charter has been completely, constantly and deliberately ignored over the past 22 years; and every organisation commission, and covenant flowing out of the United Nations Charter has been for the sole purpose of intervening in matters which are essentially within the domestic jurisdiction of the member nations.

The U.N. Charter of 1968 is not the same Charter that was drafted in San Francisco in 1945, and it will continue to be amended, step by step, to conform finally with the hidden purposes and goals of the world planners and subverters.

COLLECTIVIST ONE-WORLD STATE

Regardless of its widely advertised objective of maintaining "international peace and security" by preventing wars, the goal of the U.N. is a one-world collectivist state.

But before this can be achieved it is necessary for people's minds to be conditioned to accept the new order which Julian Huxley described as *"a single world culture, with its own philosophy and background of ideas, and with its own broad purposes."*

In bringing about this new order it is necessary to destroy racial integrity and national sovereignties, and to advocate and promote widespread miscegenation. And in this, Unesco closely follows the Communist line.

This is the task assigned to Unesco, many of whose major recommendations will produce the very world order towards which every top Communist has been working since the days of Karl Marx.

BREAKING DOWN SOVEREIGNTY

This position was made clear at the first meeting of the U.S. Commission for Unesco on September 23, 1946, when William Benton stated: *"We are at the beginning of a long process of breaking down the walls of national sovereignty . . . It is in this process Unesco can be—and indeed must be—the pioneer . . ."*

This idea is carried a good deal further in Chapter VIII of "The Synthesis of the Communist Textbook on Psychopolitics" which states: *"If we could effectively kill the national pride and patriotism of just one generation we have won that country. Therefore there must be continual propaganda abroad to undermine the loyalty of the citizens in general and the teenager in particular."*

In short, the function of Unesco is to condition the world to accept the total, planned world-society envisaged by the Fabians, Lenin, Trotsky and scores of other revolutionaries—a society in which the traditions, integrity, and sovereignties of all peoples will have been destroyed—together with the Western world as we know it.

And it is, therefore, nothing short of incredible that the good peoples of the Western world cannot see through the duplicity and criminal intrigue that permeates the U.N. Organisation and its special agency, Unesco.

PRINCIPAL ARCHITECTS

The "Chicago Tribune" gave a revealing clue to one of the principal architects of the United Nations. It wrote on July 11, 1945:

"Our government sent six men and a woman as delegates to the recent conference at San Francisco, but when members of the Foreign Relations Committee of the Senate want to find out what is in the treaty they don't ask the delegates. The questions are directed to Mr. Leo Pasvolsky, a Russian-born official in the State Department, who is the man who knows more about the document than anybody else.

"Mr. Stettinius headed the delegation, presided at a good many of the public sessions, and at all back-room conferences. The hearings in Washington started, appropriately enough, with a lengthy statement read by Mr. Stettinius, but apparently written by Mr. Pasvolsky. When the time came to ask questions Mr. Stettinius gracefully yielded the center of the stage to the same Mr. Pasvolsky, who knows all the answers.

"This is more than a little odd. Mr. Pasvolsky's expertism is said to result from the fact that he wrote the original draft of the treaty, but that was quite a long time ago and his work meanwhile has undergone considerable modification. Nobody has yet explained why the department entrusted the drafting of this document to a foreign-born functionary, whose training has been in economics rather than diplomacy. It is even more curious that the natives among our delegates, two of whom are members of the Senate committee, did not assert for themselves the right of interpretation.

"The diffidence—if that is the word for it—of Mr. Connally and Mr. Vandenberg, to say nothing of Mr. Stettinius and the rest, has given the country the impression that it is really Mr. Pasvolsky's treaty, not theirs; that he understands it and they don't; that men with a good deal of experience in foreign affairs who were themselves participants in the negotiations have only an incomplete grasp of the content and purpose of this intricate and difficult document. They were at San Francisco, it appears, to assist him rather than he to assist them.

"At any rate, as matters stand, it appears that this country is being asked to approve a treaty which only one man, and he foreign-born, fully understands."

Another principal architect of the United Nations was Alger Hiss—a man later unmasked as an undercover member of the active Soviet espionage ring in Washington.

Early in 1944 Alger Hiss made preliminary plans for setting up the U.N. Later he was appointed Director of the Office of Special Political Affairs in the U.S. State Department, with the specific task of handling all American relations with the U.N.

In September 1944 he was made Secretary of the Dumbarton Oaks Conference, where he had a shaping hand in drawing the first blueprints for the U.N. And in 1945 he reached the heights when he was made Secretary-General of the United Nations Conference in San Francisco. There he presided during the drafting of the United Nations Charter.

In 1950, however, after serving Communist Russia well for many years as an agent, he was convicted of perjury in connection with his espionage activities and sentenced to five years in the Lewisburg Federal Penitentiary.

GROMYKO, TOO

The presence of such Americans, and their unrevealed helpers, in top policy-making circles in San Francisco throws a revealing light on Soviet Russia's role in building the kind of U.N. that would best serve her subversive purposes.

And so it should come as no surprise to learn that another architect of the U.N. was none other than Mr. Gromyko who, during a press conference at the U.N. in August 1958, in answer to a leading question bearing on the U.N. Charter, boldly declared: *"Believe me, I sit here as one who helped to draft the U.N. Charter and I had a distinct part in drafting this part of the Charter with my own hands."*

And so, behind the idealistic phrases of the U.N. and its facade of "world peace", "human rights", "brotherhood" and "tolerance", we find that it is the enemies of peace and the perverters of human rights who have plotted an organisation conveniently designed to steal our liberties and to destroy our nations.

MOST IMPORTANT POST

One of the most important positions within the entire organisation—if not the most important—is that of the Under-Secretary General for Political and Security Council Affairs. This is a little-publicised office and even less is known about the man who holds the job.

This officer has three main areas of responsibility. They are: (1) Control of all military and police functions of U.N. peacekeeping forces; (2) Supervision of all disarmament moves on the part of member nations; and (3) Control of all atomic energy ultimately entrusted to the U.N. for peaceful and other purposes.

In view of the fact that these functions may one day constitute the ultimate power of life and death over every human being on the face of the earth, there would appear to be some minor justification for us to be more than passingly curious over who will wield this power.

Since the United Nations was created in 1945, there have been eight men appointed to the position. Eight out of eight appointed were Communists. The men were: Arkady Sobolev, U.S.S.R.; Konstantin Zinchenko, U.S.S.R.; Ilya Tchernychev, U.S.S.R.; Dragoslav Protich, U.S.S.R.; Anatoly F. Dobrynin, U.S.S.R.; Georgi Petrovich Arkadev, U.S.S.R.; Eugeny Dmiterievich Kiselev, U.S.S.R.; and Vladimir Pavlovich Suslov, U.S.S.R., who holds the office at present.

By secret agreement between the U.S. and the U.S.S.R., this important post will always be filled by a Communist!

CHRISTIAN APOLOGISTS

Many Christian apologists of the U.N. are ever ready to point to the positive Health, Welfare and Educational work of the U.N., and to all its campaigns against the drug traffic and the world-wide help given to refugees, and so on.

But do we require a dictatorial world instrument of government—which will clamp control on all citizens from the cradle to the grave and which will turn the world into one vast Collective—in order to carry on these humanitarian endeavours?

The U.N. cause is being promoted in America by one of the most aggressive and heavily financed power blocks that has ever shaken a club over the American people, the Western world and the Eastern world.

In this bloc is a cluster of professional public relations specialists who devote their full time to highly skillful U.N. publicity and lobbying work.

The same mentalities that put a new toothpaste on the market, the same men who advertise liver pills and scream into our minds the dictatorial orders that we must buy certain beers, certain cigarettes and certain patent medicines—this same clique of aggressive promoters who ram their merchandising schemes down the throats of an unsuspecting and uninformed public are propagandising the world that the U.N. is the "conscience of mankind" and that it can give the world a just and stable peace".

Winning this propaganda campaign is now a turnkey job, handled by professional promoters and advertising men with little regard for issues, principles or traditions. These builders of public opinion today are the same people who control films, newspapers and television, and who are, with few exceptions, all on the side of this internationalist, Communist conspiracy—the United Nations.

BLIND TO REALITIES

Many U.N. supporters and advocates of world government are not Communists. Many of them dislike Communism. Yet they seem blind to the certainty that the integrated world for which they are agitating would be no other than a Collectivist world. They seem endowed with a cut-out mechanism which prevents their visualising the kind of hell to which they seek to lead us.

They do not seem to realize—indeed, they seem to ignore the fact—that the U.N. Charter may be accurately described as a formulation of the Soviet totalitarian system, habituated to Western ways of thinking and modes of procedure—or to use the words of Prof. S. D. Madariaga, the internationally well-known Spanish Liberal, who has described the U.N. Charter as *". . . in the main a translation of the Russian system into an international idiom and its adaptation to an international community . . . Uno bore upon its brow from the very beginning the mark of Moscow."*

Nor do these one-worlders seem to realise that they are helping to hand over the world to ruthless new masters, namely, to the Lords of Finance and Usury and to the Lords of Communism, both now firmly entrenched as the hierarchy of the U.N.

THREAT TO ALL HUMANITY

The great threat to free humanity is Communism in all it "liberal" and international disguises. It has infiltrated into all positions of public trust and responsibility throughout the Western world, the press, the schools and universities. With its Communist egalitarian basis it is set to destroy all concepts of race and nation.

There can, therefore, be no compromise with Communism. Yet, through the U.N., the Communists have so exploited the knaves and the fools among American and Western statesmen that they are making successful a complete act of treason against our traditions and the civilisation passed on to us in trust by our forebears.

We of the Western world desire peace. But we do not desire the peace of the slave. We know there is no freedom without sovereignty; that when peace comes to the world, as it will some day, it will come from the hearts of men and not from the forums of ambitious politicians. Security councils have never created security, and no organisation of nations ever remained united.

Ten thousand charters cannot alter these facts, and indeed, they suggest the answer. If we value our honour and our freedom, the U.N. as at present constituted must be destroyed.

MUST BE DESTROYED

The U.N. must be destroyed because of its origins. It was conceived and brought forth in an atmosphere of secrecy, deception and treason; and nurtured in an environment of hatred, corruption and greed.

It must be destroyed because it functions with an entire lack of system, rule and principle in giving its rulings. Its disregard of its Charter to suit its subversive revolutionary ends has become commonplace—and

it perpetuates itself with double dealing, double standards, and blatant hypocrisy.

It must be destroyed because of its dishonourable record in Hungary, Tibet, Goa, Palestine, the Congo, Czechoslovakia and most other parts of the world. Its evil face—its real face—was clearly visible for all to see in its naked aggression in Katanga—and which is today leering at South Africa and Rhodesia.

It has rendered itself incapable of establishing peace—except the peace of the collectivist slave. And the sooner it is destroyed the better will be the prospects for real order, justice and peace in the world.

The first real step to world peace will only be taken when responsible nations walk out of the U.N.

That, clearly, is now South Africa's path of duty. Just as it is the duty of every self-respecting nation on earth.

EXCELLENT STATEMENT OF DR. CHRISTIAAN BARNARD

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. FULTON of Pennsylvania. Mr. Speaker, it is a pleasure to call the attention of Congress and the American people to the excellent statement given by Dr. Christiaan Barnard, the world-famous heart surgeon, before the Committee on Science and Astronautics, Subcommittee on Space Sciences and Applications:

Mr. Chairman and members of the subcommittee, I appreciate very much your kindness in giving me this opportunity to address you.

Perhaps there are some here today who wonder why a heart surgeon would want to participate in bioscience research in the space program of the United States.

Let me hasten to explain that I regard the scientific exploitation of the circumstances offered by space flight as having great significance for the life sciences.

Technical capabilities—in any field—depend to a large extent on an understanding of basic mechanisms. Our techniques can go only as far as our knowledge and the limits of our imaginations will allow. For scientists, as for congressmen and others dedicated to seeking solutions to complex social problems, imagination and a willingness to rise to challenge are critical characteristics.

Today the study of biology in the space environment is one of man's greatest scientific challenges. We know that all living organisms were conceived and have carried out their entire existence within the narrow confines of a shallow layer in, on, or just below the earth's surface. Countless life cycles have ensued within the narrow boundaries of temperature, atmosphere, day-night cycle, and gravitational fields that exist on this surface. All of these are governed by an exquisitely organized system of control vested in the genetic apparatus of the cell. I shall divert briefly to consider the working of these mechanisms. The primary genetic material is a chemical substance known as deoxyribonucleic acid. Like all nucleic acids DNA consists of a long chain of sub-units called nucleotides. Each nucleotide in turn is made up of a molecule of phosphoric acid, a pentose sugar (deoxyribose) and a heterocyclic base.

There are 4 different nucleotides in DNA: They differ only in respect of their bases. The latter may be a purine—*adenine* or *guanine;* or a pyrimidine—*cytosine* or *thymine*.

In DNA, the nucleotides are linked up so that the backbone of the molecule consists of alternating sugar and phosphate groups. One of the purine or pyrimidine bases is attached, like a side chain, to each sugar group.

Each molecule of DNA is made up of two such polynucleotide chains. The two chains are wound round each other in the form of a helix, and they are linked to each other transversely by hydrogen bonds between pairs of bases.

A purine base is always linked with a pyrimidine. Thus adenine is always linked with thymine (A–T or T–A), while guanine is always linked with cytosine (G–C or C–G).

The DNA molecule can be likened to a spiral staircase, in which the bannisters consist of long sequences of sugar and phosphate groups while the base-pairs constitute the steps. This structure was worked out by Crick, Watson and Wilkins in 1953.

REPLICABILITY

During cell division, the two strands of the DNA molecule uncoil and separate at the hydrogen bonds, leaving the bases free. Each free base attracts its complementary nucleotide from the surroundings. The new nucleotide falls into place by linking transversely to its base partner by means of the hydrogen bond, and longitudinally to the other newly-attracted nucleotides through its phosphate group. In this way, the double helix of the DNA molecule is reconstituted.

EXPRESSIVITY

The vital genetic information which is stored in the DNA must be carefully protected. To achieve this, the DNA is kept secluded in the nucleus and a system of messengers is provided to carry the genetic information to the ribosomes of the ctyoplasm where the work of protein synthesis is carried out.

The messengers are molecules of a related nucleic acid—*ribonucleic acid* (RNA). This "messenger RNA" (mRNA) differs from DNA in consisting of just a single polynucleotide chain with the base uracil instead of thymine and with the sugar ribose instead of deoxyribose. The DNA provides the "master pattern" for the synthesis of mRNA molecules in which the sequence of bases is complementary to that in the parent DNA. Like DNA, mRNA is insoluble and has a very high molecular weight.

The *amino acids* are brought to the messenger RNA at the ribosomes by another kind of RNA called *"transfer RNA"*. Transfer RNA (tRNA) is a relatively small, soluble molecule consisting of a chain of about 70 nucleotide units. The short chain is bent double and twisted into a double helix. There is a specific tRNA for each of the 20 different kinds of amino acid. In addition, the structure of each tRNA molecule is adapted to link with specific sites along the messenger RNA. Thus, the tRNA molecules act as "adaptors" which "plug in" at the correct places along the messenger RNA molecule and ensure that their amino acid passengers are lined up in the correct order.

Having been lined up properly, the amino acids now break their link with their tRNA carrier and link up instead with their neighbouring amino acids to form *polypeptide chains* in accordance with the DNA instructions.

The polypeptides produced from the mRNA template make up the *enzymes*. The enzymes are responsible for all the physicochemical reactions necessary to convert the inert, raw materials of the environment into the cells, the tissues and the organs of the living body. Thus all the vital metabolic processes of the cell are controlled by the nuclear DNA, through a series of RNA intermediaries.

For centuries, biological scientists have studied the interaction of living organisms with the environment on earth, and this study continues. Now, we have been presented with a new set of circumstances under which to measure and study vital processes—the space environment.

The question may be asked, why man—particularly medical man—should be concerned with space when so many problems remain to be solved here on earth?

Basically, the answer is the same as that which led man earlier to explore unknown lands and uncharted seas. It is the inherent motivation for the quest of knowledge of the species; the compulsion to respond to the challenge.

While the origin of organized science is difficult to determine the curiosity of man is undoubtedly an inherent feature of his social evolution. This curiosity has produced a vast storehouse of biological and other knowledge to which scientists in this country and the world over continue to contribute. It would clearly be impractical to consider repeating in space all the experiments, in all the organisms, under all the conditions which have been studied on earth. Nor would such an approach be scientifically sound.

Because of the great expense of space experiments and the large commitments of resources and manpower, some system of assigning priorities to the problems which require answers is mandatory. The field is narrowed considerably by our present and foreseeable technological limitations. A large number of desirable avenues of exploration are unattainable.

Further guidance is supplied by the results of studies performed on earth using partial simulations of the space environment. In addition, biologists, by virtue of their experience and knowledge of experimental techniques can select with reasonable accuracy experiments with a high chance of yielding important results.

Finally, scientists have some preliminary data from the manned space program. The principal objectives of this program, however, have been to determine if man can survive and function in space for periods of time. They have not been designed primarily to answer relevant basic questions. This is borne out by what we have learned from the manned space program. Man can survive and function. He can command and maneuver the spacecraft, meet emergencies and even take over when there is a minor system failure. But despite the thousands of man-hours in space which have been accumulated, we have gathered very little systematic information about the biological effects of the space environment.

Medical scientists have learned that space flight may lead to impairment of the ability to maintain the upright position, a decrease in exercise tolerance, some loss of calcium from the skeleton, and changes in the body fluid compartments. (Incidentally, all these changes were predictable from earth studies of inactivity.) But as far as the vast amount of knowledge yet to be learned is concerned, we have barely scratched the surface.

We know nothing about some fundamental aspects of the biological effects of space flight.

We have little information on its effects on cell differentiation, growth, and metabolism—factors which are of critical importance to space survival for the longer missions contemplated for the future.

For example, a practical aspect of this fundamental question revolves around how an injury sustained by an astronaut would heal. Furthermore, cellular effects of the space environment may have important implications for a wide variety of diseases on earth.

A biosciences program, as I understand it, is a program conceived to seek knowledge the most rewarding way—by application of the scientific method. Experiments have been flown and others are about to be flown which have been carefully selected to extend

man's knowledge of Biological phenomena. These experiments are based on years of investigation on earth and are designed to answer some fundamental questions regarding growth, development, and function of a wide variety of living organisms—plants and animals—in space. In this context, I would like to discuss some experiments which I have proposed in collaboration with Dr. N. C. Birkhead of the General Electric Company. I believe that if these experiments are carried out they will answer some fundamental questions bearing on cellular function as related to man's interaction with his environment. To illustrate this approach, I would like to describe briefly some proposed experiments and comment on their rationale.

It has been known for some time that gravity has an effect on the development of living organisms. This information deals primarily with the effects of increased gravity as produced by the use of the centrifuge. One would expect therefore that the opposite—that is zero gravity—would also have important effects on living organisms. Preliminary studies carried out in the three-day Biosatellite mission indicated that low gravity does affect cellular differentiation and growth. Because of the fundamental importance of this type of information to all living things, a series of experiments to relate these sub-cellular and cellular effects to DNA—mediated processes have great relevance to man's survival in any environment.

Firstly, we have evidence from the experiments with drosophila that the weightless environment will induce genetic changes. These indicate that the genetic apparatus as contained in DNA in the cell nucleus may be influenced adversely by removal from the earth's gravitational field. We should therefore attempt to estimate whether this influence can be extrapolated to more organized systems with more relevance to man. This we will attempt to do by studying the integrity of DNA synthesis in viruses, with single DNA molecules, and progressing to more complex systems such as human cells grown in tissue culture, and finally intact small animals.

Although these methods are not as sensitive as the complete animal and his genetic characteristics, they ought nevertheless, to give helpful quantitative data.

Secondly, it is of importance to know that man in space will react to environmental stimuli that call for the intervention of an intact genetic apparatus in an appropriate manner. If, for example, man were exposed to viral infection or to other stimuli while in a weightless environment, would he be able to respond in the proper way?

In order to examine these questions, we have proposed the following experimental program:

First, we shall attempt to ascertain what, if any, alterations in DNA synthesis are brought about by space flight.

Second, we shall relate these changes to a variety of stimuli that call for a reaction based upon an intact genetic apparatus.

Third, the functioning of the more complex mechanisms responsible for rejection of foreign tissue will be examined by noting the effects of weightlessness on the reaction to transplanted tissues.

The experiments we propose for the first and second phases will use the following basic design.

Radioactive precursors of DNA will be administered to the system at specified times before and after application of an appropriate stimulus. On recovery of the capsule the radioactivity of the DNA isolated from the system will give an accurate indication of DNA synthesis in space and the ability of the system to respond to the applied stimulus. Comparison with simultaneous earth controls will indicate whether the conditions of space flight have had an adverse effect.

Experiment No. 1: To investigate how gravity effects the reproduction of viruses. This will be done by measuring DNA synthesis in the virus using radio isotopes labeling. Herpes virus or adenovirus will be studied as they function in a tissue culture. They are both pathogenic for man.

Experiment No. 2: To determine the effect of gravity on the ability of human impyhocytes growing in tissue culture to synthesize DNA and to respond to an antigenic stimulus while in the weightless state. DNA synthesis in lymphocytes is measured by a multilabeling radio isotope technique The response of lymphocytes to an antigenic stimulus is one of the basic immunological responses.

Experiment No. 3: This experiment is similar to the previous one, except that it would be conducted using a whole animal. In addition, DNA synthesis in the various organs can be studied and the alteration of this by antigenic stimulation measured. If malignant (ascites tumor) cells are injected then the response of malignant cell-host reaction to gravity will be examined. As before, a multilabeling radio isotope technique is used.

Experiment No. 4: To determine the rate of DNA synthesis in orbit in a rapidly regenerating organ, the liver. The liver is caused to regenerate rapidly by the surgical removal of about two-thirds of its substance prior to the assessment. Again, a multilabeling radio isotope technique is utilized to determine DNA synthesis.

Experiment No 5: To study the effects of gravity on the host-graft cellular interaction. This will be done by transplanting one rat kidney into a unilaterally nephrectomized rat and observing the cellular response grossly and microscopically. A number of such animals will be studied so that chronological sequence of events can be dedetermined while its transplanted kidney is undergoing rejection.

Experiment No. 6: To study the effect of weightlessness on the circulation as maintained by a denervated heart. Any transplanted heart is also denervated, that is separated from direct nervous control and regulation. The response of the electrocardiogram, blood pressure, and blood flow will be determined at Ig, and in orbit; at rest and during exercise in order to determine the part played by the nervous system in these responses.

In summary, my hypothesis is this: Gravity has been shown to play a part in maintaining the genetic character of living cells. This genetic character is determined by coded information carried on long chains of desoxyribonucleic acid (or DNA) in the nucleus of cells. The immune response that is the key to safer replacement of diseased organs involves discrimination against living material bearing differing coded information.

If cells in weightlessness lose some of their discrimination in regard to their own character, it is possible that they will discriminate less sharply against cells from another organism. If so, can we then find ways to disturb the integrating influence of gravity on earth.

There is, of course, no certainty that a particular set of experiments will produce the answers we seek. However, it seems to me an urgent matter to build on the provocative findings of NASA's Biosatellite II program. And, in fact, with only limited modification, the spacecraft intended for the Biosatellite 21-day mission, could be used as the space laboratory for the experiments I have described.

There are no questions of greater importance in the life sciences than those bearing on the guidance system that governs all life processes. The American space program has produced some intriguing and virtually important new insights in this area. Yet they are merely clues to the solutions we seek and the answers we need.

As a scientist and as a physician, I ask that you assist us in our pursuits by assigning this program the high priority merited by its potential value to all mankind.

TWO GREAT PHILADELPHIANS AND A GREAT PEOPLE

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. EILBERG. Mr. Speaker, I would like to take this occasion to offer my salute to two great Philadelphians and a great people.

The first gentleman, James Crumlish, this week has received an honorary life membership in the National District Attorney's Association for his outstanding service.

There is indeed no one more deserving. Jim Crumlish served with distinction as district attorney of Philadelphia from 1961 to 1965.

In 1964–65, he was vice president of the national association which now honors him. His reputation as a public servant devoted to keeping the streets of Philadelphia free of crime is well known by his colleagues throughout the land.

This is indeed a worthy honor for a worthy gentleman.

The second gentleman I salute is the great police commissioner of my city, Frank L. Rizzo.

This Friday, Commissioner Rizzo will receive an official city citation from Mayor James H. J. Tate in recognition of again making Philadelphia the safest major city in the Nation during 1968.

The citation reads:

Police Commissioner Frank L. Rizzo and the men and women of the Philadelphia Police Department, for the sixth straight year, have attained the lowest major crime rate of the ten largest cities in the Nation. This outstanding achievement attests to the magnificent leadership of Commissioner Rizzo and the dedicated performance of all the members of the Police Department.

In addition to maintaining the lowest crime rate in 1968, the Police Department distinguished itself through its professional handling of potentially explosive situations throughout the year, and utilized the most modern equipment and techniques to provide safety and security to the lives and property of all citizens.

Commissioner Rizzo and the Philadelphia Police Department are hereby officially commended in recognition of their dedication and devotion to public service and for the many personal sacrifices they have made on behalf of all Philadelphians.

I would like to add my second to that citation. I would also like to add my thanks and the thanks of my constituents for Frank Rizzo's extraordinary performance in perhaps the most difficult and sensitive area of big-city, public management today.

Big-city crime has become somewhat like the weather. We all talk about it, but frequently we find ourselves unable to do anything about it.

Mr. Rizzo is the exception. By his presence and performance he has made the

Nation's fourth largest city its safest largest city and that is praiseworthy work indeed.

Finally, I would like to applaud all my Irish friends in Philadelphia, who once again staged a great parade in honor of St. Patrick. The parade marshal was our city's distinguished jurist, Judge Vincent J. Carroll and at his side marched our city's favorite son of Erin, Mayor James H. J. Tate.

Some other Philadelphians who deserve special mention for making observance of that special day always Kelly green and inspiring are the Very Reverend Monsignor James T. Dolan, pastor of the Cathedral of Sts. Peter and Paul; Michael J. Cavanaugh, president of the Commodore Barry Society; Sheriff William M. Lennox, president, and H. Benedict Ripkee, secretary of the Friendly Sons of St. Patrick; and Robert Clarke and Patrick J. Carr, editor and publisher respectively of the Irish American Herald.

My Irish friends, both in and out of public life, have long been a source of wonderment and delight to me. The reservoir of their charm and wit seems deeper than the Irish Sea. Perhaps this fable about the leprechaun is instructive.

Irish legend, or fact, has it that if you should be walking along a wooded path some moonlight night in spring and hear the faint tap-tapping of a tiny hammer, you might be lucky enough to catch a glimpse of an Irish leprechaun, the elfin shoemaker, whose roguish tricks are the delight of Irish storytelling.

It is told that the leprechaun has a pot of gold hidden somewhere, and he must give up his treasure to the one who catches him. But catching a leprechaun is a task as difficult as we Democrats sometimes find catching Republican votes.

The leprechaun is sly and any Irishman will tell you if you look away for an instant, the little fellow will escape into the forest.

Once a man compelled a leprechaun, I am told, into taking him to the very bush where the gold was buried. The man tied a red handkerchief to the bush in order to recognize the spot again and ran home for a shovel.

He was gone only 3 minutes, but when he returned to dig, there was a red handkerchief on every bush in the forest.

After that, the only appropriate exclamation is Erin go bragh.

JACKSONVILLE COIN CLUB ENDORSES H.R. 4312

HON. BENJAMIN B. BLACKBURN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. BLACKBURN. Mr. Speaker, on January 23 I introduced a bill, H.R. 4312, "to permit American citizens to hold gold when there is no requirement that gold reserves be held among currency not circulated and for other purposes."

As example of the widespread support H.R. 4312 is receiving, I include in the RECORD a letter I received from the Jacksonville Coin Club, Jacksonville, Fla. The letter follows:

JACKSONVILLE COIN CLUB,
Jacksonville, Fla., March 9, 1969.

Hon. BENJAMIN P. BLACKBURN,
House of Representatives,
Washington, D.C.:

Passed unanimously, in regular business session, endorsement of your House Bill H.R. 4312.

ALLEN K. OVERALL,
Secretary.

CONGLOMERATE MERGERS—A GROWING CAUSE FOR ALARM

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. RARICK. Mr. Speaker, the intrusion of big business into the mass communication field should be of major concern to all Americans.

Hundreds of daily newspapers have folded, and many others have been taken over by big business in unholy mergers.

This same trend has been evident in some areas of the broadcast field as big business creeps in.

An interesting appraisal of this matter appeared in the June 1968, issue of the Atlantic, written by Nicholas Johnson, a Commissioner with the Federal Communications Commission.

I include this article following my remarks:

THE MEDIA BARONS AND THE PUBLIC INTEREST: AN FCC COMMISSIONER'S WARNING

(By Nicholas Johnson)

Before I came to the Federal Communications Commission my concerns about the ownership of broadcasting and publishing in America were about like those of any other generally educated person.

Most television programming from the three networks struck me as bland at best. I had taken courses dealing with propaganda and "thought control," bemoaned (while being entertained by) *Time* magazine's "slanted" reporting, understood that Hearst had something to do with the Spanish-American War, and was impressed with President Eisenhower's concern about "the military-industrial complex." The changing ownership of the old-line book publishers and the disappearance of some of our major newspapers made me vaguely uneasy. I was philosophically wedded to the fundamental importance of "the marketplace of ideas" in a free society.

But I didn't take much time to be reflective about the current significance of such matters. It all seemed beyond my ability to influence in any meaningful way. Then, in July, 1966, I became a member of the FCC. Here my interest in the marketplace of ideas could no longer remain a casual article of personal faith. The commitment was an implicit part of the oath I took on assuming the office of commissioner, and, I quickly learned, an everyday responsibility.

Threats to the free exchange of information and opinion in this country can come from various sources, many of them outside the power of the FCC to affect. Publishers and reporters are not alike in their ability, education, tolerance of diversity, and sense of responsibility. The hidden or overt pressures of advertisers have long been with us.

But one aspect of the problem is clearly within the purview of the FCC—the impact of *ownership* upon the content of the mass media. It is also a part of the responsibility of the Antitrust Division of the Justice Department. It has been the subject of recent congressional hearings. There are a number of significant trends in the ownership of the media worth examining—local and regional monopolies, growing concentration of control of the most profitable and powerful television stations in the major markets, broadcasting-publishing combines, and so forth. But let's begin with a look at the significance of media ownership by "conglomerate corporations"—holding companies that own, in addition to publishing and broadcasting enterprises, other major industrial corporations.

During my first month at the FCC I studied the cases and attended the meetings, but purposefully did not participate in voting on any items. One of the agenda items at the July 20 commissioners' meeting proposed two draft letters addressed to the presidents of International Telephone and Telegraph and the American Broadcasting Company, ITT and ABC, Messrs. Harold Geneen and Leonard Goldenson. We were asking them to supply "a statement specifying in further detail the manner in which the financial resources of ITT will enable ABC to improve its program services and thereby better to serve the public interest." This friendly inquiry was my first introduction to the proposed ITT-ABC merger, and the Commissioner majority's attitudes about it. It was to be a case that would occupy much of my attention over the next few months.

There wasn't much discussion of the letters that morning, but I read carefully the separate statements filed with the letter by my two responsible and experienced colleagues, Commissioners Robert T. Bartley and Kenneth A. Cox.

Commissioner Bartley, a former broadcaster, wrote a long and thoughtful statement. He warned of "the probable far-reaching political, social and economic consequences for the public interest of the increasing control of broadcast facilities and broadcast service by large conglomerate corporations such as the applicants." Commissioner Cox, former lawyer, law professor, counsel to the Senate Commerce Committee, and chief of the FCC's Broadcast Bureau, characterized the proposed merger as "perhaps the most important in the agency's history." He said the issues were "so significant and far-reaching that we should proceed immediately to designate the matter for hearing."

Their concerns were well grounded in broadcasting's history, and in the national debate preceding the 1934 Communications Act we were appointed to enforce. Precisely what Congress intended the FCC to do was not specified at the time or since. But no one has ever doubted Congress' great concern lest the ownership of broadcasting properties be permitted to fall into a few hands or to assume monopoly proportions.

The 1934 Act was preceded by the 1927 Radio Act and a series of industry Radio Conferences in the early 1920s. The conferences were called by then Secretary of Commerce Herbert C. Hoover.

Hoover expressed concern lest control over broadcasting "come under the arbitrary power of any person or group of persons." During the congressional debates on the 1927 Act a leading congressman, noting that "publicity is the most powerful weapon that can be wielded in a republic," warned of the domination of broadcasting by "a single selfish group." Should that happen, he said, "then woe be to those who dare to differ with them." The requirement that licenses not be transferred without Commission approval was intended, according to a sponsoring senator, "to prevent the concentration of broad-

cast facilities by a few." Thirty years later, in 1956, Senate Commerce Committee Chairman Warren G. Magnuson was still warning the Commission that it "should be on guard against the intrusion of big business and absentee ownership."

These concerns of Congress and my colleagues were to take on fuller meaning as the ITT-ABC case unfolded, a case which eventually turned into an FCC *cause célèbre*. It also demonstrated the enormity of the responsibility vested in this relatively small and little-known Commission, by virtue of its power to grant or withhold membership in the broadcast industry. On a personal level, the case shook into me the realization, for the first time in my life, of the dreadful significance of the ownership structure of the mass media in America.

THE ITT-ABC MERGER CASE

ITT is a sprawling international conglomerate of 433 separate boards of directors that derives about 60 percent of its income from its significant holdings in at least forty foreign countries. It is the ninth largest industrial corporation in the world in size of work force. In addition to its sale of electronic equipment to foreign governments, and operation of foreign countries' telephone systems, roughly half of its domestic income comes from U.S. Government defense and space contracts. But it is also in the business of consumer finance, life insurance, investment funds, small loan companies, car rentals (ITT Avis, Inc.), and book publishing.

This description of ITT's anatomy is taken (as is much of this ITT-ABC discussion) from opinions written by myself and Commissioners Bartley and Cox. We objected, vigorously, to the four-man majority's decision to approve the merger. So did some senators and congressmen, the Department of Justice, the Commission's own staff, a number of independent individuals and witnesses, and a belated but eventually insistent chorus of newspaper and magazine editorialists.

What did we find so ominous about the take-over of this radio and television network by a highly successful conglomerate organization?

In 1966, ABC owned 399 theaters in 34 states, 5 VHF television stations, 6 AM and 6 FM stations (all in the top 10 broadcasting markets), and, of course, one of the 3 major television networks and one of the 4 major radio networks in the world. Its 137 primary television network affiliates could reach 93 percent of the then 50 million television homes in the United States, and its radio network affiliates could reach 97 percent of the then 55 million homes with radio receivers. ABC had interests in, and affiliations with, stations in 25 other nations, known as the "Worldvision Group." These, together with ABC Films, made the parent corporation perhaps the world's largest distributor of filmed shows for theaters and television stations throughout this country and abroad. ABC was heavily involved in the record production and distribution business, and other subsidiaries published three farm papers.

The merger would have placed this accumulation of mass media, and one of the largest purveyors of news and opinion in America, under the control of one of the largest conglomerate corporations in the world. What's wrong with that? Potentially a number of things. For now, consider simply that the integrity of the news judgment of ABC might be affected by the economic interests of ITT—that ITT might simply view ABC's programming as a part of ITT's public relations, advertising, or political activities. This seemed to us a real threat in 1966, notwithstanding the character of the management of both companies, and their protestations that no possibility of abuse existed. By 1967 the potential threat had become reality.

ITT'S EMPIRE

ITT's continuing concern with political and economic developments in foreign countries as a result of its far-flung economic interests was fully documented in the hearing. It showed, as one might expect, ITT's recurrent concern with internal affairs in most major countries of the world, including rate problems, tax problems, and problems with nationalization and reimbursement, to say nothing of ordinary commercial dealing. Its involvement with the United States government, in addition to defense contracts, included the Agency for International Development's insurance of 5.8 percent of all ITT assets.

Testimony was offered on the fascinating story of intrigue surrounding "Operation Deep Freeze" (an underwater cable). It turned out that ITT officials, using high-level government contracts in England and Canada, had brought off a bit of profitable international diplomacy unknown to the United States State Department or the FCC, possibly in violation of law. Further inquiry revealed that officers and directors of ITT's subsidiaries included two members of the British House of Lords, one in the French National Assembly, a former premier of Belgium, and several ministers of foreign governments and officials of government-owned companies.

As it seemed to Commissioners Bartley and Cox and to me when we dissented from the Commission's approval of the merger in June, 1967, a company whose daily activities require it to manipulate governments at the highest levels would face unending temptation to manipulate ABC news. Any public official, or officer of a large corporation, is necessarily clearly concerned with the appearance of some news stories, the absence of others, and the tone and character of all affecting his personal interests. That's what public relations firms and press secretaries are all about. We concluded, "We simply cannot find that the public interest of the American citizenry is served by turning over a major network to an international enterprise whose fortunes are tied to its political relations with the foreign officials whose actions it will be called upon to interpret to the world."

Even the highest degree of subjective integrity on the part of chief ITT officials could not ensure integrity in ABC's operations. To do an honest and impartial job of reporting the news is difficult enough for the most independent and conscientious of newsmen. And ABC newsmen could not help knowing that ITT had sensitive business relations in various foreign countries and at the highest levels of our government, and that reporting on any number of industries and economic developments would touch the interests of ITT. The mere awareness of these interests would make it impossible for those news officials, no matter how conscientious, to report news and develop documentaries objectively, in the way that they would do if ABC remained unaffiliated with ITT. They would advance within the news organization, or be fired, or become officers of ABC—perhaps even of ITT—or not, and no newsman would be able to erase from his mind the idea that his chances of doing so might be affected by his treatment of issues on which ITT is sensitive.

Only last year CBS was reportedly involved, almost Hearst-like, in a nightmarish planned armed invasion of Haiti. It was an exclusive, and would have made a very dramatic start-to-finish documentary but for the inglorious end: U.S. Customs wouldn't let them leave the United States. Imagine ITT, with its extensive interests in the Caribbean, engaged in such undertakings.

The likelihood of at least some compromising of ABC's integrity seemed inherent in the structure of the proposed new organization. What were the *probabilities* that these potentials for abuse would be exercised? We were soon to see the answer in the bizarre proceedings right before our eyes.

During the April, 1967, hearings, while this very issue was being debated, the *Wall Street Journal* broke the story that ITT was going to extraordinary lengths to obtain favorable press coverage of this hearing. Eventually three reporters were summoned before the examiner to relate for the official record the incidents that were described in the *Journal's* exposé.

An AP and a UPI reporter testified to several phone calls to their homes by ITT public relations men, variously asking them to change their stories and make inquiries for ITT with regard to stories by other reporters, and to use their influence as members of the press to obtain for ITT confidential information from the Department of Justice regarding its intentions. Even more serious were several encounters between ITT officials and a New York *Times* reporter.

On one of these occasions ITT's senior vice president in charge of public relations went to the reporter's office. After criticizing her dispatches to the *Times* about the case in a tone which she described as "accusatory and certainly nasty," he asked whether she had been following the price of ABC and ITT stock. When she indicated that she had not, he asked if she didn't feel she had a "responsibility to the shareholders who might lose money as a result of what" she wrote. She replied, "My responsibility is to find out the truth and print it."

He then asked if she was aware that I (as an FCC Commissioner) was working with a prominent senator on legislation that would forbid any newspaper from owning any broadcast property. (The New York *Times* owns station WQXR in New York.) In point of fact, the senator and I had never met, let alone collaborated, as was subsequently made clear in public statements. But the ITT senior vice president according to the *Times* reporter felt that this false information was something she "ought to pass on to [her] . . . publisher before [she wrote] . . . anything further" about the case. The obvious implication of this remark she felt was that since the *Times* owns a radio station, it would want to consider its economic interests in deciding what to publish about broadcasting in its newspaper.

To me, this conduct, in which at least three ITT officials, including a senior vice president, were involved, was a deeply unsettling experience. It demonstrated an abrasive self-righteousness in dealing with the press, insensitivity to its independence and integrity, a willingness to spread false stories in furtherance of self-interest, contempt for government officials as well as the press, and an assumption that even as prestigious a news medium as the New York *Times* would, as a matter of course, want to present the news so as to serve best its own economic interests (as well as the economic interests of other large business corporations).

But for the brazen activities of ITT in this very proceeding, it would never have occurred to the three of us who dissented to suggest that the most probable threat to the integrity of ABC news could come from *overt* actions or written policy statements. After the hearing it was obvious that that was clearly possible. But even then we believe that the most substantial threat came from a far more subtle, almost unconscious, process: that the questionable story idea, or news coverage, would never even be proposed—whether for reasons of fear, insecurity, cynicism, realism, or unconscious avoidance.

CONCENTRATION OF CONTROL OVER THE MEDIA

Since the ITT-ABC case left the Commission I have not ceased to be troubled by the issues it raised—in many ways more serious and certainly more prevalent) for wholly domestic corporations. Eventually the merger

was aborted by ITT on New Year's Day of this year, while the Justice Department's appeal of the Commission's action was pending before the U.S. Court of Appeals. However, I ponder what the consequences might have been if ITT's apparent cynicism toward journalistic integrity had actually been able to harness the enormous social and propaganda power of a national television network to the service of a politically sensitive corporate conglomerate. More important, I have become concerned about the extent to which such forces *already* play upon important media of mass communication. Perhaps such attitudes are masked by more finesse than that displayed in the ITT-ABC case. Perhaps they are even embedded in the kind of sincere good intentions which caused former Defense Secretary (and former General Motors president) Charles Wilson to equate the interests of his company with those of the country.

I do not believe that most owners and managers of the mass media in the United States lack a sense of responsibility or lack tolerance for a diversity of views. I do not believe there is a small group of men who gather for breakfast every morning and decide what they will make the American people believe that day. Emotion often outruns the evidence of those who argue a conspiracy theory of propagandists' manipulation of the masses.

On the other hand, one reason evidence is so hard to come by is that the media tend to give less publicity to their own abuses than, say, to those of politicians. The media operate as a check upon other institutional power centers in our country. There is, however, no check upon the media. Just as it is a mistake to overstate the existence and potential for abuse, so, in my judgment, is it a mistake to ignore the evidence that does exist.

In 1959, for example, it was reported that officials of the Trujillo regime in the Dominican Republic had paid $750,000 to officers of the Mutual Radio Network to gain favorable propaganda disguised as news. (Ownership of the Mutual Radio Network changed hands once again last year without any review whatsoever by the FCC of old or new owners. The FCC does not regulate networks, only stations, and Mutual owns none.) RCA was once charged with using an NBC station to serve unfairly its broader corporate interests, including the coverage of RCA activities as "news," when others did not. There was speculation that after RCA acquired Random House, considerable pressure was put on the book publishing house's president, Bennett Cerf, to cease his Sunday evening service as a panelist on CBS's *What's My Line?* The Commission has occasionally found that individual stations have violated the "fairness doctrine" in advocating causes serving the station's economic self-interest, such as pay television.

Virtually every issue of the *Columbia Journalism Review* reports instances of such abuses by the print media. It has described a railroad-owned newspaper that refused to report railroad wrecks, a newspaper in debt to the Teamsters Union which gave exceedingly favorable coverage to Jimmy Hoffa, the repeated influence of the DuPont interests in the editorial functions of the Wilmington papers which it owned, and Anaconda Copper's use of its company-owned newspapers to support political candidates favorable to the company.

Edward P. Morgan left ABC last year to become the commentator on the Ford Foundation-funded Public Broadcasting Laboratory. He has always been straightforward, and he used his final news broadcast to be reflective about broadcasting itself. "Let's face it," he said. "We in this trade use this power more frequently to fix a traffic ticket or get a ticket to a ballgame than to keep the doors of an open society open and swinging . . . The freest and most profitable press in the world, every major facet of it, not only ducks but pulls its punches to save a supermarket of commercialism or shield an ugly prejudice and is putting the life of the republic in jeopardy thereby."

Economic self-interest *does* influence the content of the media, and as the media tend to fall into the control of corporate conglomerates, the areas of information and opinion affecting those economic interests become dangerously wide-ranging. What *is* happening to the ownership of American media today? What dangers does it pose? Taking a look at the structure of the media in the United States, I am not put at ease by what I see.

Most American communities have far less "dissemination of information from diverse and antagonistic sources" (to quote a famous description by the Supreme Court of the basic aim of the First Amendment) than is available nationally. Of the 1500 cities with daily newspapers, 96 percent are served by single-owner monopolies. Outside the top 50 to 200 markets there is a substantial dropping off in the number of competing radio and television signals. The FCC prohibits a single owner from controlling two AM radio, or two television, stations with overlapping signals. But it has only recently expressed any concern over common ownership of an AM radio station and an FM radio station and a television station in the same market. Indeed, such ownership is the rule rather than the exception and probably exists in your community. Most stations are today acquired by purchase. And the FCC has, in part because of congressional pressure, rarely disapproved a purchase of a station by a newspaper.

There are few statewide or regional "monopolies"—although some situations come close. But in a majority of our states—the least populous—there are few enough newspapers and television stations to begin with, and they are usually under the control of a small group. And most politicians find today, as Congress warned in 1926, "woe be to those who dare to differ with them." Most of our politics is still state and local in scope. And increasingly, in many states and local communities, congressmen and state and local officials are compelled to regard that handful of media owners (many of whom are out-of-state), rather than the electorate itself, as their effective constituency. Moreover, many mass media owners have a significant impact in more than one state. One case that came before the FCC, for example, involved an owner with AM-FM-TV combinations in Las Vegas and Reno, Nevada, along with four newspapers in that state, seven newspapers in Oklahoma, and two stations and two newspapers in Arkansas. Another involved ownership of ten stations in North Carolina and adjoining southern Virginia. You may never have heard of these owners, but I imagine the elected officials of their states return their phone calls promptly.

NATIONAL POWER

The principal national sources of news are the wire services, AP and UPI, and the broadcast networks. Each of the wire services serves on the order of 1200 newspapers and 3000 radio and television stations. Most local newspapers and radio stations offer little more than wire service copy as far as national and international news is concerned. To that extent one can take little heart for "diversity" from the oft-proffered statistics on proliferating radio stations (now over 6000) and the remaining daily newspapers (1700). The networks, though themselves heavily reliant upon the wire services to find out what's worth filming, are another potent force.

The weekly newsmagazine field is dominated by *Time, Newsweek,* and *U.S. News.* (The first two also control substantial broadcast, newspaper, and book or publishing outlets. *Time* is also in movies (MGM) and is hungry for three or four newspapers.) Thus, even though there are thousands of general and specialized periodicals and program sources with significant national or regional impact, and certainly no "monopoly" exists, it is still possible for a single individual or corporation to have vast national influence.

What we sometimes fail to realize, moreover, is the political significance of the fact that we have become a nation of cities. Nearly half of the American people live in the six largest states: California, New York, Illinois, Pennsylvania, Texas, and Ohio. Those states, in turn, are substantially influenced (if not politically dominated) by their major population-industrial-financial-media centers, such as Los Angeles, New York City, Chicago, and Philadelphia—the nation's four largest metropolitan areas. Thus, to have a major newspaper or television station influence in *one* of these cities is to have significant national power. And the number of interests with influence in *more* than one of these markets is startling.

Most of the top fifty television markets (which serve approximately 75 percent of the nation's television homes) have three competing commercial VHF television stations. There are about 150 such VHF commercial stations in these markets. Less than 10 percent are today owned by entities that do not own other media interests. In 30 of the 50 markets at least one of the stations is owned by a major newspaper published in that market—a total of one third of these 150 stations. (In Dallas-Fort Worth *each* of the network affiliates is owned by a local newspaper, and the fourth, an unaffiliated station, is owned by Oklahoma newspapers.) Moreover, half of the newspaper-owned stations are controlled by seven groups—groups that also publish magazines as popular and diverse as *Time, Newsweek, Look, Parade, Harper's, TV Guide, Family Circle, Vogue, Good Housekeeping,* and *Popular Mechanics.* Twelve parties own more than one third of all the major-market stations.

In addition to the vast national impact of their affiliates the three television networks each own VHF stations in all of the top three top markets—New York, Los Angeles, and Chicago—and each has two more in other cities in the top ten. RKO and Metromedia each own stations in both New York City and Los Angeles. Metromedia also owns stations in Washington, D.C., and California's other major city, San Francisco—as well as Philadelphia, Baltimore, Cleveland, Kansas City, and Oakland. RKO also owns stations in Boston, San Francisco, Washington, Memphis, Hartford, and Windsor, Ontario—as well as the regional Yankee Network. Westinghouse owns stations in New York, Chicago, Philadelphia *and* Pittsburgh, Pennsylvania, Boston, San Francisco, Baltimore, and Fort Wayne. These are but a few examples of today's media barons.

There are many implications of their power. Groups of stations are able to bargain with networks, advertisers, and talent in ways that put lesser stations at substantial economic disadvantage. Group ownership means, by definition, that few stations in major markets will be locally owned. (The FCC recently approved the transfer of the last available station in San Francisco to the absentee ownership of Metromedia. The only commercial station locally owned today is controled by the San Francisco *Chronicle.*) But the basic point is simply that the national political power involved in ownership of a group of major VHF television stations in, say, New York, Los Angeles, Philadelphia, and Washington, D.C., is greater than a democracy should unthinkably repose in one man or corporation.

CONGLOMERATE CORPORATIONS

For a variety of reasons, an increasing number of communications media are turn-

ing up on the organization charts of conglomerate companies. And the incredible profits generated by broadcast stations in the major markets (television broadcasters *average* a 90 to 100 percent return on tangible investment annually) have given FCC licensees, particularly owners of multiple television stations like the networks, Metromedia, Storer Broadcasting, and others, the extra capital with which to buy the New York Yankees (CBS), Random House (RCA), or Northeast Airlines (Storer). Established or up-and-coming conglomerates regard communications acquisitions as prestigious, profitable, and often a useful or even a necessary complement to present operations and projected exploitation of technological change.

The national problem of conglomerate ownership of communications media was well illustrated by the ITT–ABC case. But the conglomerate problem need not involve something as large as ITT–ABC or RCA–NBC. Among the national group owners of television stations are General Tire (RKO), Avco, Westinghouse, Rust Craft, Chris Craft, Kaiser, and Kerr-McGee. The problem of *local* conglomerates was forcefully posed for the FCC in another case earlier this year. Howard Hughes, through Hughes Tool Company, wanted to acquire one of Las Vegas' three major television stations. He had recently acquired $125 million worth of Las Vegas real estate, including hotels, gambling casinos, and an airport. These investments supplemented 27,000 acres previously acquired. The Commission majority blithely approved the television acquisition without a hearing, overlooking FCC precedents which suggested that a closer examination was in order. In each of these instances the potential threat is similar to that in the ITT–ABC case—that personal economic interests may dominate or bias otherwise independent media.

CONCENTRATION AND TECHNOLOGICAL CHANGE

The problem posed by conglomerate acquisitions of communications outlets is given a special but very important twist by the pendency of sweeping technological changes which have already begun to unsettle the structure of the industry.

President Johnson has appointed a distinguished task force to evaluate our national communications policy and chart a course for realization of these technological promises in a manner consistent with the public interest. But private interests have already begun to implement their own plans on how to deal with the revolution in communications technology.

General Sarnoff of RCA has hailed the appearance of "the knowledge industry"—corporate casserole dishes blending radio and television stations, networks, and programming; films movie houses and record companies; newspaper magazine and book publishing; advertising agencies; sports or other entertainment companies; and teaching machines and other profitable appurtenances of the $50 billion "education biz."

And everybody's in "cable television"—networks, book publishers, newspapers. Cable television is a system for building the best TV antenna in town and then wiring it into everybody's television set—for a fee. It improves signal quality and number of channels, and has proved popular. But the new technology is such that it has broadcasters and newspaper publishers worried. For the same cable that can bring off-the-air television into the home can also bring programming from the cable operator's studio, or an "electronic newspaper" printed in the home by a facsimile process. Books can be delivered (between libraries, or to the home) over "television" by using the station's signal during an invisible pause. So everybody's hedging their bets—including the telephone company. Indeed, about all the vested interests can agree upon is that none of them want us to have direct, satellite-to-home radio and television. But at this point it is not at all clear who will have his hand on the switch that controls what comes to the American people over their "telephone wire" a few years hence.

WHAT IS TO BE DONE?

It would be foolish to expect any extensive restructuring of the media in the United States, even if it were considered desirable. Technological change can bring change in structure, but it is as likely to be change to even greater concentration as to wider diversity. In the short run at least, economics seems to render essentially intractable such problems as local monopolies in daily newspapers, or the small number of outlets for national news through wire services, newsmagazines, and the television networks. Indeed, to a certain extent the very high technical quality of the performance rendered by these news-gathering organizations is aided by their concentration of resources into large units and the financial cushions of oligopoly profits.

Nevertheless, it seems clear to me that the risks of concentration are grave.

Chairman Philip Hart of the Senate Antitrust and Monopoly Subcommittee remarked by way of introduction to his antitrust subcommittee's recent hearings about the newspaper industry, "The products of newspapers, opinion and information, are essential to the kind of society that we undertake to make successful here." If we are serious about the kind of society we have undertaken, it is clear to me that we simply must not tolerate concentration of media ownership—except where concentration creates actual countervailing social benefits. These benefits cannot be merely speculative. They must be identifiable, demonstrable, and genuinely weighty enough to offset the dangers inherent in concentration.

This guideline is a simple prescription. The problem is to design and build machinery to fill it. And to keep the machinery from rusting and rotting. And to replace it when it becomes obsolete.

America does have available governmental machinery which is capable of scotching undue accumulations of power over the mass media, at least in theory and to some extent. The Department of Justice has authority under the antitrust laws to break up combinations which "restrain trade" or which "tend to lessen competition." These laws apply to the media as they do to any other industry.

But the antitrust laws simply do not get to where the problems are. They grant authority to block concentration only when it threatens *economic* competition in a particular economic *market*. Generally, in the case of the media, the relevant market is the market for advertising. Unfortunately, relatively vigorous advertising competition can be maintained in situations where competition in the marketplace of ideas is severely threatened. In such cases, the Justice Department has little inclination to act.

Look at the Chicago *Tribune's* recent purchase of that city's most popular and most successful FM radio station. The *Tribune* already controlled two Chicago newspapers, one (clear channel) AM radio station, and the city's only independent VHF television station. It controls numerous broadcast, CATV, and newspaper interests outside Chicago (in terms of circulation, the nation's largest newspaper chain). But, after an investigation, the Antitrust Division let this combination go through. The new FM may be a needless addition to the *Tribune's* already impressive battery of influential media; it could well produce an unsound level of concentration in the production and supply of what Chicagoans see, read, and hear about affairs in their community, in the nation, and in the world. But it did not threaten the level of competition for advertising money in any identifiable advertising market. So, it was felt, the acquisition was not the business of the Justice Department.

Only the FCC is directly empowered to keep media ownership patterns compatible with a democracy's need for diversified sources of opinion and information.

In earlier times, the Commission took this responsibility very seriously. In 1941, the FCC ordered NBC to divest itself of one of its two radio networks (which then became ABC), barring any single network from affiliating with more than one outlet in a given city. (The Commission has recently waived this prohibition for, ironically, ABC's four new national radio networks.) In 1941 the Commission also established its power to set absolute limits on the total number of broadcast licenses any individual may hold, and to limit the number of stations any individual can operate in a particular service area.

The American people are indebted to the much maligned FCC for establishing these rules. Imagine, for example, what the structure of political power in this country might look like if two or three companies owned substantially all of the broadcast media in our major cities.

But since the New Deal generation left the command posts of the FCC, this agency has lost much of its zeal for combating concentration. Atrophy has reached so advanced a state that the public has of late witnessed the bizarre spectacle of the Justice Department, with its relatively narrow mandate, intervening in FCC proceedings, such as ITT-ABC, to create court cases with names like *The United States vs. The FCC*.

This history is an unhappy one on the whole. It forces one to question whether government can ever realistically be expected to sustain a vigilant posture over an industry which controls the very access of government officials themselves to the electorate.

I fear that we have already reached the point in this country where the media, our greatest check on other accumulations of power, may themselves be beyond the reach of any other institution: the Congress, the President, or the Federal Communications Commission, not to mention governors, mayors, state legislators, and city councilmen. Congressional hearings are begun and then quietly dropped. Whenever the FCC stirs fitfully as if in wakefulness, the broadcasting industry scurries up the Hill for a congressional bludgeon. And the fact that roughly 60 percent of all campaign expenses go to radio and television time gives but a glimmer of the power of broadcasting in the lives of senators and congressmen.

However, the picture at this moment has its more hopeful aspect. There does seem to be an exceptional flurry of official concern. Even the FCC has its proposed rulemaking outstanding. The Department of Justice, having broken into the communications field via its dramatic intervention before the FCC in the ITT-ABC merger case, has also been pressing a campaign to force the dissolution of joint operating agreements between separately owned newspapers in individual cities, and opposed a recent application for broadcasting properties by newspaper interests in Beaumont, Texas. It has been scrutinizing cross-media combinations linking broadcasting, newspaper, and cable television outlets. On Capitol Hill, Senator Phil Hart's Antitrust and Monopoly Subcommittee and Chairman Harley Staggers' House Interstate and Foreign Commerce Committee have both summoned the Federal Communications Commission to appear before them in recent months, to acquaint the Commission with the committee's concern about FCC-approved increases in broadcast holdings by single individuals and companies, and about cross-ownership of newspapers, CATV systems, and broadcast stations. Representatives John Dingell, John Moss, and Richard Ottinger have introduced legisla-

tion which would proscribe network ownership of any nonbroadcast interests. And as I previously mentioned, President Johnson has appointed a task force to undertake a comprehensive review of national communications policy.

Twenty years ago Robert M. Hutchins, then chancellor of the University of Chicago, was named chairman of the "Commission on Freedom of the Press." It produced a thoughtful report, full of recommendations largely applicable today—including "the establishment of a new and independent [nongovernmental] agency to appraise and report annually upon the performance of the press," and urged "that the members of the press engage in vigorous mutual criticism." Its proposals are once again being dusted off and reread.

What is needed now, more than anything else, is to keep this flurry of interest alive, and to channel it toward constructive reforms. What this means, in practical fact, is that concern for media concentration must find an institutional home.

The Department of Justice has already illustrated the value of participation by an external institution in FCC decision-making. The developing concept of a special consumers' representative offers a potentially broader base for similar action.

But the proper place to lodge continuing responsibility for promoting diversity in the mass media is neither the FCC nor the Justice Department nor a congressional committee. The initiative must come from private sources. But there are more adequately staffed and funded private organizations which could play a more effective role in policy formation than a single individual. Even the FCC, where the public interest gets entirely too little representation from private sources, has felt the impact of the United Church of Christ, with its interest in the influence of broadcasting on race relations and in the programming responsibility of licenses.

Ideally, however, the resources for a sustained attack on concentration might be centered in a single institution, equipped to look after this cause. The law schools and their law reviews, as an institution, have performed well in this way for the courts, but have virtually abdicated responsibility for the agencies.

Such an organization could devote itself to research as well as representation. For at present any public body like the FCC, which has to make determinations about acceptable levels of media concentration, has to do so largely on the basis of hunch. In addition, private interest in problems of concentration would encourage the Justice Department to sustain its present vigilance in this area. It could stimulate renewed vigilance on the part of the FCC, through participation in Commission proceedings. And it could consider whether new legislation might be appropriate to reach the problem of newspaper-magazine-book publishing combinations.

If changes are to be made (or now dormant standards are to be enforced) the most pressing political question is whether to apply the standards prospectively only, or to require divestiture. It is highly unlikely, to say the least, that legislation requiring massive divestiture of multiple station ownership, or newspaper ownership of stations, would ever pass through Congress. Given the number of station sales every year, however, even prospective standards could have some impact over ten years or so.

In general, I would urge the minimal standard that no accumulation of media should be permitted without a specific and convincing showing of a continuing countervailing social benefit. For no one has a higher calling in an increasingly complex free society bent on self-government than he who informs and moves the people. Personal prejudice, ignorance, social pressure, and advertiser pressure are in large measure inevitable. But a nation that has, in Learned Hand's phrase, "staked its all" upon the rational dialogue of an informed electorate simply cannot take any unnecessary risk of polluting the stream of information and opinion that sustains it. At the very least, the burden of proving the social utility of doing otherwise should be upon him who seeks the power and profit which will result.

Whatever may be the outcome, the wave of renewed interest in the impact of ownership on the role of the media in our society. is healthy. All will gain from intelligent inquiry by Congress, the Executive, the regulatory commissions—and especially the academic community, the American people generally, and the media themselves. For, as the Supreme Court has noted, nothing is more important in a free society than "the widest possible dissemination of information from diverse and antagonistic sources." And if we are unwilling to discuss *this* issue fully today we may find ourselves discussing none that matter very much tomorrow.

THE 100TH ANNIVERSARY OF THE CLEVELAND PUBLIC LIBRARY

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. VANIK. Mr. Speaker, as a former member of the Cleveland Library Board and a strong supporter of the Cleveland library system, I wish to call attention to the Congress of the celebration of the 100th anniversary of the Cleveland Public Library.

I wish to extend my heartiest congratulations to the staff of the library on their devotion and service to our library system. If these past hundred years are any indication, the next hundred years of service to our community by the Cleveland Public Library will be very exciting.

Mr. Hedley Donovan, the editor-in-chief of Time, Inc., delivered the principal address at the centennial dinner of the Cleveland Public Library on February 18, 1969, at the Hotel Sheraton-Cleveland before an audience of over 1,800 persons. The speech Mr. Donovan delivered presents an excellent review of world events. I commend it to the attention of my colleagues in the House. The speech is as follows:

CLEVELAND PUBLIC LIBRARY CENTENNIAL DINNER, FEBRUARY 19, 1969

(By Hedley Donovan)

I am very much complimented to have a part in this Centennial celebration.

In my business, on somewhat similar occasions, say a magazine is celebrating its fiftieth anniversary, one is never quite certain whether to say Many Happy Returns. When we send out letters soliciting subscriptions to our magazines and books—some of you may have received such a letter once or even twice—the number of orders, in relation to the total mailing, is called the Return, and the higher that percentage the happier we are. On the other hand, when it comes to newsstand sales, Returns are unsold copies; some of you, by passing a newsstand and thoughtlessly failing to buy one or more of the Time Inc. publications, may have contributed to a kind of Return we do not enjoy.

In the library business, however, I take it Returns are a completely good thing, always welcome, sometimes even stimulated by kindly reminder. So I can indeed wish this library Many Happy Returns, and I offer warmest congratulations to the staff, the trustees, the city officials and all the Cleveland citizens who have built this notable institution.

I was once briefly a Library Trustee myself, in a Long Island suburb. It was the first Board of Trustees of any kind that I had belonged to. Before joining, I had pictured the board meetings as cozy evenings where a few cultivated men and women sat around and talked about books. My fellow trustees were cultivated all right, and you know of course what we did talk about—money.

I believe I was asked here, however, not as a failed trustee, but because of a quite special bond between Time Incorporated and the City of Cleveland. This city was the headquarters of our company for two crucial years of its early life. It was the mid-1920's, that brash little sheet *Time* was just barely beginning to catch hold, and its young editors found all kinds of encouragement here in Cleveland, from readers who told them first hand they were doing a good job, from several advertisers, from a bank and a printer who were willing to bet the magazine might last. The encouragement went so far, in one case, that a very pretty Cleveland girl agreed to marry the young circulation manager of *Time*, Roy Larsen; Mr. Larsen is now chairman of our Executive Committee, and his very pretty wife Margot still thinks rather well of *Time*.

Henry Luce, after the Cleveland years of *Time*, always talked of this city as a second home town. I am sure that is one reason Time was proud to come here shortly after the war, and serve as co-sponsor, with the Cleveland Council on World Affairs, for a three-day public forum on U.S. foreign policy. In the years since those sessions in 1947, Cleveland and *Time* have both talked a good deal about U.S. foreign policy. I propose that this should also be our subject for the next few minutes.

There have been some changes in the roll-call of our biggest foreign policy problems:

How to de-escalate Viet Nam—22 years ago de-escalate was not even a word in our vocabulary, and neither was Viet Nam;

How to defuse the Middle East—22 years ago the Middle East was French and British responsibility, mainly British, and Israel was a name in the Bible;

How to negotiate a renewal of our defense treaty with Japan, which expires next year, and to smooth the way for that, should we give them back Okinawa?—which 22 years ago might not have been a very popular idea with various Americans who had just been to a good deal of trouble to take Okinawa;

How to revitalize NATO, or has it served its time?—and how to treat with the only World War II leader still in command, that great and maddening man Charles de Gaulle;

And speaking of the General, must we overhaul the whole international monetary mechanism?

And what can we do for the pitiful children of Biafra?

And how do we negotiate some nuclear arms limitation, or should we, with the Soviet Union—which about halfway through this 22 year period acquired the capability of killing half of us, more or less, on half an hour's notice—that was an option previous Americans never had to concede to a foreign government, although, to be sure, we can still kill Russians even more definitively, or as Winston Churchill once said, we can "make the rubble bounce."

And so on. You know the whole long list.

We look out on this world of 1969 as a deeply confused country. It is easy to say that

it is the cruel question of Viet Nam that has got us so mixed up. Our public life has been dominated by Viet Nam ever since we began the bombing of the North four years ago this month, and then sent Marine combat units ashore at Danang in March '65. It is the longest war in American history, not the biggest but probably the most complicated, and surely the most divisive. Now, very slowly and very ambiguously, this strange war seems to be running down. No wonder we ache and grope.

But I believe the causes of our confusion go much deeper than Viet Nam. Indeed the Viet Nam experience—vivid as it has been, important as it has been—has in a sense masked a more fundamental change in the underpinnings of American foreign policy. That change, very simply, is the loss of a working consensus, for the first time in the lives of any of us in this room, as to what we think America means in the world and to the world.

Look back for a moment at two aspects of American history. One we know mainly from reading about it in books, the other we ourselves have lived.

For generations, as many volumes in your library confirm, we Americans believed we were God's elect. John Adams wrote that it was the design of Providence to use America for the "illumination" and "emancipation" of all mankind. Thomas Jefferson proposed that the Seal of the United States should show the children of Israel led by a pillar of light. The notion of America as the chosen people was one of his favorite themes; this very urbane man could say: "God led our forefathers as Israel of old." He called us "the world's best hope," and we hear echoes of that when Abraham Lincoln, amidst the anguish of the Civil War, called us "the last best hope of earth." And all the way to the 1890's, that great historian George Bancroft, trained at Harvard, Heidelberg and Gottingen, believed to the end of his long life (as another historian has written of him) that American history was really "the story of the wonder-working of the hand of God in the American forest." It is hard to imagine any Harvard Ph. D., or Yale or Stanford either, looking at it just that way today.

Yet well into the 20th century, the belief persisted. The debate over our entry into World War I, 1914 to 1917, can be read as a clash between men who believed it was enough for America simply to stand here in its goodness, as example and beacon, and more militant men who believed America must carry its truths across the oceans.

Somewhere after the first World War, we lost that serene confidence that God's hand was especially upon us; the war itself came to seem a mistake and a failure, something America had never felt about its other wars; it was generally a time of rising sophistication and cynicism; the traditional religious beliefs were weakening; the memories of the frontier were fast receding; increasingly large blocs of the American population lacked any ancestral share in the classic chapters of American history; for Americans who did still have faith in the God of their fathers it was hard to believe that the spreading of the urban industrial landscape could enjoy quite the same divine favor as the crossing of the Continental Divide.

And if anything of the old idea of the Chosen People had survived the 1920's, the Great Depression of the 1930's surely did not help it.

Now for a large, literate democratic society once to have held so strongly such a righteous and spacious view of itself, and then in a few years to lose it, should be a profoundly unsettling experience.

But we never really had the experience. For at just this moment Americans were confronted with Adolf Hitler.

Starting in the late 1930's, more and more of the most thoughtful people in America, in government, in the churches, in business and banking, in the universities, were increasingly preoccupied with the threat of totalitarianism in Europe and Asia. The very people who might have been most concerned with the loss of the old sense of the American mission, and most concerned to find a new one, were spared that search. The Nazis and the Japanese militarists did not require us to think about the uses of liberty, or about deep meanings of America. They required us to defend ourselves, and that was meaning enough.

If the defeat of the Axis Powers had led to a stable peace, the once-postponed search for the modern American mission might have started soon after the war. But Stalin, almost overnight, took the place of Tojo and Hitler. The Cold War was on. Once more we believed ourselves to be holding a worldwide line against tyranny. Once more we were relieved of asking ourselves what else is America all about. We fought a tough, costly war in Korea.

The Cold War eased some in 1953, after Stalin's death and after the Korean truce, and then it eased some more around 1963. The autumn before, the Soviets had started installing missiles in Cuba, the most blatant thrust they ever made outside their own sphere of influence, and John Kennedy very coolly stared them down and eased them out. By the summer of 1963, President Kennedy was making his highly conciliatory American University speech and laying the groundwork for the nuclear test ban treaty.

But once again, just as one set of foreign dangers seemed to be receding, still another crisis, perceived as a major danger to ourselves and our allies, came to dominate our thinking about foreign policy. This of course was Viet Nam.

Let us be a little optimistic and say that Viet Nam is somehow resolved by the end of this year. That will mean that we have gone through a thirty-five-year crisis—from the rearming of Nazi Germany, starting in 1935, through World War II, through Korea and the Cold War, through Viet Nam. It means that all Americans in their forties, fifties and sixties, most of the leadership generation, have spent most or all of their adult lives with a view of an embattled, endangered America.

What if, almost all of a sudden, there were no acute external danger?

Some of the young dissenters on our campuses might be unmoored if there were no Viet Nam, but so might many of their elders, and perhaps more seriously. You know some of the public-spirited lawyers and bankers of downtown Manhattan who have served both Democratic and Republican administrations through many of these days of danger; they have their counterparts in Cleveland and other cities; and then there are the industrialists, diplomats, military men, labor leaders, Congressmen, university and foundation officials—the Establishment if you like; even editors are sometimes mentioned. Mature and responsible men with a lifetime crisis-oriented view of American foreign policy might be suddenly disoriented.

Now there are skeptics who say it will never be allowed to happen. Old-fashioned Marxists, new-fashioned New Leftists, would argue that it was no coincidence that the Cold War came along just as World War II ended, or that Viet Nam came along just when the Cold War was letting up a bit. According to this view, if the American people are now sick of Viet Nam, something else will be cooked up, maybe the Middle East, because the American "military-industrial complex" needs its war orders, the universities need their Pentagon research contracts, the Colonels need their chance to make General, and so on. This is a kind of devil theory of American history, even more naive, and less attractive, than the God theory I spoke of earlier.

I am optimistic enough to think we may soon lack an external crisis, and we will then face a kind of internal crisis of the American spirit. Who is America; what are we all about?

There seems to be fairly widespread agreement on a few things that we are not. During last year's Presidential campaign, one sentiment regularly uttered by all candidates was: "We cannot be the world's policeman." Nixon said it, Humphrey said it, Rockefeller, McCarthy, everybody said it. I don't think I heard anybody advocate that we *should* be the world's policeman, and there were times when it seemed not too attractive even to be a policeman for New York or Chicago.

Senator McCarthy also cautioned us against trying to be the world's judge or the world's confessor. Senator Fulbright has warned us against "the arrogance of power." Objection noted.

Many people say "No More Viet Nams." In fact it is hard, even if you wanted to, to think up another situation very much like Viet Nam. But there are plenty of other voices, McGeorge Bundy for instance, warning us not to over-react to Viet Nam, not to retreat into isolationism, or neo-isolationism. Yet in the kind of world we live in today, isolationism in the sense of the 1920's or 1930's is utterly impossible; it becomes a meaningless thing to warn against. Fortress America, Fortress Cleveland—there are no such things anymore, and everybody knows it.

Indeed much of the old vocabulary for arguing about our role in the world has become obsolete. Balance of power, power vacuum, co-existence, confrontation—I'm afraid journalists no less than politicians keep using these tired old tags as a substitute for studying things as they really are. It is very hard work, of course, to figure out how things really are.

Cold War may not be a very useful expression anymore; nor is containment. I doubt if it clarifies our thinking to keep talking of "The Free World," embracing as it does so many kinds of societies and degrees of freedom, down to zero; nor does it help to call it "The Anti-Communist World," for not all of it is all that anti; we simply mean the non-communist world, and when we say that 118 countries belong to it, we haven't really said a great deal.

"The Communist World" is certainly not an entity either; there are now three big branches—Russian, Chinese, East European; and some sub-species—Yugoslav, Cuban, Viet Cong. We miss our old clear-cut enemies. Ho Chi Minh is not Hitler. I sat across a table from Kosygin one morning last winter and listened to a couple of hours of attacks on America, but it was all very calm and bureaucratic, like an argument with somebody from the Gas Company. The only mushroom clouds Americans remember are in photographs of our own explosions.

Then there are the tidy-minded people who try to lump together all the underdeveloped countries as "The Third World." I once heard some Indian journalists interviewing a group of Brazilian businessmen. I've had trouble ever since with the Third World concept.

The real world is fantastically diverse, and getting more so. We should rejoice in that and stop trying to fit it all into a few old and outdated boxes.

But this, of course, is part of our difficulty in defining America, for what we think *we* are is necessarily something we perceive in comparison with other nations. Once we defined ourselves essentially by contrast with the European monarchies, then as champion of democracy against the mid-twentieth century totalitarianisms. It gets harder to define America against all of today's rich variety of national societies, the many kinds of governments and political philosophies that abound in this world of 1969.

Nor is there any firm point of reference

within our own domestic political dialogue. I do not know of anything that could be called a Republican view, or a Democratic view, of the American position in the world as of 1969. Surely one of the greatest accomplishments open to President Nixon would be to shape a modern concept, post Thomas Jefferson, post Hitler and Stalin, post Viet Nam, of America's place and purpose in the world.

To arrive at such a concept, there are, I think, four or five basic questions on which the President and the country must come to some agreed view:

1. *Do we have a moral obligation to share our wealth with other peoples?* I vote that we do. Our foreign aid programs are always being advocated as "enlightened self-interest." Congress and the public are told that the real purpose is to stop communism, etc. I think we can also afford to help other peoples simply because it's right.

2. *Do we ask that America be emulated?* Do we consider America still some kind of model? My own vote would be that our political system and our economic system are two of the greatest works of modern man. Let us continue to think of them that way, let us make them work even better. They will continue to exert great influence in many parts of the world, and we need never try to ram them down anybody's throat. We are not, however, an all-purpose example. We can hardly ask to be regarded as a model in the matter of racial justice. Almost equally shameful, in my view, is the abuse of our environment and our shoddy aesthetic standards. These uglinesses of the American spirit and landscape hurt us all over the world, and deservedly so.

3. *Are we still willing to fight?* When, where, for whom and what? You and I can list some places and governments we would not want America to fight for; I'm not sure we want President Nixon or Secretary Rogers to read off their list out loud. Are there still causes for which we should be ready to burn up most of the Northern Hemisphere? I think the nuclear deterrent does still deter; the assumption that there are situations in which we would use these weapons is still some assurance we will not have to use them. But this condition may not last much longer. We may be passing into a period where the technology is so volatile, and the missile and anti-missile production response and counter-response so relentless, that the weapons themselves are becoming, as the experts in this frightful subject put it, "destabilizing." So should we take a chance on some arms limitation agreement with the Russians, or should we take our chances with the arms? I myself vote for a try at the agreement. This delicate and dangerous decision is upon the Nixon Administration right now.

4. *As we move about the world, and act in the world, do we think of ourselves as the United States Government or as individual Americans?* My own belief is that we appear before the world far too often and too obtrusively as the U.S. Government. This is a paradox because here at home, we believe—or most of us do—that the American government is something much less than the American people, indeed that the chief aim of government is to help create conditions in which we as individuals can achieve our highest possibilities. The overseas expenditures, embassies, alliances of the U.S. Government seem to me less promising, for the long run, than the overseas activities of individual American students, doctors, businessmen, engineers, painters, basketball players. And our official policies should of course give full encouragement to the private foreign citizen for trade, travel, study in America. You have a lot of experience with this here in Cleveland. So when we ask what does America mean in the world, surely a part of the answer is that the Cleveland Orchestra is going to give concerts in Japan next year; and a Cleveland man named Jesse Owens has taught sprinting to youngsters in India; and Case Western Reserve has trained thousands of foreign teachers, doctors, engineers; and Republic Steel is digging iron ore in Liberia; and TRW is building the vehicles for the world's first commercial satellite network.

5. And finally, if we have become too tactful to call ourselves the last best hope on earth, and a little uncertain, in any case, whether we really are, and if we are no longer on 24-hour Red Alert in a permanent world crisis, *can we still find some way to invest America with a touch of the heroic?* Old-fashioned patriotism has been in a long decline; the very idea of country has been eroding, and not just because of Viet Nam. America as a way of thinking about things does not have the same force with our children that it had with us and our fathers. When I was growing up two or three states west of here, in Minnesota, I could hear the Great Northern whistles at night, the trains bound for immensely romantic American places—like Montana; I especially longed to see the Rocky Mountains. The other day I heard of a Connecticut school where the whole sixth grade is going to spend Easter vacation in Rome; not a fancy private country day school and not a Catholic parochial school either, just ordinary twelve-year-olds in a suburban public school. Now we all like the idea of our children moving with so much ease and freedom in this richly interesting world that spreads all around them, and as I was saying a moment ago, the individual American learning, working, traveling all over the world is surely a big part of what we want America to mean in the world. Yet we must recognize that this growing cosmopolitanism clashes with many of our older ideas of country. And patriotism, in spite of all the follies committed in its name, has been a powerful organizing principle in human affairs, certainly so in this country; it has gotten a lot of work done, and added an extra dimension, even a nobility, to many lives. I do not know that "mankind" or "humanity" are yet capable of evoking comparable efforts or loyalties or personal satisfactions. So the question remains: can we find contemporary and civilized ways to love America? I pray we can.

You will have noticed that I came here tonight with more questions than answers. I would plead, Mr. Chairman, that this is the spirit in which one approaches a library, and perhaps by extension, one can come with very large questions to the centennial of a very great library. For a great library keeps for us the highest values of the past, and holds for us at least a part of the knowledge that can unlock the doors of the future.

I thank you again for allowing me to join in this centennial. I wish for your city and its great cultural institutions a full share in working out for our time the meaning of the American community, among ourselves and amidst the nations.

STUDENT RIOTERS SHOULD LOSE U.S. AID

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. WYMAN. My Speaker, I am delighted to see the Nixon administration taking a firm approach in regard to the deliberate few who act to willfully disrupt campuses. This action is long overdue. Unfortunately the previous administration, although armed with a legislative enabling act by Congress, failed to do anything to end the nonsense taking place in the name of free speech at many of our colleges and universities beyond apologizing for "student misbehavior."

There can be no excuse for continuing to allow the hard-core anarchists to bring America's educational institutions to the brink of closure. This policy must end and I applaud executive action to implement the Cramer and Wyman amendments of the 90th Congress.

This leadership from the Nixon administration will materially help in dealing with campus disruptions. It also epitomizes the new direction of American domestic policy that the voters said they wanted on election day 1968.

SOVIET FISHING FLEET?

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. RARICK. Mr. Speaker, a Soviet navy of some 100 boats continues to poach the fishing grounds off our eastern coast from Long Island to Virginia.

The small mesh design of the fishing nets clearly indicate that the Soviet fishing fleet is exploiting the sea by taking every living creature in its path.

In fact, Soviet Life for March of 1969, a propaganda magazine published by the Soviet Embassy in Washington, claims that 7,100,000 tons of fish will be caught this year.

One thing is obvious, the Russians do not believe in conservation or any theory of perpetuation of natural resources.

Yet is the aim of this fishing expedition exclusively to exploit the world's richest fisheries or does it have additional objectives, such as compiling useful data for its ever-enlarging navy for future operations?

Mr. Speaker, a freedom rally was recently held in Atlantic City to protest the Soviet fishing fleet, led by Dr. Carl McIntire, of Cape May, N.J.

I insert a copy of the freedom rally advertisement from the Atlantic City Press of February 20 in the RECORD:

ATTEND THE FREEDOM RALLY SATURDAY, COLUMBUS PLAZA—ATLANTIC AND MISSOURI AVENUES—4 P.M.

(NOTE.—Soviet Life, March, 1969, published by the Soviet Embassy, Washington, D.C., as a slick propaganda feature, devoted six pages to fishing the Atlantic. It claims that 7,100,000 tons of fish will be caught this year, and that over the past ten years "new refrigerated trawlers capable of making autonomous voyages of several months' duration were added to the fishing fleet. Today we have scores of thousands of vessels of various types. We hold second place in the world for overall number and first place in the number of large refrigerated trawlers that process their entire catch abroad."

(This is what they are doing off the Atlantic Coast of the USA at the present moment.)

Saturday, February 22, at 4 p.m., protest Soviet fishing fleet. See net of Soviet fleet at Columbus Plaza, Atlantic and Missouri. Hear speaker: Dr. Carl McIntire.

The Soviet fishing fleet has been working off our eastern coast from Long Island to Virginia accompanied by two large refrigerator, mother ships. A treaty signed by the

State Department permits entrance within the twelve-mile limit for service operations in at least two places and the treaty obligates the United States in relation to this Soviet activity along our shores. Terms of the treaty commit the Russians to certain limitations upon fish and poundage on which there is no possible way to ascertain their adherence. The testimony, however, of local fishermen is that the Soviets move with such design that our boats must get out of their way, and fragments of nets caught by our boats reveal the small mesh with which they drag the sea gathering up not merely herring, which the United States Government approves of their taking, but everything in their path. So thorough is their consumption of their take that the seagulls seldom visit them. The design of this fishing expedition is far more than fish, but contributes to the over-all world-wide Communist designs against the free world.

The following quotations are taken from an official publication of the Committee on Armed Services, House of Representatives, 90th Congress, December 1968. "The Changing Strategic Balance, USSR-USA." The accompanying charts are photographically reproduced from this document. This study, prepared at the request of Chairman L. Mendel Rivers (D., S.C.), included such leaders as Admiral H. D. Felt, USN, Ret., chairman, Dr. Edward Teller, Dr. James D. Atkinson, Dr. Robert Morris, and some 18 others.

"For the first time in its history, the Soviet Union is developing an offensive maritime strategy and is seeking supremacy at sea.

"The naval forces now being created by the Soviet Union and the uses of sea power now being made by the U.S.S.R. are part of the overall Communist design of total victory in the struggle against the United States and other free world nations Even as the Soviets have developed massive ground and air forces and have armed themselves for warfare in space, they are striving to dominate the oceans.

"That played a significant role. In the Vietnam conflict, for example, 98 per cent of the war material transported to Vietnam has moved by ship under the protection of the U.S. Navy.

"The principal American aims in maintaining strong naval forces are: 1) protection of the territory and independence of the United States; 2) deterrence of World War III; 3) protection of the territory and independence of allied and friendly nations; 4) preservation of the vital overseas interests of the United States; and 5) maintenance of normal oceanic trade so that the United States and other peaceful states may receive and ship raw materials and finished goods.

"To accomplish these aims, the United States has maintained the largest navy in the world with powerful offensive and defensive capabilities in its surface, sub-surface and aerial forces.

"Because of the global commitments of the United States, the United States Navy has to be prepared for a great variety of naval contingencies, including amphibious operations, riverine warfare, anti-submarine warfare, protection of vital sea lanes, heavy air strikes against inland targets and strategic ballistic missile attacks against preassigned targets. Admiral Moorer has said in this connection that 'our weapon systems must be ready and reliable "scaled firepower" to guarantee the success of our strategies and tactics in every situation.'

"Marshal M. V. Zakharov, Soviet Chief of Staff, said in a press conference February 16, 1968: 'The time when Russia could be kept out of the world's oceans has gone forever. The imperialists can no longer have them to themselves. We shall sail all the world's seas; no force on earth can prevent us.'

"Shortly before his death in early 1967, Marshal Rodion Malinovsky, the Soviet Minister of Defense, placed sea power on a par with the U.S.S.R.'s missile command when he declared that in Soviet planning, 'First priority is being given to the strategic missile forces and atomic missile-launching submarines—forces which are the principal means of deterring the aggressor and decisively defeating him in war.'

"In the absence of a general war situation, Soviet naval forces have politico-military missions to perform, plus support of 'wars of liberation' and various interventionist operations. In general war, the Soviet warships undoubtedly would strike at free world sea-based power, at merchant shipping, and at bases, ports and coastal industrial centers in many parts of the world

"In determining the full dimensions of the U.S.S.R.'s oceanic objectives, it is not enough to consider the construction and deployment of warships.

"Behind the new Soviet sea power is an awareness that Communist domination of the globe can only be achieved by supremacy at all major points on the spectrum of conflict. The leadership of the U.S.S.R. is determined to obtain superiority over the United States and its allies under all combat conditions.

"The Soviets have acquired an oceanic vision. They know that the sea is the major artery giving life to the free world.

"Admiral Thomas H. Moorer, USN, Chief of Naval Operations, has said of Soviet Naval forces:

"'By any measuring stick, they (the Soviets) are today the second largest sea power in the world. In a mere 10 years, the Soviet Union with dedication of purpose, large outlays of funds, and with priorities equivalent to or even surpassing their space program, has transferred itself from a maritime nonentity to a major seapower.'

"In a recent statement, Admiral Gorshkov said:

"'Now we have an oceanic fleet that can challenge the enemy in the open seas of the world. Our navy must be able to destroy enemy targets on land. Inland targets are often more important than marine targets. For this purpose, the guided-missile equipped submarines and surface ships and rocket-equipped aircraft of naval aviation must be on constant alert in different parts of the globe.'

"At the same time that the Soviets are sailing into new waters and providing naval weapons to associated states, they are trying rough stuff in ship-handling in an effort to intimidate U.S. fleet commanders to pull-back their vessels. From the Mediterranean to the Sea of Japan, the Russians have engaged in obstructive maneuvers. They have cut into formations and steered on collision courses.

"This Soviet maritime version of its old tactics of aerial 'buzzing' has to be understood as part of the U.S.S.R.'s overall maritime strategy. The Soviets not only are building a giant merchant marine and creating a powerful navy, but they also want to induce in the mind of the West the idea that the U.S.S.R. is the boldest power on the high seas.

"The most successful example to date of 'psy' war at sea is North Korea's hijacking of the electronic intelligence-gathering ship PUEBLO in January, 1968. The units of North Korea's 'pinprick' navy, in effect acting as proxies of the Soviet Union, seized the lightly armed American vessel and thereby inflicted humiliation on the United States.

"The Soviet Union, with 27,000 miles of coastline, has elaborated the theory of closed seas and historic bays to deny the right of innocent passage of free world warships—in violation of the 1958 Geneva Convention of the Territorial Sea.

"It is true, of course, that no one ever owns an ocean; and only the Soviets, for all practical purposes, have closed a portion of a sea, as in the case of the Gulf of Finland.

"The Soviets have engaged in a crash program designed to give them supremacy in all areas of maritime power.

"The Soviets have a great advantage in the fact that all their ships at sea, nuclear submarines or ordinary fishing trawlers, are required to contribute to the country's overall oceanographic effort and operate under a centralized control. The aim of this effort extends from exploiting the richest fisheries of the world to gathering data useful for future naval operations."

Listen to Dr. McIntire on Station WLDB, 1490 kc. Atlantic City, 7:30 a.m.—12:30 Noon—4:05 p.m. Daily.

AID TO HIGHER EDUCATION

HON. OGDEN R. REID

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. REID of New York. Mr. Speaker, on February 6, the gentleman from Indiana (Mr. BRADEMAS) and I introduced the Higher Education Bill of Rights and the Medical Education Bill of Rights. These two measures are based largely on the recommendations of the Carnegie Commission on Higher Education and seek to make it possible for all qualified high school graduates to go to college regardless of financial means.

The press, members of the academic community, and leaders in business and public service have responded with considerable enthusiasm to these proposals. We would like to share with the Members the support and sense of urgency that these concerned citizens have expressed to us.

Dr. Robert F. Goheen, president of Princeton University, made several particularly thoughtful comments:

No less do I salute you for your concern for *both* middle class students and those from lower income families. Clearly, aid for the disadvantaged must be greatly increased, and with the Kerr Commission, I would give that highest priority. At the same time, it seems to me important to recognize the constraints that now also affect the middle income family with several children to see through college.

Needless to say, in connection with aid to students, I also applaud your Bill's provisions for cost-of-education supplements to institutions. These seem to me essential if we are to insure and enhance the standards of colleges and universities.

My purpose, however, has not been to comment on each part of your proposals, but rather simply to express strong endorsement of the total package, and appreciation to you for having put it before the Congress.

The president of Purdue University in Indiana, Dr. Frederick L. Hovde, commented that—

Legislation which embodies some of the recommendations of the Kerr Commission report . . . is a tremendous contribution to the enormously important problem of how to support the development of post-high school educational efforts in this country that are unquestionably required on a vast scale.

Similarly, Dr. Nathan Pusey, president of Harvard University and a member of the Carnegie Commission, stated:

Since I warmly endorsed the Carnegie Commission's report, I am naturally heartily in support of the proposed legislation, and I trust it will meet with a favorable response

from your colleagues. There are few matters more important to the nation's future than finding effective ways to finance the higher education of our young people, and I attach the highest importance to the adoption of these bills.

In addition, John H. Fischer, president of the Teachers College, Columbia University, has written:

Your approach to the national problems of higher education is comprehensive and perceptive. The enactment of your program would substantially strengthen both our institutions and the opportunities of individual students.

Support also comes from the smaller private colleges, as is clear from the letter received from Wallace R. Klinger, acting president of Hartwick College in Oneonta, N.Y.:

This is certainly a forward looking and progressive piece of legislation. There is no question but what the independent liberal arts colleges desperately need financial support from the federal government both directly and indirectly. Otherwise it will become necessary to increase tuition costs, to the point where only the privileged few will be able to afford the excellent education which such institutions provide.

The Very Rev. Charles J. Lavery, president of St. John Fisher College in Rochester, N.Y., expressed much the same sentiment:

I can support very clearly the views expressed by you and only hope that efforts will be made wherein the private sector of private education may not only stay alive but perform its most necessary role these days.

The president of Kirkland College in Clinton, N.Y., Samuel F. Babbitt, writes:

You are to be congratulated on this legislation. It continues in the implementation of commitments which this country has made over the past few years. Indeed, it simply represents an extension of principles which were adopted before this country even had a Congress to call its own. The success of this legislation will be the success of all areas of higher education.

Sister M. Xaveria, director of student financial aid at Marygrove College in Detroit states:

Permit me to congratulate you for the fine step you have taken in introducing your Higher Education Bill of Rights. It is certainly a constructive step badly needed and will do a great amount of good.

A member of the Carnegie Commismission, Clifton W. Phalen, chairman of the executive committee of Marine Midland Banks, Inc., writes that he is "delighted that you have introduced such legislation and I am very much in accord with your objectives." Similarly, a member of the committee that prepared the Rivlin Report in the Department of HEW, William D. Carey of Arthur D. Little, Inc., stated that—

You have performed a distinct public service in introducing bills to strengthen higher education. I feel certain that your action will stimulate useful debate and lead to constructive changes in our public policies.

Considerable support has also been expressed by medical education personnel. Typical of the reactions to the Medical Education Bill of Rights is that of Dr. LeRoy A. Pesch, dean of the school of medicine of the State University of New York at Buffalo:

This critically important legislation has my wholehearted and enthusiastic support. Certainly our present crisis in health care can be resolved only through a combination of far-sighted legislative proposals coupled with responsible action by the medical and educational communities. Please let me know if there is anything I can do personally to aid in the support of this legislation.

Finally, Mr. Speaker, the New York Times of March 14 contained an editorial endorsing our bills which I would like to include in the RECORD at the conclusion of these remarks, along with a number of representative letters that Mr. BRADEMAS and I have received.

Many of the educators and public officials we have corresponded with have made constructive suggestions for the improvement of this legislation. Our purpose in introducing these measures was to stimulate discussion and dialog between the university and governmental communities. It is our understanding that the bills are also under study in the executive branch. We very much hope that all those dedicated to the improvement of higher education in America will have the opportunity to make these views count and to appear as witnesses before the appropriate congressional committees. Mr. Speaker, we urge that hearings be scheduled by the Education and Labor Committee and the Committee on Interstate and Foreign Commerce at the earliest possible opportunity.

The material follows:

[From the New York Times, Mar. 14, 1969]

AID TO HIGHER EDUCATION

The Higher Education Bill of Rights, proposed late last year by a Carnegie Commission headed by Dr. Clark Kerr, has been translated into a detailed and workable proposal for Congressional action. Bipartisan sponsorship of the plan by Representatives Ogden Reid, Republican of New York, and John Brademas, Democrat of Indiana, underlines the widespread agreement among forward-looking legislators that the Federal Government must move decisively to remove the economic barriers that still keep great numbers of able young men and women from going to college.

Like the Kerr report the proposal merges aid to needy students with subsidy to the colleges which admit them, thus increasing the student's freedom to select his campus while putting a premium on institutional self-improvement to attract capable, subsidized students.

The cost of the proposed legislation is unquestionably great. It would start in 1971 with more than twice the present Federal outlay for higher education. But these appropriations would include start-up grants for 500 new public community colleges and fifty new four-year campuses in urban areas—clearly a priority response to the critical needs of the cities.

Equally important is a companion bill to expand the severely strained facilities of the nation's medical education apparatus and to provide grants for medical students from low-income families. The combination of a chronic backlog of unmet medical services and new demands resulting from Medicare makes speedy action on these proposals particularly urgent.

In an effort to avoid controversy, the higher education bill merely asks for continued study of the Kerr proposal for a self-sustaining national student loan bank. Such study should not, however, become an excuse for excessive delay in testing this device to increase even further the student's freedom of choice and his ability to finance his education at institutions of high prestige He would pledge repayment in accordance with future income.

Although President Nixon has ruled out hope for massive immediate aid to higher education, short-term budgetary limitations must not stand in the way of clearing the decks for action on these important proposals. The cost of continuing roadblocks to full educational opportunities is as high to the national welfare as it is to individual lives and careers.

PRINCETON UNIVERSITY,
Princeton, N. J., February 14, 1969.

Hon. OGDEN REID,
House of Representatives, Cannon House Office Building, Washington, D.C.

DEAR MR. REID: I have read the "Higher Education Bill of Rights" with considerable interest, and want to express my appreciation of this proposed legislation.

You have earned the thanks of the academic community and deserve those of the country at large for so clearly bringing to the attention of the Congress the concept that the improvement of higher education should be a principal national goal.

I particularly applaud the adoption of the general lines of the Kerr and Rivlin reports. [No less do I salute you for your concern for *both* middle class students and those from lower income families. Clearly, aid for the disadvantaged must be greatly increased, and with the Kerr Commission, I would give that highest priority. At the same time, it seems to me important to recognize the constraints that now also affect the middle income family with several children to see through college.

Needless to say, in connection with aid to students, I also applaud your Bill's provisions for cost-of-education supplements to institutions. These seem to me essential if we are to insure and enhance the standards of colleges and universities.

My purpose, however, has not been to comment on each part of your proposals, but rather simply to express strong endorsement of the total package, and appreciation to you for having put it before the Congress.

HARVARD UNIVERSITY,
Cambridge, Mass., February 21, 1969.

Hon. OGDEN R. REID,
House of Representatives,
Washington, D.C.

DEAR MR. REID: You were thoughtful indeed to send me copies of the bills which you and Mr. Brademas are introducing, hopefully to put into effect the major recommendations of the Carnegie Commission. Since I warmly endorse the Carnegie Commission's report, I am naturally heartily in support of the proposed legislation, and I trust it will meet with a favorable response from your colleagues. There are few matters more important to the nation's future than finding effective ways to finance the higher education of our young people, and I attach the highest importance to the adoption of these bills.

Sincerely yours,

NATHAN M. PUSEY.

TEACHERS COLLEGE,
COLUMBIA UNIVERSITY,
New York, N.Y., February 19, 1969.

Hon. OGDEN R. REID,
House of Representatives,
Washington, D.C.

DEAR MR. REID: Thank you for sending me the copy of the "Higher Education Bill of Rights of 1969", which you and Representative Brademas have introduced. Your approach to the national problems of higher education is comprehensive and perceptive. The enactment of your program would substantially strengthen both our institutions and the opportunities of individual students.

I shall want to support in every possible way efforts to assure passage of your program.

Sincerely yours,

JOHN H. FISCHER.

HARTWICK COLLEGE,
Oneonta, N.Y., February 19, 1969.

Hon. OGDEN R. REID,
House of Representatives,
Washington D.C.

DEAR SIR: Thank you for your letter of February 11 with enclosures of the Bill you have introduced into Congress, the press release, and your floor statement.

This is certainly a forward looking and progressive piece of legislation. There is no question but what the independent liberal arts colleges desperately need financial support from the federal government both directly and indirectly. Otherwise it will become necessary to increase tuition costs, to the point where only the privileged few will be able to afford the excellent education which such institutions provide. I heartily endorse Sections 401, 402, 403, 404, 405, 406, 455, 456, 457, 409, and 441.

I trust that this legislation will receive favorable action from both houses of Congress.

Sincerely yours,

WALLACE R. KLINGER,
Acting President.

PURDUE UNIVERSITY,
Lafayette, Ind., February 7, 1969.

Hon. JOHN BRADEMAS,
House of Representatives,
Washington, D.C.

MY DEAR JOHN: I was delighted to receive on my desk today from your office a copy of the release describing the "Higher Education Bill of Rights" which you have introduced in company with Ogden Reid (R.-N.Y.).

Once again you take the leadership in Congress in providing the necessary support by our Federal Government for all parts of our American educational enterprise.

I was truly pleased that you and Reid were the first to introduce legislation which embodies some of the recommendations of the Kerr Commission report, which, in my judgment, is a tremendous contribution to the enormously important problem of how to support the development of post-high school educational efforts in this country that are unquestionably required on a vast scale.

Please keep me informed about the progress of the bill. I'll be glad to do anything I can to help with our mutual friends in the Indiana delegation, as well as with their backers back home in Indiana.

Keep up your great work. I look forward to seeing you when our paths next cross.

Yours cordially,

FREDERICK L. HOVDE,
President.

YALE UNIVERSITY,
New Haven, Conn., February 13, 1969.

Congressman OGDEN R. REID,
House of Representatives,
Washington, D.C.

DEAR MR. REID: I want to congratulate you and Representative Brademas for the superb job you have done in introducing your Bill on Higher Education. It is a very challenging Bil, and I am sure it will bring forth the support of many in the field of higher education when you hold your hearings. If I can be of any help at that time, please let me know. . . .

I should like to talk to you sometime about the best ways in which the academic community can help you muster support for the Bill.

Sincerely yours,

JOHN PERRY MILLER,
Dean.

MARINE MIDLAND BANKS, INC.,
New York, N.Y., March 14, 1969.

Congressman OGDEN R. REID,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN REID: Thank you very much for sending me copies of the legislation implementing the recommendations of the Carnegie Commission.

I am delighted that you and Congressman John Brademas have introduced such legislation and am very much in accord with your objectives. In addition, let me congratulate you on the very fine editorial which appeared in this morning's New York Times relative to your efforts. All best wishes.

Sincerely yours.

C. W. PHALEN.

THE UNIVERSITY OF NORTH CAROLINA,
Chapel Hill, February 19, 1969.

Congressman OGDEN R. REID,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN REID: Thank you very much for your thoughtful letter of February 14 and the enclosed news release relating to the legislation which you and Congressman Brademas have introduced.

I am confident that your action will produce widespread and meaningful discussion of the necessity for increased federal assistance to higher education.

As one member of the Carnegie Commission, let me express my appreciation for what you have done.

Cordially,

WILLIAM FRIDAY.

MARYMOUNT COLLEGE,
Tarrytown, N.Y., February 18, 1969.

Hon. OGDEN R. REID,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN REID: On behalf of Marymount College I wish to congratulate you and Congressman Brademas on the "Higher Education Bill of Rights of 1969."

I have read the bill as well as your remarks upon its introduction on February sixth and I thoroughly agree that the improvement of higher education deserves high priority on the national agenda. The legislation you have introduced is comprehensive and drastically needed at the present time if we are to preserve a diversified system of higher education and provide equal access to the education of their choice for all Americans.

It is in the interest of all of those seeking post high school education that the substance of your proposal be accepted and written into law after what you have described as "thoughtful dialogue between the university and governmental communities."

With best wishes,

Sincerely,

SISTER M. BRENDAN, R.S.H.M.

STATE UNIVERSITY OF NEW YORK,
February 28, 1969.

Hon. OGDEN R. REID,
House of Representatives,
Washington, D.C.

DEAR MR. REID: We have reviewed your proposed legislation, the "Higher Education Bill of Rights of 1969" and the "Medical Education Bill of Rights 1969." We appreciate your concern and awareness of the need for expanded governmental support of medical and higher education.

The provision for additional scholarships for medical students who need financial assistance will enable many students to receive much needed aid. As you have so aptly stated, many of our middle-income families with several children, large medical expenses or other accumulated debts cannot afford to send their children through college.

Providing additional funds for institutional grants to schools of medicine will assist such schools in achieving and maintaining a high standard of academic excellence.

If this country is going to meet the present demand for physicians, and is to make meaningful plans for the future, adequate construction funds must be provided. New facilities are needed to accommodate the increased enrollment of students and the necessary growth in the biomedical and behavioral sciences.

The increase in the number of graduate fellowships under NDEA, the extension of the period during which a student may receive a fellowship, and the increase in the amount per fellowship student should result in more teachers for institutions of higher education.

We fully support your legislation and your efforts to make realistic provision for the educational future of our country.

Sincerely yours,

JOSEPH K. HILL,
President.

HAMILTON COLLEGE,
Clinton, N.Y., February 24, 1969.

Hon. OGDEN R. REID,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN REID: I have read with care the text of the "Higher Education Bill of Rights of 1969" which you and Congressman John Brademas introduced on February 6, 1969. The Carnegie report summarizes very well many of the most crucial needs of higher education, and I am greatly encouraged that your bill would implement the central recommendation of that report. I hope very much that the Congress will enact the proposed legislation.

With best wishes,

Sincerely yours,

JOHN W. CHANDLER.

BLOOMFIELD COLLEGE,
Bloomfield, N.J., March 3, 1969.

Hon. OGDEN REID,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN REID: Thank you for your meaningful response and for the enclosure of the copy of your remarks on the floor of the House concerning the extensive legislative proposal regarding higher education. Such material as this serves as incentive and inspiration to those of us on the "home front."

I assure you of my deepest appreciation in knowing that there are leaders such as you so concerned with such important matters.

Sincerely yours,

DAVID O. ROBERTS,
Dean of Students.

COLUMBIA UNIVERSITY,
New York, N.Y., February 21, 1969.

Hon. OGDEN REID,
House of Representatives,
Washington, D.C.

DEAR OGDEN: I have read with great interest the news release on the higher education bill which you and Representative Brademas have introduced in the House. Needless to say, I approve heartily of your own aspiration reflected in the bill so usefully. If I can be helpful in any way in securing the passage of this legislation, you know that I would be pleased to do so. The constantly spiraling cost of higher education, combined with the added enrollment which we hope will continue to represent increasing democratization of opportunity in education, make mandatory a consideration of higher education as a priority demanding national view and national effort.

With best wishes,

Cordially,

ANDREW W. CORDIER,
Acting President.

OF MEN AND DUNES

HON. JAMES G. O'HARA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. O'HARA. Mr. Speaker, Sunday's edition of the New York Times carried an editorial endorsement for legislation to establish the Sleeping Bear Dunes National Lakeshore.

As my colleagues know, this is a matter in which I am deeply interested. I have become increasingly concerned that the threats to the Sleeping Bear Dunes area may overwhelm its great public values before Congress acts to establish the national lakeshore.

I am mindful of the sense of urgency in this project, conveyed to the subcommittee on national parks and recreation by National Park Service Director George Hartzog at hearings on my bill last July.

We are now awaiting the Nixon administration's views on the lakeshore legislation. It is my hope that we may have a prompt and favorable report from the Department of the Interior on the Sleeping Bear Dunes bill—H.R. 4287—and my further hope that the Congress will move quickly to enact this legislation. As the Times editorial says, action by Congress this year is imperative if Sleeping Bear is to be saved.

Under unanimous consent I submit the editorial "Of Men and Dunes" from the New York Times for inclusion in the CONGRESSIONAL RECORD, as follows:

OF MEN AND DUNES

Natural sand dunes, the unending masterwork of wind and water, are among nature's more fascinating and useful creations. To the human eye, their clean lines and fantastic and changing shapes are a delight. To shore birds and migratory birds, they nurture and protect life itself. Birds nest in the beachgrasses and depend for food on the salt ponds and fresh-water pools behind the dunes. To the sea and the lakes, dunes are nature's own barrier to the devastation effects of violent storms.

But something there is in many men that does not love a dune. The only wild, clear call that they hear at the edge of the sea is the screech of profit and the bulldozer's mournful crunch. The land speculator and the summer cottage builder, the highway contractor and the jetport planner, all these see only a beach to be leveled and subdivided into lots and paved with blacktop and sold for dollars.

In recent years, the struggle to save surviving sections of the nation's seashores and lakeshores has made progress. From Cape Cod and Fire Island to Texas' Padre Island and California's Point Reyes, some dunes have been saved by Federal law. But more remains to be done, and old battles have sometimes to be won a second and a third time.

The dunes created by Lake Michigan provided two such battlegrounds. The Indiana Dunes, just east of Chicago at the southern end of the lake, were rescued after a long fight between conservationists led by former Senator Paul H. Douglas and steel companies which wanted to build a deep water port. But the Chicago, South Shore and South Bend Railroad is now pressing the National Park Service for permission to construct a marshalling yard within the boundaries of the lakeshore.

Before this railroad issue is even settled, there is already talk in Indiana that a new jetport may be built immediately south of the national lakeshore. If the so-called Chesterton site is selected, jets would spew oil and fumes as well as roaring noise over the dunes.

Far to the north at the western edge of the State of Michigan, the lake has created the beautiful Sleeping Bear Dunes, so named because their profile from a distance resembles a great bear curled in sleep. Ten years ago the National Park Service identified these dunes as one of the dozen shoreline areas in the nation most worth saving. Michigan's Senators introduced a bill to protect them as a national lakeshore in 1959. The years have passed but the bill has not.

Intensive private development now menaces the viability of Sleeping Bear as a national lakeshore. Meanwhile, the cost to the Government of acquiring the land has risen by one-third. The bill has been reintroduced in both houses of Congress, but hearings have been delayed until the Nixon Administration makes its position known. It is imperative that legislative action be completed this year. Congress waits, but the grasping hands of the land speculators are busy. Soon the Sleeping Bear may not be sleeping but dead.

THE 118 PROGRAMS ADMINISTERED BY THE U.S. OFFICE OF EDUCATION

HON. HAROLD R. COLLIER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. COLLIER. Mr. Speaker, the U.S. Office of Education, a bureau of the Department of Health, Education, and Welfare, has just issued a list of 118 education programs which it administers. The total cost of these programs for fiscal 1969 will be approximately $4,301,083,505.

The bureau's list is entitled "Where the Money Is—American Education's Annual Guide to Office of Education Programs." It would have been a good idea to have added: "Where the Money Comes From," but I am sure that my constituents, who are struggling with their Federal income tax returns, already know. Many of them will agree with me that it is not good business to send $1.50 or more from Illinois to Washington, D.C., in order to get $1 back.

I have rearranged the programs by price tags, with the most expensive ones first. My listing follows:

[Figures in parentheses indicate estimated amounts or money carried over from prior years, rather than fiscal 1969 appropriations, as in all other programs]

Program	Purpose	Who may apply	Program level
Program for disadvantaged children	To meet special educational needs of educationally deprived children.	Local school districts	$1,078,000,000
School maintenance and operation	Aid school districts on which Federal activities or major disasters have placed a financial burden.	do	505,900,000
Vocational programs	Maintain, extend, and improve vocational education programs; develop programs in new occupations.	Public schools	255,377,455
Teacher training (vocational)	Improve qualifications of teachers, supervisors, and directors of vocational education programs.	Local school districts	(1)
Vocational teacher training grants	Improve qualifications of vocational education teachers	Teachers of vocational education subjects	(1)
Student loans	Provide for low-interest loans to college students	College students	190,000,000
Supplementary centers	Support supplementary educational centers and services	Local education agencies	164,876,000
Undergraduate and graduate facilities	Loans to construct or improve higher education facilities	Public and private nonprofit institutions, cooperative centers, boards of higher education.	150,000,000
College work-study	Provide part-time employment for postsecondary students	Colleges, universities, area vocational schools, proprietary schools.	146,050,000
Educational opportunity grants	Assist students of exceptional financial need to go to college.	Institutions of higher education	133,786,000
Undergraduate facilities	Construct or improve undergraduate academic facilities	Colleges and universities	133,000,000
Occupational training and retraining	Provide training programs to equip persons for work in needed employment fields.	Local school authorities; public, private nonprofit	128,000,000
Do	Train unemployed and underemployed persons in all sections of the Nation.	Persons referred by State employment services	(2)
Community colleges, technical institutes	Construct or improve academic facilities	Public community colleges and technical institutes	83,000,000
Strengthening instruction in critical subjects in public schools.	Strengthen instruction in 10 critically important subjects	Local school districts	75,740,000
Public schools, construction	Aid school districts in providing minimum school facilities in federally impacted and disaster areas.	do	74,050,000
Graduate fellowships	Increase the number of well-qualified college teachers	Prospective college teachers working toward doctoral degrees.	70,000,000
Interest benefits for higher education loans	Provide interest benefits for student loans through commercial lenders.	Students in eligible institutions of higher and vocational education.	61,235,000
School library resources and instructional materials	Support provision of school library resources, textbooks, and other instructional materials.	Local education agencies	50,000,000
Educational personnel training programs	Improve qualifications of elementary and secondary education personnel.	Colleges and universities, State and local education agencies.	45,000,000
Training programs	Train and retrain educational personnel and teacher aids to strengthen personnel development from preschool through postsecondary vocational school.	Prospective and experienced education personnel	45,000,000
Program for special education of migratory children	To improve the education of children of migratory agricultural workers.	Local school districts	45,000,000
Educational personnel training programs	Train and retrain educational personnel and teacher aids to strengthen personnel development from preschool through postsecondary vocational school.	Prospective and experienced education personnel	45,000,000

See footnotes at end of table.

[Figures in parentheses indicate estimated amounts or money carried over from prior years, rather than fiscal 1969 appropriations, as in all other programs]

Program	Purpose	Who may apply	Program level
Adult basic education	Provide literacy programs for adults	State education agencies	$45,000,000
Adult basic education teacher training grants	Improve qualifications of teachers of adult basic education courses.	Teachers and teacher trainers of adult basic education courses.	(2)
Education personnel fellowships	Improve the quality of education of experienced and prospective elementary and secondary personnel.	Institutions of higher education offering graduate programs for elementary and secondary education personnel.	35,000,000
Public library services	Extend and improve public library services	State library administrative agencies	35,000,000
Education personnel fellowships	Improve the quality of education of experienced and prospective elementary and secondary personnel.	Prospective and experienced educational personnel	35,000,000
Teacher training (handicapped)	Prepare and inform teachers and others who work in education of handicapped.	State education agencies, colleges and universities	30,250,000
Follow Through	Extend gains of deprived children who participated in Headstart or similar preschool experiences.	Local educational agencies nominated by State agencies in accordance with Office of Education and Office of Economic Opportunity criteria.	30,000,000
Strengthening developing institutions	Provide partial support for cooperative arrangements between developing and established institutions.	Accredited colleges and universities in existence at least 5 years.	30,000,000
National teaching fellowships	Augment the teaching resources of developing institutions.	Developing institutions nominating prospective fellows from established institutions.	(4)
Do	do	Highly qualified graduate students or junior faculty members from established institutions.	(4)
Strengthening State education agencies	Improve leadership resources of State education agencies	State education agencies and combinations thereof	29,750,000
Programs for the handicapped in State-supported schools	Programs for children in State operated or supported schools for the handicapped.	State education agencies	29,700,000
Facilities for educational research	Construct and equip national and regional research facilities.	Educational laboratories and research development centers.	(29,581,000)
Programs for the handicapped	Strengthen educational and related services for handicapped children.	State education agencies	29,250,000
Program for children in local and State operated institutions for the neglected and delinquent.	Improve the education of delinquent and neglected children in institutions.	State parent agencies, local school districts	27,000 000
Graduate facilities	Construct or improve graduate academic facilities	Public and private academic institutions, graduate center boards.	25,577,000
College library resources	Strengthen library resources of colleges and universities	Institutions of higher education and combinations thereof	25,000,000
Public libraries	Aid construction of public libraries	State library administrative agencies	24,099,000
Education laboratories	Provide for development and testing of educational innovations until ready for use in classroom.	Colleges, universities, agencies, and organizations	23,600,000
Teacher Corps	Strengthen educational opportunity for disadvantaged children; encourage colleges and universities in teacher preparation programs by attracting and training teacher-interns.[5]	State and local education agencies, colleges, and universities	20,900,000
Do	Strengthen education of disadvantaged children, encourage colleges and universities in teacher preparation programs by attracting and training teacher-interns.[6]	do	20,900,000
Guidance, counseling, and testing in public schools	Assist in establishing and maintaining guidance, counseling, and testing programs.	Public elementary and secondary schools, junior colleges, technical institutes.	17,000,000
Educational research (research, surveys, and evaluations)	Support research on the improvement of education at all levels and in all subject areas.	Colleges, universities, State education agencies, private or public groups, or individuals.	15,167,000
State plan to attract and qualify classroom personnel to meet critical shortages.	Provide State grants to help local communities attract and qualify persons to meet immediate critical shortages of classroom personnel.[5]	State education agencies	15,000,000
Do	do[6]	do	15,000,000
Endowment of colleges of agriculture and mechanic arts	Support instruction in agriculture and mechanic arts in the land-grant colleges.	The 69 land-grant colleges	14,550,000
Acquisition of undergraduate equipment	Improve instruction in selected subject areas	Colleges and universities	14,500,000
Vocational facilities	Construct vocational education facilities in Appalachian region.	State education agencies in Appalachian region	(14,000,000)
Vocational schools	Construct or improve area vocational education school facilities.	Public secondary and postsecondary schools providing education in 5 or more fields.	(7)
Handicapped research and demonstration	Promote research and demonstration on education of the handicapped.	State education agencies, local schoo. districts, nonprofit private organizations, public groups.	12,800,000
National Defense Education Act language and area centers	Support language and area centers at U.S. institutions of higher education.	Colleges, universities, consortiums of institutions of higher education.	12,700,000
Foreign language fellowships (excludes English, French, German, Italian, peninsular Spanish).	Assist in the training of teachers and other specialists in modern foreign languages and area studies.	Colleges and universities; NDEA language and area centers or institutions with intensive summer programs of language study; Cubans who became refugees after Jan. 1, 1959; public school systems; professional organizations; individuals.	(8)
Modern foreign language graduate fellowships for intensive summer language study and/or academic year.	Enable U.S. institutions to assist graduate students training to be teachers or other specialists in language-area studies.	Colleges and universities with language-area studies programs or summer programs of intensive study.	(8)
Modern foreign language undergraduate stipends (summer only).	Enable institutions to assist undergraduates' intensive study of a non-Western language (summer only).	NDEA language and area centers of institutions with intensive summer programs of language study.	(8)
Faculty development grants for academic year and summer in foreign language and area studies.	Strengthen and improve teaching of non-Western languages and related area studies.	Colleges and universities	(8)
Faculty development grants for summer seminars in language and area studies.	Enable U.S. institutions to develop new programs of foreign language and related area studies.	do	(8)
Vocational research	Support research, training, and pilot programs for special vocational needs.	State and local education agencies, colleges and universities, nonprofit organizations.	11,550,000
Special centers for research and development	Conduct research on the major problems of education	Colleges, universities, agencies, and organizations	10,800,000
Strengthening community service programs	Strengthen higher education capabilities in helping communities solve their problems.	Colleges and universities	9,500,000
Program for Indian children	To provide additional educational assistance to Indian children in federally operated schools.	Bureau of Indian Affairs schools	9,000,000
Educational research (demonstrations and development)	Support development and demonstration of educational materials, processes, and organizational arrangements at all levels.	Colleges, universities, State education agencies, private or public groups, or individuals.	8,500,000
Librarian training	Increase opportunities for training in librarianship	Colleges and universities	8,250,000
Librarian fellowships and traineeships	Increase opportunities throughout the Nation for training in librarianship.	Fellows and others undergoing training in librarianship and related fields.	(9)
Bilingual education	Develop and operate new programs to aid children aged 3 to 18 who have limited English-speaking ability and come from another language environment.	Local education agencies or institutions of higher education applying jointly with local education agencies.	7,500,000
Institutes, short-term training programs, and special projects.	Train teachers, administrators, and specialists serving or preparing to serve in higher education.	Colleges and universities	6,900,000
Fellowships for higher education personnel	Training persons to serve as teachers, administrators, or educational specialists in higher education.	Institutions of higher education with graduate programs	6,900,000
Researcher training grants	Improve qualifications of educational researchers	Present and prospective researchers in education	6,750,000
Researcher training	Develop and strengthen programs for training educational researchers.	State education agencies, institutions, and organizations	(10)
Teacher institutes	Improve ability of school personnel to deal with problems incident to school desegregation.	Colleges and universities	5,931,000
Dropout prevention	Develop and demonstrate educational practices which show promise of reducing the number of children not completing school.	Local school districts in low-income areas and with high percentages of dropouts.	5,000,000
Media services and captioned film loan program	Provide cultural and educational services to the handicapped through films and other media.	Groups of handicapped persons, nonhandicapped groups for training.	4,750,000
Media services and captioned films; loan program; training grants.	Improve quality of instruction available to deaf persons	Persons who will use captioned film equipment	(11)

See footnotes at end of table.

[Figures in parentheses indicate estimated amounts or money carried over from prior years, rather than fiscal 1969 appropriations, as in all other programs]

Program	Purpose	Who may apply	Program level
Higher educational guarantee reserve funds	Provide adequate loan reserves for higher and vocational educational student loans.	State or nonprofit private guarantee agencies	($4,700,000)
Educational media research and demonstration	Support research on educational uses of television, radio, motion pictures, and other media.	Colleges, universities, State education agencies, private or public groups, or individuals.	4,200,000
Educational television	Aid in acquisition and installation of transmitting and production equipment for educational television broadcasting.	Nonprofit agencies, public colleges, State television agencies, education agencies.	4,000,000
Facilities comprehensive planning	Help States plan higher education construction programs	State commissions that administer program	4,000,000
Talent search	Assist in identifying and encouraging promising students to complete high school and enter college.	Institutes of higher education, State and local education agencies, public and nonprofit organizations.	4,000,000
Educational opportunity grants	Assist students of exceptional financial need to go to college.	College students of exceptional financial need	(12)
Cuban student loans	Provide a loan fund to aid Cuban refugee students	Colleges and universities	(3,900,000)
College work-study	Provide part-time employment for postsecondary students	Postsecondary students	(13)
Desegregation assistance	Aid school boards in hiring advisers and training employees on problems incident to school desegregation.	School boards and other agencies responsible for public school operation.	3,319,000
Desegregation training grants	Improve ability of school personnel to deal with desegregation problems.	Teachers and other personnel of public schools	(14)
Education Resources Information Center (dissemination of research).	Provide for dissemination of research findings to the educational community.	Colleges, universities, State education agencies, private or public groups, or individuals.	3,100,000
Overseas opportunities for language training and area studies.	Promote development of international studies through grants to institutions for support of overseas projects by groups and individuals engaged in language and area studies or research.	Colleges, universities consortiums, local and State education agencies, nonprofit education organizations, institutions with graduate programs in language, area, or international studies.	3,000,000
Testing in nonpublic schools	Provide for aptitude-achievement testing of private school students.	Testing agencies	(15)
Consultant services of foreign curriculum specialists	Support visits by foreign consultants to improve and develop resources for foreign language and area studies.	Colleges, universities, consortiums, local and State education agencies, nonprofit education organizations.	(15)
Faculty research/study abroad	Enable U.S. institutions to support overseas research and study by individual faculty members or social studies supervisors; to improve curriculum or teacher competence in foreign language and area studies.	Graduate and undergraduate institutions, secondary school systems, nonprofit educational organizations.	(15)
Foreign studies extension (summer seminars abroad for teachers and students or curriculum development teams	Improve institutional programs in language-area studies by supporting group projects abroad.	Colleges and universities, State education agencies, nonprofit educational organizations	(15)
Faculty research/study abroad	Strengthen administration in State education agencies	State education agencies and combinations thereof	(15)
Fellowships for Ph. D. dissertation research abroad in modern foreign languages and area subjects (excludes English, French, German, Italian, peninsular Spanish)	Enable U.S. institutions to sponsor study abroad by advanced graduate students with a teaching goal.	Colleges and universities with graduate programs in language, area, or international studies	(15)
Faculty research/study	Improve leadership resources of State education agencies	State education agencies and combinations thereof	(15)
Foreign studies extension	Improve institutional programs in language-area studies by supporting group projects abroad.	Colleges and universities, State education agencies, nonprofit educational organizations.	(15)
Graduate fellowships for Ph. D. dissertation research overseas in modern foreign languages and area studies.	Strengthen education of disadvantaged children, encourage colleges and universities in teacher preparation programs by attracting and training teacher-interns.	State and local education agencies, colleges and universities.	(15)
State administration of Higher Education Facilities Act program.	Helps States administer programs under HEFA—Title I and Higher Education Act—Title VI-A.	State commissions that administer program	3,000,000
Civil defense education	Provide information on civil defense procedures to the public.	Chief State school officers or State agencies	3,000,000
Library research and demonstration	Support research and demonstrations on libraries and library personnel training.	Colleges, universities, agencies, and organizations	3,000,000
Foreign language and area research	Support research on improved instruction in modern foreign languages and materials development and area studies.	Colleges and universities, public school systems, professional organizations, individuals.	2,2,750,000
Interlibrary cooperation	Planning for establishment of cooperative networks of libraries.	State library administrative agencies	281,000
State institutional library services	Planning for improved institutional library services	do	2,094,000
Student loans—matching funds	Loans to colleges, universities, and vocational schools that cannot meet program's matching obligations.	Accredited educational institutions (including business schools and technical institutes).	2,000,000
Cuban student loans	Aid needy Cuban refugee college students to finance their education.	Cubans who became refugees after Jan. 1, 1959	(16)
State administration	Strengthen administraion in State education agencies	State education agencies	2,000,000
Media research (handicapped)	Promote better media services to handicapped persons	Groups of handicapped persons, nonhandicapped groups for training.	1,800,000
Technical assistance, training grants	Provide specialist training to foreign educators and strengthen education and economy in developing nations.	Foreign nationals from countries with which the United States has bilateral technical assistance agreements.	1,500,000
Library services to physically handicapped	Planning for improved library services to physically handicapped.	State library administrative agencies	1,334,000
Strengthening instruction in nonpublic schools	Loans to private schools to improve instruction in critical subjects.	Nonprofit private elementary and secondary schools	1,000,000
Preschool programs for handicapped children	Develop model preschool and early education programs for handicapped children.	Public agencies and private nonprofit agencies	1,000,000
Deaf-blind centers	To develop centers for children and parents	State education agencies, universities, medical centers, public or nonprofit agencies.	1,000,000
Foreign teacher development	Provide opportunity for foreign educators to observe U.S. methods, curriculum, organization (elementary and secondary).	Foreign educators (administrators, teacher trainers, education ministry officials).	900,000
Regional resource centers for improvement of education of handicapped children.	Develop centers for educationa. diagnosis of handicapped children.	Institutions of higher education, State and local education agencies, or combination within particular regions.	500,000
Physical education and recreation for the handicapped	Training professionals of physical education and recreation personnel for the handicapped.	Public and other nonprofit institutions of higher education.	300,000
Do	To do research in areas of physical education and recreation for handicapped children.	State or local education agencies, public or nonprofit private educational or research agencies and organizations.	300,000
Information and recruitment grants	Improve recruiting of educational personnel and dissemination of information on educational opportunities for handicapped.	Public or nonprofit agencies, organizations, private agencies.	250,000
Leadership and vocational training grants	Provide opportunities for Ryukyuans to observe and study in United States to improve education, economy.	Ryukyuan nationals selected by their government	170,000
Fulbright-Hays teacher exchange	Promote international understanding by exchange of teachers between United States and foreign nations.	Elementary and secondary teachers, college instructors, and assistant professors.	16,050
Total			4,301,083,505

[1] Included under "Vocational programs."
[2] Included under "Occupational training and retraining, supra."
[3] Included under "Adult basic education."
[4] Included under "Strengthening developing institutions."
[5] For programs, instruction, and administration.
[6] For teacher and other professional training and student assistance.
[7] Included under "Vocational facilities."
[8] Included under "National Defense Education Act language and area centers."
[9] Included under "Librarian training."
[10] Included under "Researcher training grants."
[11] Included under "Media services and captioned film loan program."
[12] Included under "Talent search."
[13] Included under "Cuban student loans."
[14] Included under "Desegregation assistance."
[15] Included under "Overseas opportunities for language training and area studies."
[16] Included under "Student loans—matching funds."

INFLUENTIAL UNTOUCHABLES—WHY?

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. RARICK. Mr. Speaker, people are continuing to doubt and ask why appeasers talk and dissenters protest and untouchables influence policy, all the while, American boys are dying by the hundreds each week in Vietnam.

Have American hearts been broken and American blood shed for politicians who are playing games or for the reason they have been told—to prevent the spread of communism? Pity the poor American boy who has given his life in vain and his family who will always miss him.

Why we have not been more successful at the peacetable and why—if we are not making progress—do we not reinstitute retaliatory measures against the escalated Communist moves in South Vietnam.

Perhaps some of the questions may be answered in the March 21 edition of the Herald of Freedom, printed by Mr. Frank Capell, Zarephath, N.J., which I place at this point in my remarks:

INFLUENTIAL UNTOUCHABLES

Pity the poor South Vietnamese—with friends like the Americans they don't need enemies. Henry Cabot Lodge, who presided over the liquidation of the Diem regime, is now "negotiating" in Paris and his place as Ambassador to South Vietnam has been taken by Ellsworth Bunker. These are the names in the news but behind the scenes, quietly taking care of the tedious details, are the usual "untouchables" whose names the American public seldom, if ever, hears. They are State Department security risks in the key areas of Saigon, Washington and Paris and their influence on the course of the war in Vietnam and the peace negotiations in Paris should not be underestimated.

Although a new man is taking over William Bundy's job as Assistant Secretary of State for Far Eastern Affairs, Bundy held that position from March 16, 1964 and our disastrous no-win policy in Vietnam has been the result. In fact he is credited with being the "stage manager" of the fall of the Diem regime. Bundy is the son-in-law of Dean Acheson and, like Acheson, was a good friend of Alger Hiss, whose brother Donald (an identified Communist) still works for Acheson's law firm of Covington and Burling in Washington, D.C. William Bundy was chairman of the Alger Hiss defense fund raising.

Assisting the U.S. Ambassador to Vietnam has been a former assistant of Mr. Bundy. Samuel David Berger is listed as Deputy Ambassador in Saigon as of September 1968. He had previously been Deputy Assistant Secretary of State for Far Eastern Affairs under Bundy. Berger belongs in the ranks of our "Untouchables" whose questionable activities and association seem only to result in more promotions.

Samuel David Berger was born in Gloversville, N.Y. on December 6, 1911, the son of Harry I. Berger and the former Bess Cohen. He received a Ph.B degree from the University of Wisconsin in 1933. He continued his studies at the University of Wisconsin from 1935 to 1938 and at the London School of Economics 1938–9, during which time he was a fellow of the Social Science Research Council. He also did some work during this period of time. From 1933 to 1934 he was a labor economist of the Civic Committee on Unemployment in Rochester, N.Y. He was a director of the Chicago Labor College from 1934 to 1935 and an instructor in Labor History at the Summer School for Workers in Industry at the University of Wisconsin from 1935 to 1938.

After attending the London School of Economics, Berger became head of the Research and Statistics Division of the National Refugee Service (1939-40) and then a labor economist in the Office of Production Management (1940-41). From 1941 to 1942 he was with the Federal Security Administration and from 1942 to 1944 was labor advisor to the Lend Lease Mission to Great Britain. Berger served in the Army as a Captain from 1944 to 1945 and from 1945 to 1950 he was First Secretary of the U.S. Embassy in London. From 1950 to 1951 he was on detail to the White House from the State Department and was an assistant to W. Averell Harriman who was a special adviser to the president at the time.

From 1951 to 1953 Berger was Special Assistant to the Director for Security. He then went to Tokyo, Japan as Counsellor of the American Embassy, remaining there until 1954 when he became Counsellor of the American Embassy in Wellington, New Zealand. From 1958 to 1961 he was Counsellor in Athens, Greece, and then was named U.S. Ambassador to South Korea (1961 to 1964). He served as Deputy Commandant of Foreign Affairs for the National War College beginning in 1964 and then on July 6, 1965 returned to the State Department as Deputy Assistant Secretary of State for Far Eastern Affairs under William P. Bundy.

Intelligence services have reported that Berger, while attending the University of Wisconsin, was known to maintain a close association with individuals who were identified Communists and with others who were outspoken Communist sympathizers. While at the University of Wisconsin he was given a fellowship by the Social Science Research Council for the purpose of doing graduate study at the London School of Economics, a Fabian Socialist-oriented college, and was reportedly a protege of Communist Harold Laski. Part of the fellowship program was a study of the socialist British Trade Union movement. The Social Science Research Council came in for severe criticism by the Reece Committee Investigating Tax Exempt Foundations. Among the recipients of their grants have been Ralph J. Bunche, John Kenneth Galbraith, Owen Lattimore, Philleo Nash, Walt W. Rostow, Paul Sweezy.

While stationed at the U.S. Embassy in Tokyo as Counsellor during 1953–4, Berger was reported as maintaining strong pro-Communist attitude. Confidential sources reported that over a period of years Berger has maintained close contact with a number of individuals with varying degrees of Communist connections—from Communist sympathizers to individuals under investigation for espionage.

Another important State Department untouchable shown by the State Department Biographic Register for July 1968 as being in Saigon is Thomas W. Ayers. He is listed as Assistant Chief of the Planning Division in Saigon as of January 29, 1967. Ayers was born September 10, 1922 in China of American parents, and received his early education there. He was a newspaper reporter in 1942 when he joined the U.S. Navy, serving overseas until 1945. He went to China as an observer for the UNRRA in 1946; was a newspaper correspondent in Nanking 1946–7, bureau manager 1947–8, world service editor in Manila 1948–49. He went back to college and obtained his MA at Harvard in 1951 and his Ph. D. in 1960. He was a lecturer in Chinese at the University of Michigan 1954–55 and entered government service as an intelligence research analyst, Department of State, December 19, 1955. He went with the U.S. Information Agency, July 30, 1961 and became a press news feature writer. February 17, 1964 he went to Hong Kong as information officer and January 29, 1967 went to Saigon as Asst. Chief of the Planning Division.

While in China Ayers was known to have had strong pro-Communist sympathies. He was a close contact and associate of Sylvia Campbell Powell who, together with her husband John, published the China Monthly Review. This publication was so anti-American that it was used by the Chinese Communists in brainwashing captured American prisoners during the Korean War. Ayers was also a close associate and contact of Richard M. Service and Edwin O. Reischauer, both of whom were serious security risks.

Ayers was one of the individuals that the late Scott McLeod reported as a security risk as far back as 1956. In spite of his pro-Chinese Communist sympathies, Ayers has been permitted to take an important position in South Vietnam where we are supposedly fighting the Communists of North Vietnam who have the support of the Chinese and Russian Communists.

Two area development officers listed in the Sept. 1968 Foreign Service list of the Dept. of State as connected with Civil Operations and Revolutionary Development Support (CORDS) in Saigon are Philip W. Manhard and Louis Wiesner, both of whom have bad backgrounds which have not mitigated against them in government service. Like Berger, Wiesner was a fellow of the Social Science Research Council.

Louis Arnold Wiesner was born in Port Huron, Mich. on April 14, 1916. He obtained his BA degree from Michigan State College in 1937, his MA from Harvard in 1938. From 1939 to 1942 he was an assistant and teaching fellow at Harvard; from 1942 to 1943 he was employed by the Council on Foreign Relations as a research secretary. He entered government service as a research analyst for the Office of Strategic Services (OSS) in 1943 and switched over to the State Department in August 1944 as a clerk in Berlin, Germany. In Nov. 1944 he was made foreign service auxiliary officer and assigned to the office of the U.S. political adviser on German Affairs at Supreme Headquarters of the Allied Expeditionary Forces in Germany. In October 1949 he returned to Washington and was assigned to the Bureau of German Affairs in the Office of German Political Affairs. In November 1954 he went to Ankara, Turkey as economic officer and in July 1959 was assigned as international relations officer in Washington, D.C. In February 1961 he went to Ottawa, Canada, as labor attache and in July 1967 was detached to the Agency for International Development (AID). Wiesner was married to Elizabeth Phenix in 1950.

Confidential intelligence sources have reported that Louis Arnold Wiesner was a regular reader of the Communist publications, the Daily Worker and New Masses, as well as the Young Worker. He was reported by confidential sources to have attended a number of Communist Party meetings and, while at college, was affiliated with the American Student Union which has been cited as Communist and subversive. He was known as an active supporter of the Young Communist League and, while in college, attempted to establish a Young Communist League chapter. During an interview, he admitted having joined the Socialist Party and further admitted that he had applied for membership in the Communist Party, USA, but claimed he had never been officially notified of his acceptance. Wiesner was reported as having been closely associated with a number of Communists over a period of years.

Philip Wallace Manhard was born in Massachusetts on November 13, 1921. He was graduated from the University of Southern California with a BA degree in 1943, served

with the U.S. Navy from 1943 to 1944 and the U.S. Marines from 1944 to 1946. He worked overseas with a business machine firm and later with an oil company in China. He came into the State Department as a vice-consul on February 12, 1948 and served at various posts in China, Korea and Japan. He is believed to be an employee of the CIA in a special detail. He was assigned to the Bureau of Far Eastern Affairs in November 1964 and to the Saigon area development office in September 1967.

In 1947 intelligence services reported that Manhard was a close friend and contact of an individual named Ignacy Witczak who was known to the intelligence services as being a Soviet agent. He was reported on several occasions as having expressed views severely critical of the security section of the State Department in connection with the cases of John P. Davies and John C. Vincent. His pro-Chinese Communist views were such that they were repeatedly made the subject of intelligence reports.

Top man in Saigon of the thousands of government employees and hundreds of thousands of servicemen now in Vietnam is Ambassador Ellsworth Bunker. He was Ambassador to Argentina in 1951, Italy in 1952–53 and India 1956–61. He is a member of the Council on Foreign Relations and has been a trustee of the Vermont Council on World Affairs, Honorary President of the Foreign Policy Association and a trustee of "Experiment in International Living." He is a trustee of the (Marxist) New School for Social Research and was on the Board of Directors of the American-Russian Institute. This organization was also known as the American-Russian Institute for Cultural Relations with the Soviet Union and was cited as follows in the official Guide to Subversive Organizations:

"1. Cited as Communist (Attorney General Tom Clark, letter to Loyalty Review Board, released April 27, 1949.)

"2. Cited as "Communist-controlled" organization which was intimately linked with the Institute of Pacific Relations. (Senate Judiciary Committee, Senate Report 2050 on the Institute of Pacific Relations, July 2, 1952, pp. 73, 95, 145 and 146.)

"3. Cited as specializing in pro-Soviet propaganda. (Internal Security Subcommittee of the Senate Judiciary Committee, Handbook for Americans, S. Doc. 117, April 23, 1956, p. 91.)"

Back in headquarters in Washington we have had William Bundy as top man for Far Eastern Affairs since 1964. We have also had Sam Fishback and Evelyn Colbert. Mr. Fishback is employed in the State Department Bureau of Intelligence and Research in their Office of Research and Analysis for East Asia and the Pacific and has been working in Room 7418 in the Office of the Director. Confidential intelligence sources have reported that Sam Fishback, while in college, associated with Communists and Communist sympathizers. He was reported as having attended meetings of the American League against War and Fascism, cited as Communist and subversive. He also attended meetings and was active in the American Student Union, another organization which has been designated as Communist and subversive. Fishback was a dues-paying member of the Washington, D.C. branch of the Institute of Pacific Relations, which played such an important part in aiding the Communist takeover of China and which is listed as "a vehicle used by the Communists to orientate American far eastern policies toward Communist objectives," in the official Guide to Subversive Organizations.

Fishback was reported as having had to undergo extensive psychiatric treatment involving sexual disturbances. He was a close associate of Morris U. Schappes, now editor of the Communist publication, Jewish Currents. The State Department Bureau of Intelligence and Research obtains confidential information on the various areas of the world and policy is made on the basis of their advice and reports. Also working in connection with the same area of the world as Fishback is Mrs. Evelyn S. Colbert, who is Chief of the South East Asia Division. Mrs. Colbert was formerly a research analyst in the OSS and was also an accounting coordinator of International Intelligence Surveys. She was employed in the Intelligence Research Office of the Department of State and was coordinator of the International Intelligence Survey, Division of Research for the Far East, Department of State. Mrs. Colbert is one of the individuals who came into the State Department from other agencies in 1945, at the time tremendous numbers of security risks entered the Department of State. She has been reported as being a Communist sympathizer and a close friend and associate of individuals identified as pro-Soviets. Her husband was closely associated with Philip C. Jessup, and together they numbered among their friends individuals who were either Communist or strongly pro-Communist.

Then over in Paris we have the North Vietnamese, the National Liberation Front, the South Vietnamese and the Americans holding "peace talks." No open progress is being made but Henry Cabot Lodge, head of the American delegation, has indicated that we can hope for more progress and results from unofficial meetings than we can from the official ones. Able to mingle among the officials present will be two American government employees stationed regularly in Paris. They are Clifford Gross of the Paris visa office and James West, Information Officer on the International Staff of the Organization for Economic Cooperation and Development, in Paris on assignment from the U.S. State Department.

Clifford H. Gross was born in New York on December 16, 1924 and received his BA degree in 1948 from the City College of New York (CCNY). He obtained his MA and Russian Inst. certificate in 1951 from Columbia University. He had taught Russian and worked for the Post Office Department and the Bureau of Internal Revenue before becoming an intelligence research analyst for the Department of State in March 1952. He has been stationed in Frankfort, Vienna and Budapest and speaks Bulgarian, French, German, Hungarian and Russian.

Intelligence agencies reported that Clifford Gross was active in pro-Communist activities while in college. He was reported as active in the Henry Wallace for President Campaign under the auspices of the American Labor Party in a group called Students for Wallace. The Senate Internal Security Sub-Committee cited the American Labor Party as follows: "Communist dissimulation extends into the field of political parties forming political front organizations such as the * * * American Labor Party. The Communists are thus enabled to present their candidates for elective office under other than a straight Communist label."

Security investigations disclose that Clifford Gross had carried on correspondence with the Communist Party USA and with the Soviet Embassy. He was on the mailing list and a recipient of the USSR information bulletin, a propaganda magazine issued by the Soviet Embassy. Gross was known to maintain close association with Communists and Communist sympathizers over a long period of time, according to intelligence sources. He had been reported to the Secretary of State as a serious security risk but this only resulted in additional promotions.

One of the most interesting things about James West of the U.S. State Department is his wife, Mary McCarthy, who has recently been a visitor in Communist North Vietnam. According to his biography in the State Department Biographic Register, West was born Nov. 3, 1914 and graduated from Bowdoin College in 1936. He is next found as being in the U.S. Air Force (Major) from 1941 to 1947. Long lapses of time unaccounted for in biographies of State Department personnel are usually an indication that the individual is something more than meets the eye, often a CIA operative. West started his government career as assistant director of the Foreign Operations Administration in Paris and was transferred to the U.S. Information Agency in 1954. He received Polish language training and returned to the State Department as a political officer in Warsaw, Poland in June of 1959. He was in the Warsaw Embassy during the "Spy and Sex Scandals" which involved the stealing of U.S. codes, the compromising of personnel of the U.S. Embassy by female Communist intelligence agents—even the security officer and the Ambassador himself. Reports disclosed that U.S. Ambassador, Jacob Beam, maintained a mistress who was a long time Soviet intelligence agent and is now the alleged wife of the Polish Ambassador to the United States.

On April 15, 1961 James West was married to Mary McCarthy, author of many best-selling books. Their marriage took place in Paris shortly after Miss McCarthy's divorce from her previous (and third) husband in February 1961. West was still assigned to Warsaw but was transferred to Paris in April 1962 and the couple live in a cooperative apartment in the Montparnasse section of Paris. Current Biography, February 1969 carries a very comprehensive biography of Miss McCarthy from which we learn of her firm stand against the U.S. position in Vietnam. Much controversy has been stirred up by the publication of a series of essays by Miss McCarthy in two books, "Vietnam" (Harcourt 1967) and "Hanoi" (Harcourt 1968). Her biography stated:

"Strongly opposed to United States action in Vietnam, she frankly admitted that she went to South Vietnam in early 1966 'looking for material damaging to American interests' and had no trouble finding it. She later visited Hanoi, shortly before the United States restricted its bombing of North Vietnam."

Mary McCarthy was born in Seattle, Washington on June 21, 1912, the daughter of Roy Winfield McCarthy and the former Miss Therese Preston. She was the oldest of four children and the only girl. One of her brothers is Kevin McCarthy, the actor. Her paternal grandparents were former farm settlers of Irish descent who had made a fortune in the grain elevator business. Her maternal grandfather was Harold Preston, a prominent Seattle lawyer, and her grandmother "Gussie" was, according to Current Biography, "a lively Jewish beauty from San Francisco." At the age of eleven Mary went to live with this couple (her parents having died in the flu epidemic of 1918) and was given an expensive education. Shortly after joining this household she lost her Catholic faith, retaining from it only a love of Latin.

Her marriages were to Harold Johnsgrud, an actor (one week after her graduation from Vassar in 1933); Edmund Wilson, the well known writer and critic (February 1938); Bowden Broadwater, a writer and teacher, following her divorce from Wilson in 1946; and West following her divorce from Broadwater in 1961. Current Biography describes her associations and political philosophy:

"Through her professional associations Miss McCarthy came to know many prominent left-wing intellectuals in New York. She did not, however, take an active part in the radical movement, although she much admired Leon Trotsky." She has been quoted as stating: "I still believe in what I believed in then—I still believe in a kind of libertarian socialism, a decentralized socialism.

But I don't see any possibility of achieving it." We don't either, as socialism and decentralization are direct opposites Socialism cannot be "achieved," it must be "imposed," requiring complete centralization. As the wife of a U.S. diplomat Miss McCarthy is in a position to spread her anti-American views in important places.

While appeasers talk and "dissenters" protest and untouchables influence policy, American boys are dying by the hundreds each week in Vietnam. Have American hearts been broken and American blood shed for politicians who are playing games or for the reason they have been told—to prevent the spread of Communism? Pity the poor American boy who has given his life in vain and his family who will always miss him.

HOUSE OF REPRESENTATIVES—*Wednesday, March 19, 1969*

The House met at 12 o'clock noon.

Rev. Father John F. O'Donoghue, secretary to His Eminence Patrick Cardinal O'Boyle, vice chancellor of the Archdiocese of Washington, offered the following prayer:

Almighty and Eternal God, You have created man in Your own image and likeness. You have endowed him with an intellect, whose object is truth and with a free will, whose object is good. You, who are the source of all law and authority, look down with favor on these lawgivers who represent Your people in civil society. Make them aware of their responsibilities to You and to all whom they serve. Do not allow human weakness to cause them to stray from seeking the good and the true in all their deliberations.

On those occasions, when their duty to You and to their constituents may appear as an austere and exacting master, and when they may be tempted to mitigate its stern commands by interpreting them in a manner better suited to their own desires, give them the generosity to obey its orders and to shoulder it without hesitation.

Make them aware that their love of duty is but one form of their love for You, and it is the best, since duty is the expression of Your will in our regard and we cannot better love You than by submitting ourselves entirely to Your holy will.

We ask You, Almighty God, to bless them and to give them the courage and the fortitude which the right exercise of their office requires so that they may better serve You and the people whom You have entrusted to their care. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

PERU SEIZES TWO MORE FISHING BOATS

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

Mr. VAN DEERLIN. Mr. Speaker, it is with deep regret that I must report the seizure by Peru this morning of two more U.S. fishing boats, the *San Juan* and the *Cape Ann*.

At last report, the vessels were being escorted to the Peruvian port of Talara. They were intercepted at a point 23 miles off the Peru coast—or 11 miles outside the generally recognized limit for territorial fishing rights.

It was barely a month ago—last February 14—that a Peruvian warship fired extensively on the same *San Juan*, causing major damages. In part, as a result of the public outrage over that unprovoked attack, Peru agreed to accept a special emissary of President Nixon for talks on this and other problems straining relations between the two countries.

The emissary, John Irwin, is in Peru today.

In view of his presence, at the invitation of the Peruvian Government, this morning's seizure can only be viewed as an act of complete cynicism by his Peruvian hosts.

Either that, or else President Velasco has simply lost all pretense of control over his own armed forces.

I have joined today with my colleagues, Congressman BOB WILSON and Senators ALAN CRANSTON and GEORGE MURPHY, in appealing to the President for "appropriate action" to halt these outrages.

Last month, I called on the President to assign military guards to U.S. fishing boats bound for the hostile waters off Central and South America.

I reasoned that the presence of such guards would serve as a powerful deterrent to would-be attackers. For they would then have to recognize that any action against our fishermen would also be an act of aggression against the United States itself. I believe the case for assigning such protection to our embattled fishing fleet is stronger than ever today.

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

Mr. VAN DEERLIN. I yield to the gentlemen from Iowa.

Mr. GROSS. Mr. Speaker, would this not be a good time for President Nixon to recall the emissary that he has sent to Peru?

Mr. VAN DEERLIN. If I may answer the gentleman, I think it is always right to go on talking, but I think there are times when one has to act as well as talk.

PERU CONTINUES GUNBOAT DIPLOMACY BY SEIZING TWO AMERICAN VESSELS

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

Mr. PELLY. Mr. Speaker, it is with regret that I inform my colleagues that Peru this morning seized two more U.S. fishing boats and their crews. One of the vessels grabbed by a Peruvian gunboat, 23 miles northwest of the Point Sal today, was the *San Juan*, the same vessel which sustained $50,000 damage February 14 from an armed attack on the high seas by Peru.

The regret I expressed is twofold. One that no progress apparently is being made with Peru and, second, that this provocation should occur while Presidential Emissary John Irwin is in Peru attempting to reach a solution to the problem.

I fear the Peruvian conduct in this matter today indicates a lack of sincerity on their part to achieve negotiations aiming at ending these unlawful seizures.

I find this military action against Americans on the high seas this morning, at a time when our honest efforts at solution are being sought, an insult to our Emissary, to the American President, and to the American people.

Mr. Speaker, our State Department so far has not been able to achieve success with the Peruvians, and our American fishermen should not be expected to live constantly with these threats to their lives. I will be most anxious to receive a report from Mr. Irwin relative to today's armed seizure on his return to the United States.

SMALL BUSINESS ADMINISTRATION LENT MONEY TO MAFIA-CONTROLLED COMPANY

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

Mr. GROSS. Mr. Speaker, yesterday I called attention to the incredible fact that the Small Business Administration, under the Johnson administration, had been lending hundreds of thousands of dollars of the public's money to a company controlled by the Mafia.

The company is the ANR Leasing Corp., of New York City, which is controlled by Cosa Nostra member John Masiello, Sr., a well-known loan shark and, I am told, a convicted smuggler as well.

Another member of that firm is Thomas A. McKeever, who has a Federal and State criminal record as long as your arm.

A third official of the company is John Masiello, Jr., who also possesses a criminal record.

On yesterday, I requested Attorney General John Mitchell to initiate an immediate and full investigation of this company and the SBA's part in its financing.

Today, I wish to call attention to the fact that ANR Leasing Corp. has been doing business with yet another agency of the Federal Government.

They are in the business of leasing vehicles to the Post Office Department.

I regret to say that I have, so far, been unable to obtain the specifics of this lease arrangement from Post Office Department officials despite repeated calls from my office for it.

I can only say at this point, Mr. Speaker, that I find it sickening and almost unbelievable that the U.S. Government is leasing mail delivery vehicles from a firm controlled by the Mafia.