

Mr. YARBOROUGH. Mr. President, I will ask that the amendment be printed. I will not ask that it be passed on at this time. Our staff had discussed the matter and we had an erroneous impression.

Mr. GRIFFIN. Mr. President, is the Senator asking that the amendment be printed, but withdrawn at the present time?

Mr. YARBOROUGH. I am not asking that it be withdrawn.

Mr. GRIFFIN. It would otherwise be the pending business.

The PRESIDING OFFICER. Is it the desire of the Senator from Texas that the amendment be withdrawn as the pending business?

Mr. YARBOROUGH. Mr. President, I ask that my amendment be withdrawn as the pending business.

Mr. JAVITS. Mr. President, we do have a commitment outstanding to the Senator from Maryland (Mr. TYDINGS). However, I hope we can agree, since the Senator from Texas (Mr. YARBOROUGH) is the chairman of the committee, that his amendment would follow the amendment of the Senator from Maryland so that he will have some feeling that he will not have to wait an inordinately long time.

Mr. BYRD of West Virginia. Mr. President, reserving the right to object, I have talked with both the majority leader and the Senator from Mississippi (Mr. STENNIS), and I am not sure I would be authorized to agree to that kind of unanimous-consent request at this time.

Mr. JAVITS. Mr. President, I wonder

if we could have an understanding that, absent any overriding reason, the amendment of the chairman of the committee, the Senator from Texas, will follow action on the amendment of the Senator from Maryland.

Mr. BYRD of West Virginia. Mr. President, I think we can work together in that direction and will probably be able to assure the Senator that his amendment will be taken up immediately following action on the amendment offered by the Senator from Maryland with the qualifications offered by the Senator from New York. However, we could not agree to a unanimous-consent request which would make it binding. We will have to wait until tomorrow and see what the circumstances are at that time.

Mr. YARBOROUGH. Mr. President, I thank the Senator for his kindness.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the amendment which was temporarily laid aside, and which had been offered by the senior Senator from Maryland, be again laid before the Senate and made the pending business.

The PRESIDING OFFICER. Is there objection to the request of the Senator from West Virginia? The Chair hears none, and it is so ordered. The pending amendment is the Tydings amendment. What is the will of the Senate?

Mr. JAVITS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, before moving to adjourn, I wish, at the request of the majority leader, to remind Senators that following the prayer and the disposition of the reading of the Journal tomorrow, there will be not to exceed 1 hour for the transaction of routine morning business, after which the able junior Senator from Mississippi (Mr. STENNIS) will be recognized for not to exceed 2 hours.

ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 20 minutes p.m.) the Senate adjourned until tomorrow, Thursday, February 5, 1970, at 12 o'clock meridian.

NOMINATIONS

Executive nomination received by the Senate February 4, 1970:

AGENCY FOR INTERNATIONAL DEVELOPMENT

Robert Harry Nooter, of Missouri, to be an Assistant Administrator of the Agency for International Development, vice James P. Grant, resigned.

EXTENSIONS OF REMARKS

DEATH OF MAJ. GEN. REUBEN H. TUCKER

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Wednesday, February 4, 1970

Mr. THURMOND. Mr. President, recently, my State was saddened by the death of one of its preeminent military leaders, Maj. Gen. Reuben H. Tucker III—U.S. Army retired. General Tucker died in Charleston on the grounds of the Citadel, one of his most beloved sites. General Tucker was twice commandant of cadets at the Citadel and inspired two generations of some of the finest military men in our services. He was paid tribute by Gen. Mark Clark of being one of the three bravest men in the Army during World War II. He fought in six major campaigns, and was one of the pioneers of the field of airborne operations. He commanded the 504th Parachute Infantry Regiment and led them bravely through from north Africa into the heartland of Europe. His men were heroes at Sicily, Salerno, Anzio, and the Battle of the Bulge.

General Tucker was a real leader. In every battle he made it a point to be one of the first paratroopers to jump in the combat action. He made three combat jumps during the war, something

very few paratroopers had ever done. Yet he did not get wounded in any of the actions. His decorations include two Distinguished Service Crosses, the Nation's second highest award for heroism; the Silver Star; Legion of Merit with Oak Leaf Cluster; Bronze Star Medal; Purple Heart; and many others.

Indeed, General Tucker was a gallant soldier and a great patriot and America's loss is truly great because of his untimely death at the age of 58. He leaves behind his lovely wife, Helen McAllister Tucker, four sons, three brothers, and two sisters. I extend my deepest sympathy to this fine family, and I know they will be comforted by the knowledge of a father who was held in such high esteem by all who knew him.

Mr. President, I ask unanimous consent that the obituary of General Tucker entitled "Gen. R. H. Tucker, Former Commandant of Cadets, Dies" from the Charleston Evening Post of Wednesday, January 7, 1970, and the editorial "General R. H. Tucker III" from the same newspaper and the same date, be printed in the Extensions of Remarks.

There being no objection, the obituaries were ordered to be printed in the RECORD, as follows:

GEN. R. H. TUCKER, FORMER COMMANDANT OF CADETS, DIES

Maj. Gen. Reuben H. Tucker III, USA (ret.) former commandant of cadets at The

Citadel and wartime commander of the 504th Parachute Infantry Regiment, America's famed "Devils in Baggy Pants" of World War II, died yesterday at The Citadel.

Gen. Tucker collapsed while walking near the athletic track at The Citadel. He was pronounced dead on arrival at County Emergency Room.

Coroner Jennings Cauthen said death was due to natural causes.

Funeral services will be held at 11 a.m. Friday in the Citadel Chapel. Burial, directed by McAllister's, will be in the U.S. National Cemetery at Beaufort.

Flags at The Citadel will remain at half staff until after the funeral.

Gen. Tucker was born Jan. 29, 1911, at Ansonia, Conn., a son of Reuben Henry Tucker and Mrs. Clara Booth Tucker. He was a 1935 graduate of the U.S. Military Academy.

Prior to World War II Gen. Tucker served with the Second Infantry Division at Fort Sam Houston, Tex., the 33rd Infantry Regiment in Panama and attended the Infantry School at Fort Benning, Ga., graduating in 1940.

He was a charter member of the first tank destroyer battalion in the U.S. Army, but left this assignment in 1941 to become a parachutist.

One of Gen. Tucker's five sons, Capt. David Bruce Tucker, was killed Sept. 30, 1967, during combat in Vietnam.

Gen. Tucker was a member of the Hibernian Society.

Surviving are his wife, Mrs. Helen McAllister Tucker; four sons, Capt. Jeffery J. Tucker, USA, of Cornell University, Glenn P. Tucker, Scott P. Tucker and Christopher

M. Tucker, all of Charleston; three brothers, Lyman B. Tucker of Sao Paulo, Brazil, Walter B. Tucker of Ansonia and William E. Tucker of Old Saybrook, Conn.; two sisters, Mrs. Gordon B. French of Ansonia and Mrs. Thomas Anstey of Derby, Conn.; four grandchildren and several nieces and nephews.

He served as a regimental commander at West Point and came to The Citadel in 1955 as commandant of cadets.

In 1961 he was commanding general of the Infantry Training Center at Fort Dix, N.J., and later went to Laos in Southeast Asia as chief of the military advisory group there.

Before leaving the service in August, 1968, to again become commandant of cadets at The Citadel, he was operations officer of the U.S. Army Pacific in Hawaii. He was succeeded as commandant of Cadets in February, 1968, and was assigned to the office of Citadel President Hugh P. Harris. He retired from The Citadel at the end of 1968.

The 504th Parachute Infantry Regiment, one of the fightingest units of the 82nd Airborne Division, had an outstanding war record by actions at Sicily, Salerno, Anzio, the crossing of the Rhine at the Nijmegen Bridge in Holland, and the Battle of the Bulge at Cheneux, Belgium.

Gen. Tucker, then a colonel, commanded the 504th from December, 1942, to May, 1946, during which time the unit had a record of 371 days of actual combat. The general was an original member of the combat team and led the paratroopers overseas from Ft. Bragg through six campaigns which included combat jumps in Sicily, Italy and Holland. He saw occupation duty in Berlin and finally brought the 504th home to lead the unit in a victory parade down Fifth Avenue in New York in January, 1946.

The 504th made its first airborne combat assault on Sicily July 9, 1943. It almost ended in catastrophe when Allied ships and shore guns began firing on the C47 transports by mistake.

"It seemed that everyone was firing at us," Gen. Tucker recalled during an interview with the Charleston Evening Post in March, 1968.

"The explanation they gave us later was that German bombers got into our formation. Many of our planes disappeared in flames. Our losses were roughly 250 men that night."

In what has been described as one of the greatest tragedies of World War II, the 504th was scattered like chaff in the wind over the length and breadth of Sicily by Allied gun fire. Gen. Tucker's plane, after twice flying the length of the Sicilian coast and with more than 2,000 flak holes through the fuselage, reached the drop zone near Gela.

"We're flying in and I'm standing at the door ready to jump," the general related. "My own aircraft was the only one in that first formation that came in on target. Other planes were being shot down at sea and on the ground."

"When I jumped, exactly on target, and as I was coming down, I could hear these people, a tank commander with five tanks, using rifle fire to shoot at us." The general said after he landed he had a few choice words with the tank commander whose only explanation was: "Nobody told me you were coming in here."

"I had men who tried to swim in from planes shot down at sea and our own troops opened up from the beach," Gen. Tucker added.

The next jump was at Salerno, in support of Gen. Mark W. Clark's Fifth Army. "When we flew into Salerno the orders were that no guns could open up. Regardless of what happened they were not to shoot. It was quiet as a graveyard when we arrived and really a beautiful night."

Gen. Tucker said he "was one of the first to go in in almost every case." He made three combat jumps, during the war, something very few paratroopers have ever done. The 82nd Airborne Division totaled four combat jumps in World War II.

"It was my good luck not to get killed or wounded during the fighting of six major campaigns," the general said.

The 504th's third jump came on "a clear day in September, 1944, in Holland and was the first time any element had made a combat jump in daylight. It was highly successful," Gen. Tucker pointed out.

Following the Holland jump, the 504th was forced to make a daylight crossing of the Rhine at Nijmegen Bridge. "That's not something you try to do every day in the week," the general commented. "The crossing, under fire, was successful in every sense of the word. It took us two days to secure the bridge and we lost a lot of people doing it, but we also gained our objective."

The 504th became known as "Devils in Baggy Pants" when they captured the diary of a German officer on the Anzio beachhead. In the book he had written: "American paratroopers—devils in baggy pants—are less than 100 meters from my outpost . . . It seems like the black-hearted devils are everywhere."

Also at Salerno, Gen. Tucker's unit was surrounded by Germans, but managed to fight their way out of the trap.

"We were strictly ground troops during the Battle of the Bulge near Cheneux, Belgium," he pointed out. The 504th fought in the snow and cold from December 1944 through the middle of February 1945.

As the war neared its end, the 504th had fought to within a few miles of Berlin where they were ordered to stop until the Russians came through.

After the war, the 82nd Airborne Division was selected to occupy Berlin. The division first moved in with a jump by 99 veterans. Maj. Gen. James M. Gavin and Gen. Tucker led the jumps from two planes.

Gen. Tucker saw duty in Korea as an assistant chief of staff of the Eighth Army in the closing days of the war.

Gen. Clark has called Gen. Tucker "one of the three bravest men in the Army" along with Col. William P. Yarborough and Col. William O. Darby of Darby's Rangers fame.

Gen. Tucker's decorations included two Distinguished Service Crosses, the nation's second highest award for heroism; the Silver Star, Legion of Merit with Oak Leaf Cluster, Bronze Star Medal and Purple Heart to name a few.

GEN. REUBEN H. TUCKER III

Maj. Gen. Reuben H. Tucker III was every inch a professional soldier. In the eyes of Gen. Mark W. Clark he was one of the three bravest men in the Army during World War II.

He was a paratrooper, one of that special breed of men who early in World War II helped blaze the trail of a new military frontier—airborne operations. He commanded the 504th Parachute Infantry Regiment, a unit of the 82nd Airborne Division, from 1942 until 1946. He led his troopers from the heat of North African desert to the snow and bitter cold of Belgium. Along the way the 504th fought and gained glory in Sicily, at Salerno, Anzio, the Nijmegen Bridge in Holland and in the Battle of the Bulge.

Always Gen. Tucker was in the lead. The 504th made three combat jumps and in each he was one of the first men out of the plane. He was a driving force bent on accomplishment of the unit mission. The greatest demands he made were those he made on himself. His trademark was raw courage. With him there was no bluff and swagger. It was not needed. His actions and his decorations spoke for themselves.

Charlestonians came to know Gen. Tucker 15 years ago when he began his first tour of duty as commandant of cadets at The Citadel. He retired from the Army in 1963 and returned to The Citadel post, establishing close ties which continued even after his retirement nearly two years ago.

Unexpectedly, Gen. Reuben Tucker is dead at 58. His death is a loss to the community

in which he lived and to the country he served so gallantly.

NEIGHBORHOOD LEGAL SERVICES—TAXPAYERS SUBSIDIZE CRIME

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 3, 1970

Mr. RARICK. Mr. Speaker, any discussion of national priorities always involves our responsibility to make wise decisions in the expenditure of Federal funds, which are the hard-earned dollars of working Americans.

How many Members are prepared to justify to their own constituents the use of these dollars to actually subsidize crime? Or to fund the assaults on police, local government, and public decency by the dregs of our society?

Right here in the District of Columbia, where it is still a crime to commit adultery, young lawyers on the Federal OEO payroll have counseled and aided in the commission of that particular crime. Indeed, they have filed suit—in a court of equity, no less—to require that taxpayers furnish the guilty parties more comfortable quarters to break the law.

The attorney-client privilege stops somewhere decidedly short of protecting a lawyer from aiding and abetting his client in the commission of a crime, but I see no interest in this odd situation be either the bar, the bench, or the district attorney.

I include in my remarks, for the edification of all of our colleagues, detailed reports on the abuses by Neighborhood Legal Services in Baton Rouge, La., and in Pittsburgh, Pa.:

AMERICAN BAR ASSOCIATION,

Chicago, Ill., January 26, 1970.

JEROME J. SHESTACK, Esq.,
Packard Building,
Philadelphia, Pa.

DEAR JERRY: I am pleased that you gave me, as a member of the Council and from Baton Rouge, the opportunity of presenting to you what I believe to be the correct facts before the Section or any of its spokesmen proceeded to condemn the Baton Rouge Bar Association in connection with its actions with respect to the Baton Rouge Legal Aid Society, or to condemn the Baton Rouge Police or Sheriff Departments.

I believe it will present a clearer picture if I go back to the organization of a Legal Aid Society in Baton Rouge and come forward.

1. The first Legal Aid Society in Baton Rouge (which was the first in Louisiana outside New Orleans) was organized in 1952. It may surprise members of the Council to learn that I organized it, as one of my projects as president then of the Baton Rouge Bar—as the ABA Award of Merit to our bar recited. From volunteers manning the office we quickly, with my support, went to a paid staff and United Givers support.

2. When the Board of Governors of the ABA, under Lewis Powell's leadership, agreed, with serious reservations on the part of many, to recommend to the House of Delegates of the ABA that the ABA urge state and local bars to bring their associations and their Legal Aid Societies into the program sponsored by the O.K.O., I supported and spoke for it in the Board and in the House—despite my own doubts and reservations.

3. When the proposed participation of the

Baton Rouge Bar itself came up for discussion at the September 1963 meeting of our local bar a heated discussion arose, particularly after its then president made his report on the Washington conference he had recently attended and spoke of his fears and doubts. A motion was made that our bar decline to participate in the program.

The following excerpts from a lengthy press account of the meeting, in the local press on September 14, 1965 may be of interest:

"Dale Powers (one of my law partners), president of the Legal Aid Society here, said the federal program will attempt to work through legal aid groups such as his. However, it also has the right to set the program up through other groups.

"Ben Miller, who is a member of the House of Delegates of the American Bar Association, warned the group that if the bar does not make itself a part of the program, 'We're heading for socialized law.'"

Instead of adopting the resolution not to participate, the association decided instead to direct its board to "present a recommendation on the entire matter to the general membership at its October meeting."

4. Action was deferred, however, until the December meeting on December 6, 1965, at which by but a four vote margin our association tabled the resolution not to participate in the program. Here again the discussion was heated and protracted as the lengthy local press account of December 7, 1965 shows. These are excerpts from that news account:

"Ben Miller, pointing out he is a Goldwater Republican, said he was in favor of tabling Cadwallader's resolution because it was premature. He urged bar members not to 'disavow and disassociate' themselves with the federal program until they saw what it offers.

"Miller, a member of the Board of Governors of the American Bar Association, said that after more information is available on the program he might offer a resolution even more stringent than Cadwallader's proposal, 'but this is not the time,' he said. * * *

"A number of members of the bar spoke on the resolution before the vote was taken. * * *

"Several more persons attempted to be heard but Miller moved to table the resolution, a non-debatable motion. At this point, Calvin Hardin, who was attempting to speak, 'thanked' Miller and stormed out of the meeting."

5. These activities of mine resulted in a personal letter to me from E. Clinton Bamberger, Jr., Director, Legal Services Program, Office of Economic Opportunity, dated December 28, 1965. These are some excerpts.

"I am informed that this resolution was tabled largely as a result of your efforts. I wish to express my appreciation for your valuable assistance in postponing action upon the matter by the Baton Rouge Bar Association until such time as the purposes of the Legal Services Program can be made clear to the members of the Bar.

"The Office of Economic Opportunity has not and will not propose or initiate any legal services program. Any proposal to provide legal services for the indigent must originate with the local community and be adapted to the needs of the poor in that community.

"The Office of Economic Opportunity has neither the statutory authority nor the intention of itself providing legal services, initiating litigation, establishing educational programs or instituting legal actions intended to effect changes in existing laws, for or on behalf of any individual, group or community.

"The sole function of this office is to provide advisory and financial assistance to local communities which are developing programs in accordance with the purpose and requirements of the Economic Opportunity Act of 1964, as amended, so as to aid those communities in their individual efforts to elimi-

nate poverty and the causes of poverty. * * *

"Legal services are to be rendered in accordance with the Canons of Professional Ethics. * * *

"The Baton Rouge Bar Association is to be commended for its concern with legal problems faced by the poor and methods of solving them." (Emphasis supplied.)

6. And John W. Cumiskey, the then chairman of the ABA Standing Committee on Legal Aid and Indigent Defendants wrote me on December 22, 1965, excerpts of which read in part:

"Our experience has been that OEO will not entertain legal service programs without first assuring itself that the local Bar Association has been involved and is either recommending the program or chooses not to participate. * * *

"Of course, at all times at least 2/3 to 3/4 of the members of your Board, however established, must be members of the Bar." (Emphasis supplied.)

The very significant departures from these assurances will be commented upon later. As to composition of the board, there are at present but 16 attorneys all told (white and black) on a board of 36.

7. I then sent copies of both letters to the more influential opponents in our bar and to others, and on the basis of these assurances and with this understanding, our bar later did agree to participate and the new program of "Legal Aid" began here in 1967.

8. The program, at least here, has drastically changed, however. There is now a staff of seven paid attorneys and nine paid non-lawyer personnel operating four offices, with \$158,926.00 federal funds, \$19,000.00 from United Givers and \$22,577.56 in value of free legal services rendered by members of the Baton Rouge Bar Association, and there is an open solicitation of local business through various means including their "Legal Aid News" distributed widely and free, the back side of which reads in bold letters: "Maybe you need a lawyer! Legal Aid Society of Baton Rouge, Louisiana, Providing Free Legal Counsel To Those Who Cannot Afford It, 1703 North Acadian Thruway, West, 1704 East Boulevard (At Lettsworth), 8050 Scenic Highway (At Curtis), 301 Raymond Building (Florida at Third)."

Yet almost two-thirds of their "legal problems" are "family problems" such as divorce, separation and non-support between blacks.

For whatever the reason (to justify the large staff and large grant of funds, or because of pressures in or outside the Board of the organization) it had earlier begun, but in 1968 and 1969 increased, so-called Law Reform activities. It initiated an effort to organize a Domestic Workers Union. It printed and widely distributed a pamphlet, the first page of which read:

"Domestic Workers Unite! Now," and the conclusion of which read: "If you would like additional copies of this paper, they may be obtained from any of the Neighborhood Centers or Legal Aid offices listed above. Additional papers concerning the union will be coming to you as we progress. Remember—our progress depends on you! So—do your thing!"

The minutes of the regular quarterly meeting of July 21, 1969, read in part: "Mrs. Nelson asked about the Domestic Workers Union and the announcements promised her NSS-Center City. Fifty announcements were given her with the promise of more if needed."

9. On July 25, 1969, James Oliney, a black youth who although 17 years old was six feet seven inches tall, burglarized the home of William Gladney on East Lakeshore Drive in this city. His criminal record went back to at least 1964 and included 15 charges, 12 of which were for burglary. He had been previously committed to the State Industrial School (as a juvenile) for burglary on November 14, 1968, and was released six months

later. Less than two months after release he was charged (on July 2, 1969) with burglary and theft. He pleaded guilty on July 15, 1969 and drew a five year suspended penitentiary sentence. Ten days later he burglarized the Gladney home. He was traced to the grounds of a school in a negro neighborhood. When this strong six foot seven inch young negro resisted arrest and attempted to stab the officer, he was fatally shot by the officer. Pressure was shortly asserted by certain negro leaders, joined in by certain whites, to compel the Mayor to dismiss or suspend the officer. This the Mayor refused to do although he stated that he would, and he did, see that this was turned over to the Grand Jury which on August 12, 1969 cleared the officer completely after several days of hearings.

Meanwhile, however, a written statement was issued by some group warning that "If there is another killing by police of a black man, even if justified, the lid will blow." The Mayor received "dozens of obscene phone calls" and had to be assigned "two body guards to escort him wherever he (went) because of the threats on his life." (There had been an earlier killing of another negro while resisting arrest, but there had also been three law enforcement officers killed here by negroes in recent years by negroes resisting arrest, to illustrate the danger facing our officers and their justifiable fears. These three were Deputy Sheriff Butt, and Lieutenant Bannister and Sergeant Sanchez of the City Police. There were not, by the way, protests or demonstrations from any negro leaders against this violence by these members of their race.)

On July 31, 1969, certain negro leaders organized what they publicly stated would be a march of over 5000 to the municipal building to "demonstrate." The march was not interfered with in any way but instead of 5000 "joining" there were at most 500. (I know as my office is just across the street from the grounds of the municipal building and I watched—and heard—from our window on the second floor of our building. We—and most business concerns—had let female employees go home an hour before the time the leaders had said "five thousand" would be gathering.)

Jerry Johnson, an admitted negro militant, was given the platform and over the loud speaker unmistakably urged violence. I heard it. Emmett J. Douglas, state president of NAACP, used words to this effect in his speech to the group, and over a loud speaker: "We want an eye for an eye, a life for a life. Go out and do your thing."

I heard this speech too. In my judgment there was no doubt that these and the other talks were responsible for the serious violence which immediately followed. The crowd proceeded to go in small groups down our main street (Third Street, which you will remember from your time here on the L.S.U. faculty). White men and women were attacked at various locations and at the corner of Third and Main a white driver was pulled from his vehicle and severely beaten, three major fires, by arson, occurred that night. During the period of violence which followed the shooting of this young burglar, a negro storekeeper was killed by a negro attempting a robbery, a clerk in a store operated by a white man but in the negro community, was wounded by another negro, and a negro picket was killed by another negro. Certain stores owned by whites in the negro community were picketed, by the way—to the obvious personal advantage of D'Orsay Bryant, head of the Baton Rouge Chapter of the NAACP, who owned a grocery store in this negro community.

10. I am attaching copies of certain news stories which outline the events I have described.¹ You will note that the city govern-

¹ Baton Rouge State Times, August 11, 12, 13, 14, 15, 18 and 27, 1969.

ment and its police department were also being criticized by whites, for the really grave increase in crimes of violence which this community—as well as the nation generally—has experienced over the last several years. There were 10 murders here in 1965, but 16 in 1968 and 23 in 1969. Rape increased from 57 in 1968 to 76 in 1969. Robbery from 98 in 1965 to 241 in 1969. Assault from 195 in 1965 to 866 in 1969. Burglary from 1824 in 1965 to 3880 in 1969. Need I say that an overwhelming percentage of these crimes of violence were by negroes—and in many instances against negroes. "The odds are 1 to 15" of being a victim here.

The activities and speeches here of Rap Brown (a Baton Rouge native and who attended Southern University here) particularly on the occasions of his visits here may or may not have been a factor in these problems.

In addition to the three local law enforcement officers killed by negroes resisting arrest, in recent years the records of the Baton Rouge Police Department show:

"According to our records the assaults on Baton Rouge Police Officers for the years 1968 and 1969 are as follows: 1968, 50; 1969, 35.

These statistics have not been categorized into months.

And records of our Sheriff's Department show:

"Please be advised that a check of the records on file in this department reveals that in the year 1969 sixty officers of this department were assaulted by offenders while the officers were in the performance of their official duties.

"Of these assaults, six were made by the use of firearms; four by the use of knives or other cutting instruments; five by other dangerous weapons; and forty-five by hands, fists, feet, biting, etc.

"There were no officers killed as a result of these assaults, and no extensive injuries were inflicted upon the officers."

In almost every instance these assaults were by negroes.

11. On August 5, 1969, I made a talk to the Downtown Lions Club which had been scheduled before this incident of July 25th and the demonstrations which followed and were still fermenting. The title of that talk was "A New Supreme Court?" but I injected into it an effort to urge all to await a determination of the facts of the July 25th shooting, through the use of legal procedures. I said in part—as the press account of August 5, 1969, reported:

"Until the facts are determined, the police should not be pre-judged and condemned—as some would now seek to have us do—under the threat as has been expressed in writing—'That if there is another killing by police of a black man, even if justified, the lid will blow.'" * * *

"There are legal procedures for determining those facts and those should be used before persons of either race act on impulse, assumptions or rumors.

"A grand jury investigation is one obvious legal process for determining such facts. And if our Negro community lacks confidence in the impartiality of our grand jury, both state and federal courts are open for a trial to develop the facts."

12. The Legal Aid Society secured or attempted to secure the releases of those arrested following the violence and for violation of a curfew—at least such is the understanding here.

13. Then followed the filing on August 5, 1969, by the Legal Aid Society of the complaint to which your letter referred. You can form your own opinion as to whether or not this and particularly the allegations in Article VI, is a reckless, scurrilous, un-lawyer-like and unethical action attacking an entire police and sheriff's department (a number of whom are themselves black) and an entire city and county (parish) government. By way of but one example to those

receiving a copy of this letter but not of the complaint itself, in allegation VI (2), the complaint states that police officers "pursue black offenders for the sole purpose of execution pursuant to order of the Chief of Police and other administrative officials". (Emphasis supplied.) And in VI (7) that "starvation (is) imposed and heat applied as a means of torture" by "law enforcement officials" on "black offenders during incarceration"; and in VI (9) that "the racist acts of law enforcement officers are sanctioned, condoned and supported by the Mayor, Chief of Police, Sheriff of East Baton Rouge Parish and the City-Parish Governing body"—one of whom (Delpit) is a negro councilman, and another (Johnny Jones) is a negro assistant parish attorney.

The Director of Legal Aid instituted this suit without even submitting it to the executive committee of the agency—much less its board of directors.

14. This suit and the contemporaneous effort to initiate the organization of a union shocked and dismayed even all but the most fervent supporters of the organization. The officers of the Baton Rouge Bar Association began an investigation and conferences with representatives of Legal Aid; and a special meeting of the Board of the Legal Aid Society was held on September 15, 1969, and the following resolutions were adopted:

"In the future the Legal Aid will not publish any pamphlets showing that they are sponsoring anything in the form of a union or anything of that nature but that they will work through the community centers or organizations.

"Since the Board of Directors is responsible for the policy, when the staff wishes to engage in law reform, (law reform being defined so as to include class action), it shall clear with and secure the approval of the Executive Committee of the Board of Directors. If 1/2 of the Executive Committee or the Director shall object to the decision of the Executive Board, then the matter shall be brought before the Board as a whole within five (5) days. No prior clearance is required for filing an individual's law suit."

The Board of Directors of the Baton Rouge Bar Association then met on September 16, 1969, and adopted three resolutions. The first briefly read:

"1. That the Board of Directors goes on record as favoring the furnishing of legal aid to the indigent, and encouraging participation in programs designed to achieve this end, consistent with the ethics of the legal profession."

The second said the Board "strongly disapproves" of the Legal Aid's promotional union activities and the class action complaint referred to above; that:

"While this action (of the Legal Aid Board) does not satisfy completely the objections of the Board of the Baton Rouge Bar Association, it does indicate a willingness on the part of the Legal Aid Board to review its policies and to discuss with the Baton Rouge Bar Association the differences in question.

"The Board feels that every effort should be made to resolve the differences by negotiation in order to preserve the legal aid system in its present framework."

And the resolution concluded by recommending that the bar association defer action for a "reasonable period" on a resolution a member (Lawrence Durant) had pending to disassociate the bar's affiliation with the Society, until a pending investigation by the state bar of the scope and nature of legal aid organizations statewide was completed—until the local bar could "exhaust all reasonable efforts to arrive at a working arrangement with the Legal Aid Society consistent with the standards of ethics in the legal profession as defined by the Louisiana State Bar Association and the Supreme Court of Louisiana."

15. At the meeting of the local bar on

September 22, 1969, the representatives of the Legal Aid Society refused to dismiss, amend or withdraw from, the class action suit and there was strong sentiment—which I shared—to disassociate unless this was done, but the Board's recommendation to defer carried—largely through the efforts of my law partner John Parker, the immediate past president of the local bar and who you may remember as a student editor on the LSU Law Review while you were its adviser. The state bar has not yet made its recommendation and our local bar has not yet disassociated itself.

16. Meanwhile, on September 23, 1969, the Board of Directors of "Capital Area United Givers" met and adopted its resolutions on the issues. Its first "resolve" read:

"Be it resolved by the Board of Directors of Capital Area United Givers that we strongly favor the furnishing of legal aid to the indigent."

It then "Further Resolved" to support the action of the local bar; and deferred any commitment for financial support in 1970, and made such support "contingent upon (Legal Aid's) acceptance of and compliance with" new guidelines and standards.

These actions of Legal Aid—so completely beyond the scope of its activity as had been assured the local bar by Mr. Bamberger initially, to which I have referred, caused such resentment among the citizens of this area that despite this position United Givers publicly took, its campaign was far short of its goal and the needs (so much of which related to needs of the negro community itself)—some \$139,428.00 short, "the biggest failure in the fund drive's 18 year history."

CONCLUSION

Instead of criticism of the Baton Rouge Bar as your letter of January 9, 1970, states would be in order if the facts are as they have been represented to you by others to be, the Baton Rouge Bar should be commended and the Legal Aid Society of Baton Rouge severely criticized.

If you sent copies of your letter of January 19, 1970, to anyone other than Mr. Klaus, I ask that you send the same persons copies of this, my reply. I am sending copies of this letter to the Baton Rouge Bar Association and to the chairman of the State Bar committee presently investigating the matter of standards for Legal Aid Societies in Louisiana, and the others shown below.

Sincerely,

BEN R. MILLER.

[From Human Events, Feb. 7, 1970]

NEIGHBORHOOD LEGAL SERVICES SHOWN AS BAD AS FEAR

(By Jack W. Plowman in the Pittsburgh Legal Journal)

(NOTE.—Mr. Plowman is a member of the Allegheny County, Pennsylvania and American Bar Associations. He is a member of the Board of Directors of the Neighborhood Legal Services Association and has just completed a term as an administrative vice president of the Allegheny County Bar Association. The views expressed in this article, however, are his own and do not represent the views of any group of which he is a member.)

Pittsburgh and Allegheny County now have behind them three years of the federally financed legal services program. Known locally as the "Neighborhood Legal Services Association" (NLSA), the program has, in this brief span of time, confirmed some of the worst fears of those who opposed its creation.

The principal objections to the NLSA program were that:

(a) The interests of the government would be given priority over those of the client.

(b) The client would be deprived of his choice of counsel.

(c) The program would not be operated ethically.

(d) The program would gradually expand so as to socialize the practice of law.

(e) The program would be controlled by non-lawyers.

(f) The cost would be greater than if legal services were provided through the private bar.

At the time the NLSA program was urged upon the bar, it was represented that "the purpose for which it is formed is to make available legal services to all residents . . . who, because of their financial inability, are unable to procure such legal aid. . . ."

The petition seeking a charter for NLSA further stated that the purpose was "to undertake education programs in which indigent residents may be instructed in and advised of their fundamental private legal rights and obligations, to the end that their performance, motivation and productivity as citizens may be improved and their respect for the law increased."

No mention was made in the application for charter of any purpose to remake or refashion the law in accordance with any vision or plan of the program administrators, and yet that has become perhaps the most dominant and controversial feature of the NLSA, both locally and nationally.

One need not look far to discover this overriding purpose. The current application for funding of the local program states that one of the objectives of the NLSA is "to make the legal system and society responsive to the poor," and further to deal with the basic problem of "law reforms . . . designed to make our society and the laws responsive and cognizant of the needs of the poor."

Stripped of its bureaucratism, this means law reform in accordance with the views of appointed officials, who have never had their policies subjected to the heat of the election furnace, or even tested by legislative debate.

No doubt should exist that the main purpose of the NLSA program is law reform, rather than the traditional, pragmatic goal of legal counsel, which is to obtain the best result possible for his client within the framework of the law. In responding to criticism of the program, one government attorney stated that the critic had ". . . failed to take into account the pragmatic nature of most modern legal practice, which unfortunately is at cross purposes with and therefore incapable of accomplishing the objectives of providing a just society for the indigent."

The Allegheny County Bar is not alone in faulting the NLSA program and its ideas of social engineering. The General Practice Section of the American Bar Association, at its Conference on Current Problems Affecting the Practicing Lawyer, criticized the government-supplied legal services program for subordinating client welfare to advocacy of social reform.

The basic premise on which the NLSA must necessarily proceed in its efforts at law reform is that the existing law does not comport with the public good.

But, by what standards is the NLSA to be guided? Is not the determination as to the merits of a particular rule of law more properly a legislative function, rather than the result of policy decisions of those administering the legal services program?

And yet, by the skillful selection of cases for presentation to the appellate courts, chosen as to advance a particular social point of view, it is not difficult to see how the administrative policy of appointed officials soon becomes law.

The rejection of the policy of selective appeals to advance a particular social view is not to say that appeals should not be taken, since some of the decisions obtained were long overdue. But the point is that the *raison d'être* of the NLSA program was, and still should be, the representation of individual clients with individual legal problems, not the use of the individual's case to attain a social goal that may or may not be consistent with the interests of a particular event.

The duty of an attorney is to represent the client. If the attorney is retained and paid by the government to obtain a result that should be collateral, such as law reform, a perversion of the legal process results that has long been denounced by all enlightened professionals. (See the Ethical Considerations under Canon 5 of the newly adopted Code of Professional Responsibility.)

If the purpose of the NLSA program is to protect the interests of the individual client (and this is, after all, the purpose stated in the charter), the decision as to taking an appeal should be made by the individual lawyer in the light of what is best for the client, unworried by any added consideration as to the extent an appellate decision might advance or retard a particular social point of view currently enjoying governmental favor.

The authors of the new Code of Professional Responsibility very succinctly summarized the ethical conflict inherent in any legal services program that intrudes a third person into the lawyer-client relation when they stated in the Ethical Considerations under Canon 5: ". . . [an organization furnishing a lawyer] may be far more concerned with establishment or extension of legal principles than in the immediate protection of the rights of the lawyer's individual client."

The right of the individual to choose his own legal counsel is so basic that it seems incredible that the government policy in administering its legal services program is to systematically deprive the indigent client of that right. Under the NLSA program the client has no choice whatever as to the selection of his attorney, but must instead accept the attorney hired for him by the government.

Certainly one of the most telling and unanswerable criticisms of the NLSA program is that, unlike other programs designed to help the poor, the NLSA program is the only one which denies freedom of choice.

In all other programs, the right of choice has been retained for the poor. Although receiving welfare benefits, a poor person may still choose where he spends his money. He is not, for example, sent to a particular clothing store, nor is he referred to a particular government-hired physician, dentist, druggist or hospital. Why then should a poor person be required to take his legal problems to an attorney hired for him by the government?

The recipients of legal services have themselves complained of the lack of choice as to counsel. Although *Judicare*¹ would obviously solve this fundamental flaw in the existing program, the policy of the Office of Economic Opportunity (OEO), under whose supervision the legal services program operates, is not to approve or fund *Judicare* programs.

Advocates of the NLSA program point to the approval by the American Bar Association of the government-furnished lawyer system. But, as anyone who reads the ABA resolution quickly notes, the resolution merely approves the concept of government-financed legal service programs, without specifying the particular form in which the services are made available.

Why, then, does OEO insist on the NLSA program to the exclusion of *Judicare*, when the *Judicare* system would give to the client the right to choose his own counsel?

The answer is that, under the *Judicare* program, the government would have no con-

¹ *Judicare* is a legal services program in which an eligible client chooses his own attorney, a private practitioner, whose bill is paid by the government, based upon an hourly fee schedule. Attorneys may choose not to participate in the program, but in the one state where it is operational, Wisconsin, virtually the entire bar has indicated its willingness to serve.

trol whatever as to the manner in which the attorney handled the client's case, and would hence have no voice in the attorney's decisions. Cases would be handled with the purpose of solving the client's problem, and the government would be unable to select particular cases for appeal with the leitmotif of the administrator's view of social justice.

Only by the control inherent in an employer-employee context can the government establish its appeal policies. While with *Judicare* the only consideration would be the welfare of the client, under the NLSA program there is superadded the advancement of administrative policy.

In addition to placing law reform ahead of client welfare, which violates Canon 35, and newly adopted Canon 5, the NLSA program has not hesitated to transcend the bounds of legal ethics when it serves its purposes to do so. Even the most basic ethical proscription—again advertising and self-laudation—will soon fall by the wayside.

The 1969-70 NLSA program for Allegheny County plans an extensive public promotion of its legal services which, if pursued by a private practitioner, would lead to immediate censure, if not disbarment.

"The [NLSA] program will engage in legal education designed to acquaint the residents of the poor neighborhoods with the availability of legal services. Such a program will include, but not be limited to, the distribution of pamphlets, newsletters, radio and television appearances, literature describing the functions and locations of legal services officers. . . ."

In view of the declaration of intent to advertise for and seek out clients, and in view of its avowed policy of law reform, the pious declaration set forth in the petition for charter, that "the program shall conform to the Canons of Professional Ethics and Rules of Professional Conduct of Lawyers," sounds rather hollow.

Since the incorporation of the NLSA, little publicity has been given to the numerous efforts to expand the program, both geographically and as to income eligibility.

The initial program provided for the NLSA to operate only in the city of Pittsburgh. By articles of amendment filed the following year the program was extended geographically to include eligible persons in all of Allegheny County.

In addition to the expected efforts to increase the eligibility group, by increasing the annual income that an individual may receive and still be entitled to free legal services,² new and unforeseen expansion of the free legal services program is being undertaken.

The Department of Health, Education and Welfare (HEW) is instituting a program to provide, on a statewide basis, free legal services to any person receiving welfare or, if denied welfare, free legal services to determine his eligibility.³ Thus, what began as an essentially urban program is now being extended throughout Pennsylvania.

Although its petition for court approval of its non-profit corporation charter states that it is for the purpose of providing legal services to "residents," the clause has been interpreted by the NLSA so as to permit the

² Application for 1969-70 Community Action Program, NLSA, paragraph 11C.

³ Under the OEO guidelines, eligibility is established on a local basis, subject to OEO approval. Presently, a family of four with a gross annual income of \$3,200 is entitled to free legal services; a lay member of the NLSA suggested that "\$5,200 would be more equitable."

⁴ At the time of writing, the NLSA has before it a proposal that would expand the eligibility for free legal services to a father and mother, with three children age 14 or over, having an income up to \$9,100. Some poverty!

furnishing of services to organizations, including non-profit corporations.⁵ It is hard to imagine a group having any substantial following that would not be able to collectively pay counsel fees for legal representation.

The most recent effort, this time by the Department of Housing and Urban Development (HUD), will extend eligibility on a broad basis, so that even business corporations in the Model City program would be eligible for free legal service in such matters as incorporation of businesses and providing legal counsel to corporations. (During the first eight months of 1969, at least three non-profit corporations have been chartered through the efforts of the NLSA.)

It remains to be seen whether the HEW and HUD legal services programs will be furnished through a NLSA type of program, or on a Judicare system. The Board of Governors of the Allegheny Bar Association is attempting to have the program implemented through Judicare, rather than through the NLSA.

Whichever system is used, Judicare or NLSA, it appears clear that the government-furnished legal services program is destined for rapid expansion.

OEO has elevated the legal services program to the status of a separate division, which will be charged with the operation of more than 200 NLSA-type law offices. Budgeted at \$42 million in the past fiscal year, the new budget request is for \$58 million.

The local NLSA has requested \$481,097 for the forthcoming year, an increase of \$379,475 over the previous year.

There is no reason to believe that the expansion will end; experience with government programs would, on the contrary, indicate that more, rather than fewer, legal services will be provided in the future.

At the time the NLSA was proposed in Allegheny County, the Bar's fear of a legal service's program controlled by non-lawyers was repeatedly voiced. To quiet these fears, the proponents of the NLSA stated that a clear majority of the board of directors would be lawyers, and hence no valid reason existed for this concern.

As presently organized, 19 members are lawyers or otherwise represent the bar, and 13 are laymen, which would seem to guarantee control by the legal profession. Control has not, in fact, existed, however, because of the make-up of the board.

Of the 19 lawyer representatives, six are ex officio members,⁶ many of whom are routinely absent at board meetings. Coupled with normal absences, the legal profession is frequently in the minority at board meetings, and is often at a loss to prevent enactment of undesirable policies.

The government-financed and supervised law office was presented to the public as being an efficient and less costly means of providing legal services. In fact, far more legal services could be provided through the private Bar for the same money.

The 1969-70 budget of the NLSA in Allegheny County seeks funds in the amount of \$481,097, which should buy a lot of legal services. The personnel roster shows 16 professionals, but of these only 14 are available for legal counseling, the executive direc-

⁵ One of the more visible groups represented by the NLSA is "Concerned Citizens," whose principal effort seems to be to turn the business meetings of the Pittsburgh School Board into town meetings. Their lack of success in the courtroom has not deterred them from continuing to disrupt the meetings.

⁶ Allegheny County Solicitor, City of Pittsburgh Solicitor, Public Defender, the University of Pittsburgh School of Law, Duquesne University School of Law and the Legal Aid Society of Pittsburgh.

tor and an assistant performing solely administrative duties.

The American Bar Association bases its economic calculations on attorney's income on an average of 1,500 hours per annum. This means, of course, that NLSA is getting approximately 21,000 lawyer hours per year for \$481,097, or a gross annual cost per lawyer of \$34,500, or a gross cost per lawyer of approximately \$23 per hour, a gross income figure that is not exceeded on an annual average by very many members of the bar.⁷

If efficiently operated, or if operated on a Judicare basis, it would not be unrealistic to say that the legal services now being furnished could be obtained at 20 per cent reduction in the present cost.

Or, put another way, by using the Judicare system, the government could purchase 25 per cent more hours of legal service through the private Bar as it now obtains with the NLSA. And, in the process, it would recognize the right of the poor to select their own legal counsel and preserve the independence of the bar.

Unfortunately, the fears of the opponents of the government-financed law offices are being recognized through the local NLSA program.

Where does the fault lie? It would be easy to point an accusing finger at the NLSA, but that would be unrealistic. Rather than fault the system, the organized Bar should carry our just criticisms to those who, by default, are responsible for its creation—the leadership of the American Bar Association.

The American Bar Association has been strangely silent since the inception of the legal services program. In particular, no adequate explanation has ever been offered by the ABA as to why it failed to support Judicare, but instead meekly accepted the proposal that the government offered to it.⁸

The ABA owes a duty to the public, as well as to its members, to assure that any government-financed program of legal services places the welfare of the client paramount to all extrinsic interests of the government. This it has failed to do.

The ABA cannot, and should not, attempt to fulfill its duty by blindly approving the OEO program, principally because of the OEO's obvious ulterior motives.

Only by aggressively advocating the adoption of the Judicare system can the ABA guarantee that the legal services made available to the poor are equal to the high quality of representations received by all other members of the public who are serviced by the independent, private Bar.

SECRETARY OF AGRICULTURE HARDIN, A PROFESSIONAL AGRICULTURALIST

HON. RALPH T. SMITH

OF ILLINOIS

IN THE SENATE OF THE UNITED STATES

Wednesday, February 4, 1970

Mr. SMITH of Illinois. Mr. President, when this administration assumed office, a comparatively unknown person was selected for the position of Secretary of Agriculture. I ask unanimous consent

⁷ The average per hour fee of lawyers in Allegheny County is between \$20 to \$30, from which, of course, the attorney pays all of his overhead, keeping the net as his spendable income.

⁸ One discerning critic says that the medical profession opposed Medicare, but ended up having it make them rich, while the legal profession failed to oppose the legal services program, for which the government expressed its gratitude by taking their clients.

to have printed in the Extensions of Remarks an excellent article, entitled "Who is Clifford Hardin?" written by Keith L. Wilkey, of the Quincy Herald-Whig.

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

SECRETARY OF AGRICULTURE HARDIN IS A PROFESSIONAL AGRICULTURIST

(By Keith L. Wilkey)

Who is Clifford Hardin? Where did he come from and what is his background? What is his agricultural philosophy? What kind of a Secretary of Agriculture will he make?

These are some of the questions farmers and others involved in agriculture are asking. Clifford Hardin has been in office almost a year, yet to many he seems an enigma. Not the back-slapping, hale-fellow-well-met type that are so often prominent in high political circles. Hardin has been most often characterized as "cool."

President Richard Nixon chose his cabinet carefully. Because of the troubles of agriculture, the rapidly declining farm population, the disenchantment among urban members of Congress and the urban press with recent government subsidies, low commodity prices and other frustrations of the farming industry, many political wiseacres felt few qualified men really wanted the post.

The late President Kennedy chose a Minneapolis lawyer named Orville L. Freeman, who had served as governor of Minnesota but was defeated in the 1960 election. It seems an old political saw that defeated party candidates for state or federal office are handsomely rewarded by federal appointments. So Freeman was "taken care of" by a cabinet appointment, and though agriculture was not exactly Freeman's "bag," the doughty Minnesotan was versatile.

The late President Eisenhower, who won his party's nomination in a bitter contest with the late Senator Robert Taft, appointed a stern elder of the Mormon Church named Ezra Taft Benson, a relative of the defeated Ohio senator. Commenting on Ike's appointments, Taft cracked in his dry, flat voice, "Well, we did get cousin Ezra in."

Thus the two predecessors of Hardin were given the top spot in American agriculture because of political traditions, rather than because of background and experience with working agriculture.

No so with Clifford Hardin.

Hardin has been less involved in national politics than any agriculture secretary for many years. He is a professional agriculturist, first, last and always.

Because of the importance of a new "ag sec" to the farming industry, there is always much speculation among farm editors about who the new secretary of agriculture will be when a new administration comes to Washington. After Richard Nixon's election became official, there was the usual speculation about who would get the top spot in the U.S. Department of Agriculture.

"Dean Earl Butz, of Purdue University, has the inside track; after all, he was Undersecretary under Eisenhower," was a common prediction. Others said, "You have the right school, but it will be Professor Don Paarlberg." (Paarlberg was named to one of the Undersecretary posts). Still others were certain it would go to Clifford McIntyre, who heads the conservation and natural resources division of the American Farm Bureau Federation, and a former Congressman. Several other likely candidates were mentioned.

The word was unofficially passed around at the AFBF annual convention in Kansas City last December that the President-elect had tapped Chancellor Clifford Hardin of the University of Nebraska for this sensitive post. While some farm writers were familiar with Hardin, others asked, "Who in the heck is Clifford Hardin?"

Hardin is the prototype of an Indiana farm leader. Born near Knightstown, Henry County, a town of 2,490 located midway between Indianapolis and Richmond, on U.S. 40 in east central Indiana, the Secretary is a son of James Alvin and Mabel (Macy) Hardin. He was a 4-H member and attended school on a 4-H scholarship. He entered Purdue University at LaFayette, 150 miles northwest of the Hardin farm, during the bleak years of the Great Depression. In 1937 he graduated with a BS degree in agriculture; in 1939 he was awarded the MS degree and two years later completed his doctorate.

Hardin was a student at the University of Chicago in 1939-1940 and was awarded an honorary LL. B. degree from Creighton University in 1956. During the academic year 1940-1941, the future cabinet member was assistant professor of agricultural economics at the University of Wisconsin in Madison. The following year he moved to Michigan State College at East Lansing, where he advanced successively to associate professor of agricultural economics; professor and chairman of the department of agricultural economics; assistant director of the agricultural experiment station; director and finally he was made Dean of the College of Agriculture. In 1954 he became Chancellor of the University of Nebraska and moved his family from south central Michigan to the low rolling hills of Nebraska, where his permanent home now is at 41, The Knolls, Lincoln.

Not all of Hardin's experience has been in the classroom. He is a director of the Federal Reserve Bank of Kansas City (Omaha branch); a director of Behlen Manufacturing Company and Fairmont Foods Company; a trustee of Bankers Life Insurance Company; a member of the Educational Advisory Commission of the W. K. Kellogg Foundation; a trustee of the Rockefeller Foundation and a director of the Federal Farm Credit Administration of St. Paul. He was a member of the President's Commission to Strengthen Security in the Free World and a delegate to the International Conference of Agricultural Economists in London. Also a member of the National Science Board and the Association of Universities and Land-Grant Colleges, of which he has served as president and chairman of the executive committee.

It would be difficult to find anyone with more technical experience in agriculture than Cliff Hardin. On June 28, 1939, the Secretary married Miss Martha Love Wood. The couple are parents of five children; Clifford Wood and James Alvin and Susan Carol (Mrs. L. W. Wood), Cynthia W. and Nancy Ann. Hardin is a Phi Beta Kappa, belongs to several fraternities and is a Rotarian.

Secretary Hardin moves slowly and deliberately. He researches everything carefully and moves with caution. One of his first acts after being sworn in was to call in and interview the heads of the farm organizations and larger commodity groups. Next he held a series of "listening conferences," or agricultural forums held in various parts of the country, including Illinois, Nebraska, Georgia, Washington (state), Texas and California.

"Why have any more probes about what the farm problem is?" asked some midwestern agricultural publications. "Everyone knows what the farm problem is and have known for 35 years. Why take up the time of farmers who are busy in the fields, etc.?"

Some farm organizations viewed the "listen-ins" with mixed emotions. After all, farm leaders spend their time and money representing the views of their farmer constituents; this looked like the Secretary was going over their heads.

Melvin Sims, Liberty Route 2, president of the National Council of Farmer Cooperatives and FS Services, Inc., is the only local farm personality who is personally acquainted with Secretary Hardin and discusses farm problems with him face-to-face in a conver-

sational manner. Sims was Hardin's luncheon guest during the recent AFBF convention in Washington.

"The 'listen-ins' may have appeared to be somewhat unorthodox," Sims said. "After all, the Secretary of Labor doesn't usually go out and get the views of the rank and file; he deals with the labor leaders. But Secretary Hardin felt it was important to go directly to the source of those who work in the farming industry. He is interested more in basics and is more concerned with the results than he is who is going to get any credit. I must say I admire him for this attitude."

The listen-ins typify Hardin's method. He is unconcerned with political self-promotion and does not appear to be too deeply concerned or disturbed by criticism or detractions. He is no flag-waver; no tub-thumper; no "we're gonna' do this and we're gonna' do that" leader. He is plain old Indiana Cliff Hardin.

There is an ancient legend about an old man and a boy walking down the road leading a donkey. "How stupid," chided some passerby, "why doesn't one of them ride?" The boy got on the donkey. "That lazy boy should be ashamed; making the poor old man walk." The two changed places. "Can you imagine that: that man making that poor little boy walk while he rides." The two were frustrated. By trying to please everyone, they had pleased no one.

Some farm leaders are trying to apply that legendary allegory to the present Secretary of Agriculture. "He is trying to please everyone and actually pleasing no one," say some of his detractors. But Hardin keeps on "plowing corn."

Though there have been no emotional outbursts against Hardin, such as were against Benson and Freeman, "some of the boys are mumbling in their beards." Such questions are being asked as, "When is he going to move?" Hardin is being accused of inactivity, but those who know him best merely say, "He's thinking all the time."

The writer has participated in several press conferences with Secretary Hardin. He handles reporters well. While former Secretary Freeman has been accused of occasionally bluffing his way, Hardin doesn't bluff. When he doesn't know, he says so.

"Why have you been so long announcing wheat acreage allotments?" demanded a farm editor from the plains states last summer at a press conference. "Because I didn't know what to announce," was the Secretary's straightforward and unequivocal answer.

"When are you going to announce the Nixon farm program?" Hardin was asked during another press conference in Chicago. "There will be no 'Nixon farm program,'" answered the head of the USDA. "We are working with the Congressional committee and others to develop programs to benefit all groups."

There has been some criticism of Hardin, but it has been quite mild. A few liberal farm leaders do not think the Secretary is supply-management-minded enough, while Farm Bureau is raising questions. "Hardin has not really made anyone mad, yet few are singing his praises to the skies," said a farm leader in Washington recently.

"Hardin wants to work it out 'together,'" said the Kiplinger Agricultural Newsletter of Oct. 3, "not trying to dictate programs to Congress like others before him. Wants to cooperate with Congress . . . just the opposite from Brannan, Benson and Freeman. Even the toughest nut on the Agriculture Committee appeared to be disarmed by Hardin's cool . . . his willingness to cooperate . . . his sincerity."

Those who view Hardin's first year objectively agree that he is trying his best to be fair to all groups. He earnestly desires their cooperation.

After a year as head of the sprawling

USDA, these attitudes of Agriculture Secretary Clifford Hardin have emerged:

He does not favor an immediate withdrawal of all commodity programs; he thinks Farm Bureau's massive land retirement program would be "too severe"; he is partial to a "set-aside" commodity program; he does not favor the \$20,000 limitation as such, unless it meets the criteria of the program; he does not favor one farm organization over another and has endeavored to give something to all of them and he feels that the Congress—particularly the Agriculture Committee of the House of Representatives, should draft farm legislation—not the Secretary of Agriculture:

Hardin can look back on 1969, as a year of consolidation; of becoming acquainted; of feeling his way along; of gathering all the information possible. No one can say in fairness that he is a bad Secretary or a good one. Perhaps 1970 will reveal more of Cliff Hardin's methods. His first year has been a testing time.

A RESOLUTION FOR A FULL INVESTIGATION OF THE NCAA

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 4, 1970

Mr. MICHEL. Mr. Speaker, on January 19, I took the floor of the House to discuss the high-handed tactics of the NCAA in imposing some completely unreasonable, arbitrary, and outrageous sanctions upon Yale University's entire athletic program. Then on January 27, the gentleman from Connecticut (Mr. GRAYMOR) and I introduced a resolution calling for the creation of a select committee to conduct a full and complete investigation and study of the National Collegiate Athletic Association.

We made the point at that time that we would solicit the membership for support and would reintroduce the resolution, which I am happy to do today in conjunction with 24 of our colleagues from both sides of the aisle and representing a wide spectrum of political philosophy.

Since my first comments we have received a good amount of correspondence from college officials from all parts of the country, as well as private citizens, encouraging us in our effort, and it is quite evident that the dissatisfaction and concern over the policies of the NCAA are rather widespread.

I insert at the conclusion of my remarks the following articles:

[From the Sports Illustrated, Jan. 25, 1970]

SCOREBOARD

IRRATIONAL

The NCAA is becoming ridiculous. Once the popular favorite in its duel with the stodgy old AAU, its persistent stance of self-defeating stupidity is eroding its support everywhere. The suspension of Oregon State basketball player Gary Freeman (Scoreboard, Sept. 15) was a bureaucratic inanity that had to be reversed, and the failure to sanction basketball competition in the Maccabiah Games—because of the continuing squabble with the AAU—was petty, shortsighted and cruel. Its suspension of Yale for two years (for not forbidding a Yale player to go to the Maccabiah Games and then for letting him play varsity basketball this season) is a prime example of NCAA overkill.

Even more peculiar is the one-year sus-

pension of San Jose State's track team, the defending NCAA outdoor champions. San Jose was barred from competing in either the indoor or outdoor national championships this year because several of its athletes took part last season in two "uncertified" meets. Athletes from other colleges (the NCAA refuses to name them) appeared in at least one uncertified meet, but their schools were "chastised" rather than suspended. San Jose ostensibly received the sterner punishment because its athletes had competed in two such meets.

San Jose claims that it had assumed the meets its athletes entered were O.K., because both had been sanctioned by the U.S. Track and Field Federation, the group the NCAA helped organize in opposition to the AAU. It tried to appeal the ruling, but the NCAA refused the appeal. Last week San Jose's acting president, Robert W. Burns, said, "At the very least, we believe we are entitled to know why San Jose State College . . . was singled out for punishment and why the punishment was so severe." Then he tossed a strong accusation. "This action against San Jose State," he said, "may have been in part a prejudicial reaction to John Carlos' raised-fist gesture at the Olympic Games."

Carlos is the controversial sprinter who, with his San Jose teammate Tommie Smith, appeared on the victory stand in Mexico and made the Black Power gesture that aroused so much animosity. To ascribe the NCAA action against San Jose to its personal feelings against Carlos would seem terribly far-fetched if it were not for a double-page spread that appeared on pages 2 and 3 of the December issue of *NCAA News*. An oversimplified and one-sided editorial on campus unrest among black athletes is accompanied by an abridged report of a speech by an FBI official that, in juxtaposition with the editorial, seems to lump all black student activists with the extreme left. If the NCAA wanted to support the argument of San Jose's acting president, it could not have done it more effectively.

[From the Orlando Sentinel, Jan. 18, 1970]
**NCAA HAS BECOME DOWNRIGHT LUDICROUS;
 COLLEGE SPORTS DESERVE BETTER**
 (By Bill Clark)

Face it, the NCAA has become downright ludicrous.

The proper name of this body which once was steeped in respect is the National Collegiate Athletic Association. All the big schools in the country are members and, ostensibly, they rule themselves. But great powers have been vested in a half-dozen hired hands.

Walter Byers, an ex-sportswriter, is one of these. He is NCAA executive secretary and one of the major culprits in the whole mess since he is the strongest single individual in the administrative setup. Some people say the colleges should have known better when they hired a sportswriter.

At any rate, what is wrong with the NCAA these days is a topic so plural you can name them alphabetically. Here are a few:

A few years ago, the NCAA embarked on a struggle against the AAU (Amateur Athletic Union) for control of amateur sports in America. The fight soon grew utterly preposterous, both sides acting like small children. Two U.S. presidents, Ike and JFK, both tried to break up the quarrel without success. Small children quarrelling are okay, of course, but who wants them running the athletic department at Florida? Or UCLA? Or at your alma mater?

The NCAA slaps stiff penalties back-to-back on FSU for recruiting sins which, when compared to things going on at 99 per cent of the nation's schools, really are quite negligible. And this is no effort to whitewash Florida State. It is just a question whether

Walter Byers and his investigative staff are this naive or if they see only the offenses they choose to see?

In recruiting players and in the area of administering academic tests and scholarships, cheating in some form is rampant in college athletics. There are schools here and there led by principled men who try to conduct honest programs. Unfortunately, they are often the coaches and athletic directors whose teams are losers. Unprincipled opponents consistently beat them. In effect, the nice fight with one hand tied behind their backs.

A common practice at even the best schools is to hand a fistful of tickets to each football player before home games. The schools and their coaches know full well that the athlete is going to sell those tickets for more than the market price. Often-times, school representatives bring the star player together with the ticket buyer . . . usually a rich alum who is glad to pay, say \$50 for a pair.

At worst, this is pasteboard prostitution. At best, it is scalping, and scalping, in many cities and states, is against the law.

But practically it is one of the ways schools illegally pay their athletes. Never mind that the ethics of it is all wrong, in fact, stinks.

The NCAA knows about the ticket scandal, but what does it do to stop it? Nothing.

Athletes often drive big autos. Wilt Chamberlain did while he was at Kansas. Where does a room-and-board and laundry money type scholarship of the type the NCAA permits give a kid the means to buy a big auto? It does not. But the NCAA is less than 100 miles from Lawrence, Kan., where Chamberlain played and the NCAA somehow could never find a thing wrong with Wilt's ride.

Despite what you have heard, the NCAA is not anti-Semitic.

But you have to wonder after what the body recently did to Yale University. An Eli basketball player, Jack Langer, participated last summer in the Maccabiah Games in Israel. The games have been dubbed the Jewish Olympics. The NCAA had not "sanctioned" the basketball part of the Maccabiah Games because they were held under the auspices of the International AAU. Result? Yale was told Langer was ineligible to play this year. Yale used Langer anyway. The NCAA placed Yale on two years' probation for using an "ineligible player" even though other Ivy League schools admitted they did not mind Langer playing.

Now comes word that an Illinois representative has asked for a congressional investigation of the whole Langer incident. Republican Robert H. Michel says to him "this looks like another phase of the running battle between the NCAA and the AAU. There are other sports-minded members of Congress," he notes, "and I believe we should stir up some interest in finding out what makes the NCAA tick." Bully for Rep. Michel.

The recent San Jose State probation appears even more unjustifiable than the Yale case. San Jose State's alleged offense was competing in a track meet on which the NCAA did not bestow its blessings. Other schools competed also, but only San Jose was put on probation. The school claims the NCAA's real reason for taking the action was to punish the school for John Carlos' raised black-glove at the Olympics. Carlos attended San Jose.

One school official said when the NCAA was asked for explanation of the suspension, a spokesman explained that it does not have to justify what it does.

Autocratic and high-handed, the NCAA is also unbelievably petty. It has shown time and again that rather than miss a chance to get in a punch at the AAU, it is willing to sacrifice athletes and athletics. This is the real tragedy, young men like Jack Langer of Yale caught up in a battle which is not their own, as mere pawns.

[From the Women's Wear Daily, Jan. 15, 1970]

SPORTS

(By Red Smith)

A delegate to the National Collegiate Athletic Association convention in Washington is expected to take the floor sometime today and demand that Yale be cast into outer darkness. If the NCAA Council complies, we may witness a phenomenon similar to that which occurred the other day on the beach at Ft. Pierce, Fla.

In Florida, several hundred pilot whales followed their leader out of the water and up on the sand to their death. Their leader was not identified and his reasons for prescribing mass suicide remain a mystery.

The leader of the NCAA is Walter Byers, the executive director, whose motives have been clear for years and years. He is a gauleiter of the rule-or-destroy school, inflexibly resolved to control all amateur sports that are marketable on television.

If he decides that Yale must be put down, he may lead the NCAA to destruction. In any event, if the council members follow him blindly, as they have in the past, they will, like the whales, raise an almighty stink.

THE LANGER CASE

Yale has sinned by permitting an undergraduate named Jack Langer to play on the varsity basketball team in spite of the fact that Langer had been declared ineligible by the Eastern Collegiate Athletic Conference, a branch office of the NCAA which is subservient to Byers and his Kansas City mob.

Langer has done nothing wrong, and there is no way grown men can be excused for declaring him ineligible. He and Yale are innocent bystanders caught between two warring camps—the NCAA and the Amateur Athletic Union.

As a tactic in its struggle to wrest control of amateur basketball from the AAU, the NCAA has for several years refused to sanction international competitions for college players. One event for which sanction has been withheld is the Maccabiah games in Israel. When Langer was invited to play in that tournament last summer, Yale's athletic director, DeLaney Kiphuth, told him to go right ahead if he felt like it. Kiphuth promised that, no matter what the NCAA said about it, Yale would welcome him back on its team.

Though Yale is a member of the NCAA, through the ECAC, the college is one of the few that have refused to knuckle down to the NCAA. Authorities at New Haven have repeatedly made it clear that they mean to conduct their own athletic program as they see fit and will not yield their autonomy to the Kansas City mob or anybody else. They have kept their word to Langer and will continue to play him in varsity games.

QUICK RETREAT

When Yale encouraged Langer to go to Israel, the university was aware of the probable consequences and perfectly willing to face them. In fact, when the ECAC's executive council took one timid little step toward disciplining Yale the other day, Kiphuth announced flatly that Yale would not accept the penalty because it wasn't severe enough.

The ECAC Council voted to put Yale on probation until June 30, 1971, but Kiphuth said the group had no such authority. He said the only penalty that could be assessed was expulsion, and that the executive council didn't have authority to expel anybody. This could be done, he said, only by a vote of the 113 ECAC members.

Furthermore, Kiphuth declared, the ECAC and NCAA had no jurisdiction as far as the Maccabiah games were concerned.

When he was finished talking, the ECAC membership voted for reconsideration of the executive council's decision, and the latter group backed off, withdrawing the probation order.

THE DREAMY PRESIDENTS

It remains to be seen whether the Kansas City mob has the guts to take on Yale. If Yale were expelled, the seven other schools of the Ivy League probably would pull out in sympathy.

Perhaps this wouldn't destroy the NCAA, but it would cause a lot of people to give the organization a hard, appraising look. All over the country there are college presidents who, distracted by campus riots and fund-raising campaigns, have let their athletic departments go along pulling chestnuts for the Kansas City mob.

If the Ivy League walked out, some of these dreamy educators might reexamine the company they're keeping.

DEATH OF W. O. OWENS, JR.,
ST. GEORGE, S.C.

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Wednesday, February 4, 1970

Mr. THURMOND. Mr. President, recently, South Carolina lost one of its outstanding journalists, Mr. W. O. Owens, Jr., of the Dorchester Eagle-Record. W. O. was one of the leading citizens of his community of St. George, S.C. He was a courageous man and a man of fine character.

I would like to read just one paragraph from a tribute paid the late Mr. Owens by R. H. Lawson, Sr., and published in the Dorchester Eagle-Record. Mr. Lawson writes:

He was a man of high and noble purpose and had a great sense of dedication to the things he believed in. No human being has labored any harder for the enrichment of life and the betterment of the community. He was a man of vision whose horizons were not limited by selfish desires and endeavors. He was possessed of an inward strength that kept him going, even when his illness was gnawing away at his life.

In this paragraph, Mr. Lawson sums up the life of a man who worked hard for a family, his business enterprise and the community, athletics, and the political life. All of us who knew W. O. knew that he had no political ambitions for himself, but he had a great courage in attacking political corruption against all odds. In his community he was considered an authority on election rules and stood his ground against all comers. He spent hours of selfless work as chairman of the board of registration and won the admiration of all in the community.

W. O. left behind his wife, a proud and courageous lady, as well as two sons, William M. and Jerry B., and a daughter, Kathleen. They will all miss him, as will all of us.

Mr. President, I ask unanimous consent that the obituary of W. O. Owens, Jr., and a letter to the editor of the Dorchester Eagle-Record be printed in the Extensions of Remarks.

There being no objections, the items were ordered to be printed in the RECORD, as follows:

LETTERS TO THE EDITOR

EDITOR, EAGLE-RECORD,
St. George, S.C.:

During the time that I have been privileged

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to live in this area it was my joy to become acquainted with the late Mr. W. O. Owens, Jr. It was an honor for me to claim him for a friend.

He was a man of high and noble purpose and had a great sense of dedication to the things he believed in. No human being has ever labored any harder for the enrichment of life and the betterment of the community. He was a man of vision whose horizons were not limited by selfish desires and endeavors. He was possessed of an inward strength that kept him going even when his illness was gnawing away at his life.

In his death the community has suffered a great loss. His courageous zeal and self determination to stand up by what he believed to be right is an attribute of character worthy to be remembered.

Sincerely,

R. H. LAWSON, Sr.

OBITUARIES

W. O. OWENS, JR.

William O. Owens, Jr., 49, died Sunday at a Charleston hospital.

Funeral services were held Monday at the St. George United Methodist Church. Burial was in St. George Cemetery.

Funeral services were directed by Bryant Funeral Home.

Mr. Owens was born in St. George, a son of the late Mae Smoak Owens and William Oscar Owens. He was a lifelong resident of St. George, was a retired employee of the Giant Portland Cement Co. of Harleyville, and was associated with the Dorchester Eagle-Record.

He was a former chairman of the Dorchester County Board of Registration, a charter member of the St. George Jaycees and a member of the St. George United Methodist Church.

Surviving are: his widow, Mrs. Doris Magill Owens; two sons, William M. Owens of St. George and Jerry B. Owens of Charleston; one daughter, Miss Kathleen Owens of St. George; one brother, Dr. D. Jerome Owens of Washington, D.C.; and two grandchildren, Julie Owens and William M. Owens, Jr.

Pallbearers were the following nephews: James B. Way, Mike Walters, Don Walters, and T. R. Peden, Jr.; Also, Dan Berry, Roger Brownlee, Eddie Byrd, and W. B. Hills, Jr.

A SMALL BUT SIGNIFICANT ACTION

HON. SPEEDY O. LONG

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 4, 1970

Mr. LONG of Louisiana. Mr. Speaker, in our hurried world today, we seldom take time to recognize the seemingly insignificant actions—the little things that are important in our lives—that frequently go unnoticed. In this vein, a friend of mine recently brought to my attention a small matter—an action that would ordinarily have gone unnoticed. I am glad my friend came forward, for it gives me an opportunity to publicly recognize a small but very significant action.

The matter concerns a letter my friend received from his son's battalion commander at Fort Polk, La.—an Army lieutenant colonel by the name of Robert L. Freshley.

Briefly, the letter reveals that Colonel Freshley is deeply concerned for both the spiritual and physical well-being of the men in his charge. His letter shows

an awareness of the anxieties of parents and a sympathetic desire to alleviate their very natural worries.

There was no attempt by Colonel Freshley to gloss over the hardships of Army training. But, he made it clear that he considered every man in his battalion to be his personal responsibility—and that this responsibility would not be shirked.

Mr. Speaker, it is truly heartening to read Colonel Freshley's letter and to feel the strong personal concern that he shows for his men. I am not surprised, for I have visited Fort Polk many times and have been deeply impressed by the high quality of its staff of officers and men. I know and respect the Fort Polk commanding general, Brig. Gen. Richard L. Irby, as well as his able deputy, Brig. Gen. Emil P. Eschenburg. Both are truly outstanding commanders, and their leadership qualities have obviously influenced the officers and men under their command.

Fort Polk is a training facility. There are few headlines generated by the 14-hour days, the 7-day weeks, and the frustrations attached to molding young men into seasoned soldiers. All in all, it is a thankless job. But, it is heartwarming to know that there are officers and men who are willing to meet the daily challenge of training—and to do so with unselfish dedication and a truly human concern.

Mr. Speaker, it seems fashionable today to take every opportunity to criticize the military. No matter what or who the source, we broadcast our displeasure with the so-called Military Establishment. The mistakes of a few are charged to all. We seldom take time to consider that a person in a uniform is still human—and "to err is human."

I cannot hope to refute the many misleading and often vicious rumors originated by careless and irresponsible sources and circulated by those eager to criticize the military. I can, however, bring this letter—a small matter—to my colleague's attention. Those Members who read this letter will gain a true insight into the caliber of men to whom we entrust our sons.

Mr. Speaker, I include Colonel Freshley's fine letter at this point in the RECORD:

DEPARTMENT OF THE ARMY, HEAD-
QUARTERS, FOURTH BATTALION,
FIFTH ADVANCED INFANTRY
TRAINING BRIGADE, U.S. ARMY,
TRAINING CENTER, INFANTRY,

Fort Polk, La., January 16, 1970.

Mr. WALLACE BASSFORD III,
Springfield, Va.:

Your son has just been assigned to my Battalion for his Advanced Individual Training. Although he will be here only nine weeks, his welfare is of vital concern to me. That is why I am writing this letter.

His training at Fort Polk will be difficult, and his hours will be long. It has to be this way, as we are charged with the responsibility to instill in your son the professional skills needed to be the best soldier in the world. I'm sure you would not wish us to fall short of that objective.

During his time here, he will be given the very best the Army has to offer. His officers and senior noncommissioned officers for the most part, are combat veterans; his food is good and plentiful; his training is outstand-

ing in one of the finest training areas in the world; and his medical facilities are superior.

If your son attended church prior to his coming into the Army, I invite you to write him and urge that he continue this practice, as we offer our soldiers every opportunity to satisfy their religious needs. Since you play an important role in maintaining his morale at the highest level, I ask that in your letters you also encourage him to learn everything he can and to persevere through his training.

But most of all, I want you to know that your son is a vital part of this organization. As one of his senior officers, I shall do my utmost to insure that he is cared for properly.

Should you have any questions regarding your son's training or welfare, please feel free to write, or call me at 318-578-5644.

Sincerely,

ROBERT L. FRESHLEY,
LTC, Field Artillery, Commanding.

MRS. FRANKIE FREEMAN—DISTINGUISHED AMERICAN OF NOTE—WORTHY ACHIEVEMENT

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 4, 1970

Mr. CLAY. Mr. Speaker, I am privileged to have as one of my constituents, Mrs. Frankie M. Freeman, outstanding civil rights lawyer who now serves as the first woman ever appointed to the U.S. Commission on Civil Rights. Mrs. Freeman's history is one of excellence and as a longtime fighter for the rights of black Americans, she has made a contribution which will continue to yield rewards for many years.

Having served on the Civil Rights Commission since 1964, Mrs. Freeman also serves as counsel to the St. Louis Housing Authority. She is intimately familiar with the problems of the poor and of the black. She has been instrumental in the landmark civil rights legislation designed to meet the problems and her vision gives us insight into the paths which must be taken in the future to insure equal opportunity and equal protection under the law.

I deeply value her friendship, I respect her expertise, and I am thankful for the counsel she has offered me.

I commend to the attention of my colleagues the following address of Frankie M. Freeman, delivered November 23, 1969, at the NAACP Freedom Fund Dinner in Milwaukee, Wis. In her speech, Mrs. Freeman points up the alarming realities of the times and the reasons for all Americans to be concerned. Her speech follows:

ADDRESS OF FRANKIE M. FREEMAN

I have looked forward with a great deal of anticipation to addressing this Freedom Fund dinner of the Milwaukee Branch NAACP. It is a moment to be proud of, the opportunity to appear before a group whose deep involvement in the civil rights struggle has helped to write the name of this city—along with such places as Selma, Montgomery, Memphis and others—into the continuing unfolding story of a people determined to break every shackle that keeps them from functioning as completely free and completely equal citizens of this country.

It would be presumptuous for anyone to attempt to lecture the people in this room

on the importance of securing equal rights for all Americans, or to suggest that they should make a commitment to work to secure these rights. The record of the Milwaukee NAACP clearly indicates that you are fully aware of civil rights problems and that you have taken action to find solutions to those problems.

If all those actions had been crowned with success, if all problems had been solved, then this Freedom Fund dinner could well be a time for rejoicing, for the pouring out of praise for tasks well performed. Instead, this Freedom Fund dinner should be a time for sober reflection, for a hard and unemotional look at the distance that still separates the goal from today's realities. The euphoria that attended the early 1960s, when breakthroughs were being made on many fronts, has long since vanished to be replaced with the realization that the tortuous climb to the top of the mountain becomes more difficult as the distance to the summit decreases.

This change in attitude, however, has not been all negative in effect. It has stripped away many illusions that actually stood in the way of bringing about meaningful changes in this society. As long as we believed, as many of us did, that the mere passage of laws would correct the basic racial injustices of this system, then we could not see that the injustices were so firmly imbedded that laws alone could not root them out. It was almost as if we were playing the shell game; while our attention was diverted in one direction, the main part of the game was going on in another direction.

The passage of the various civil rights laws were, of course, of monumental importance, but they were not the end of the struggle, only one more step along the road. Laws alone could not solve the matter of poverty, of people crippled by inferior education, of all the by-products of this nation's most deadly sin. The problems faced by Blacks and other minority groups were so complicated, so interwoven one with the other, that simple solutions were just not possible.

Once this was realized a disillusionment set in among a number of our allies who retreated from the struggle, unwilling to have their hands soiled with the real and unglamorous nitty-gritty problems of Black people. Some of our own people also went through a traumatic shock, becoming convinced that the problems were so deep-rooted that they could not be solved in the present social context, and the only answer was racial separation.

What all this has meant, is that the Civil Rights Movement, as it has been known, has been fractured, perhaps beyond repair. While it was in existence it did perform many useful acts in bringing this country to the point where segregation and discrimination are no longer legally supported, and where there is widespread concern for civil rights. Having done this, it is in the nature of historical progression, that the Movement would be replaced by some other type of structure more capable of dealing with a different set of problems. An analogy can be drawn by citing the cutting away of underbrush to get to a stand of timber. One does not use the same tools to clear the underbrush as he does to fell the timber, and we should not expect that the same type of Movement that was so effective in the 60s can possibly be effective in the 70s. The Movement's demise is therefore, to be regretted but not to be regarded as a signal that all is lost.

A new type of Movement is developing, that even more than the old, reaches out to involve all segments of the community. This type of constituency gives the new Movement more power than the old Civil Rights Movement which was basically middle-class orientated and middle class developed and so limited in concept and effectiveness.

One of the weaknesses of the old Civil Rights Movement was this middle-class mindness. It was never able to develop, except in a few instances, and these most notably in the South, a broad based community involvement. The usual pattern was for the Civil Rights Movement to depend upon white liberals and middle-class Blacks for both financial support and direction, while the great mass of Black people remained untouched.

While the majority of Blacks could share vicariously in the achievements of the Movement, its goals were so far removed from their basic concern, as to be to a large degree, irrelevant. The Movement, however, did achieve its greatest victories coincidental with a period in which the Black community, through the rapid improvement in communications, was becoming more aware that it was not sharing equitably in the good life.

Black fathers, struggling to keep a family together on sub-par wages, looked at television and saw White America relaxing in California, flying to Europe, driving the latest automobiles from Detroit, and asked themselves—why can't that be me. The golden apple of success was dangled just beyond the reach of Black people, and they wanted the fruit. The old excuse—time will take care of everything—was no longer acceptable and spurred on by what had been done on the legal level, the demand for fundamental changes in the White-constructed and White-dominated society began to be heard.

These demands have changed the character of the Civil Rights Movement, they have created a new ordering of priorities, and because they cannot be answered without basic changes in this society, they have produced resistance on the part of many Whites who aren't concerned with whether Blacks vote in Mississippi, but are concerned when Blacks seek homes in all-White sections of Milwaukee.

If the public opinion polls are correct, and if such studies as Newsweek Magazine recently made of the mood of White America are to be believed, the issue of civil rights has become a source of irritation to many Americans who feel that too many demands are being made by too many people who have already received too much.

The truth is that not enough demands have been met or made, for there to be any relaxation of efforts to bring the scales into balance.

Rather than to face up to the bitter truth that the system has not responded to the need for change, a large number of Whites believe that if only enough repressive pressure is applied, if only attention can be diverted from the racial problems, then this nation can return to the past and the headache she now experiences will go away. It is difficult to imagine a more dangerous game than this, for all it accomplishes is to under evaluate the seriousness of the problem and to over evaluate the ability of force and repression to stifle ideas.

On every hand we see a growing insensitivity to this most critical domestic problem. While Blacks fall further and further behind Whites in income, the anti-poverty program is being dismantled. While Black Panthers are being killed or thrown in jail as part of the law and order campaign, the Attorney General of the United States is not sure that he can enforce desegregation rulings. While cities sink deeper into their own filth, billions are poured into an unwinnable war, thousands of miles away from this country. While millions are available for the construction of supersonic transport to carry the well-off to far flung corners of the world, people are being thrown off farms and our Congress quibbles over food programs.

Something is wrong, something is very wrong.

A disturbing trend has recently emerged in this country that places dissent on the same level as treason. It is a coldly calculated device to excommunicate dissenters from the company of decent men, a trick to divide Americans on the basis of their beliefs. We are being told that unless we accept every act of the government as correct, we are being un-American. We are being told not to criticize, that everything is being handled by our elected officials, and if we question them, then we indicate a shocking lack of confidence in our country. So far, the device has been applied only against dissenters from the Viet Nam war, but if this "Operation Discredit" is successful, it will be turned against other dissenters, and particularly against those who dissent over the handling of racial problems.

The step from branding people who dissent on one issue as unpatriotic, to branding people who dissent on any issue as unpatriotic, is not a long one. Once the madness takes hold, and the fever begins, no one is safe except in total conformity. America has to be awakened to this danger, and we who are involved in civil rights activities have a particular responsibility in this matter, for as certain as it is that we sit here today, just as certain is it that we will be the next on the list to be smeared as un-American.

This possibility does have an ironic overtone, for the majority of those who dissent over the handling of America's racial problems, do it out of a desire to reform the country, not to destroy it. The great civilizations of mankind have all crumbled, not because of outside force, but because of their own internal weaknesses. America is no different, she too can destroy herself and it is this that we try to avoid when we ask this nation to solve these problems while there is still time.

Whether the necessary actions will be taken, depends on whether White America can be convinced that she has permitted a racist society to develop and to continue to exist. She has supported institutions that have excluded Blacks, Mexican-Americans, Indians and other minority groups, and she has made a white skin the mark of excellence. The responsibility for changing this rests in her hands.

The responsibility, however, is only dimly perceived by the majority of Whites who find acceptance difficult because it calls into question their own conduct and challenges the sanctity of the institutions with which they feel most comfortable. If they admit to any degree of responsibility then they must have contributed to racism, and since this idea is abhorrent, they reject it. They cannot accept the possibility that their valued institutions, such as their schools, their churches, their all-White organizations, could have contributed to the present racial problems, and so they reject this idea as well.

Such an answer offers a comfortable answer to a difficult problem and shifts the burden of responsibility from those who should bear it, to those who suffer most from the problem, and can do least about it. The illogical nature of this type of reasoning has been pointed out time and time again, and most recently by the President's Commission on Income Maintenance, which said:

"It is often assumed that anyone who wishes to live well can achieve this objective by seeking and accepting work. And it is often argued that the poor are to blame for their own circumstances. These assertions are false. Our economic and social structure virtually guarantees poverty for millions of Americans. The simple fact is that most of the poor remain poor because access to income through work is currently beyond their reach."

While the Commission was speaking of all

the poor, its conclusion can be extended without any difficulty to apply to Black Americans whose economic and social problems are further complicated by the factor of their race. White America must understand this if we are to find our way out of the thicket of racial injustice.

During the 12 years that it has been in existence, the Commission on Civil Rights has expended most of its energies in investigating the reporting on denials of equal rights under the law. In this it has been quite successful with most of its recommendations being enacted into law or administrative edict. This has been a monumental task and work along this line is continuing, but we have also come to the realization that studies and reports by themselves are not enough and that affirmative actions have to be taken in White communities to bring about changes in those institutions which perpetuate separate societies.

The Commission's Urban Project, which operates in a limited number of cities, seeks to do this by working with local groups primarily concerned with programs in the White community. The aim here is to find methods by which institutions can be changed so that they no longer contribute to the maintenance of racism. The goal is admittedly a difficult one to perceive, and even more difficult to achieve, but it is in this area where the greatest hope lies for a lasting resolution of racial conflict.

Institutionalized racism often operates subtly, with few people realizing what is actually taking place. When schools almost automatically assign Black children to general courses while Whites are assigned to academic courses, this is racism. When police departments enforce the law one way in Black communities and another way in White, this is racism. When the only supply of housing available to Blacks is generally inferior and in the inner city, this is racism. When labor unions set artificially high standards and then confine their apprenticeships to relatives of members, this is racism.

These are examples of how racism operates, and as I have indicated, the responsibility for bringing about change rests with those who contribute most to the maintenance of such structures, the White community.

This does not mean, not by any stretch of the imagination, that Blacks should sit still and wait for changes to occur. To do this would be to sacrifice the progress that has been made in the past, and to leave the door open for regression. To stop now and wait for others to catch up would mean losing the impetus that has been built up. And should this happen, it would be years before we could get the procession underway again.

We will, however, have to adopt new techniques and develop a blueprint for action capable of meeting the circumstances that face us today. There are several steps I believe can be taken and I would like to propose these to you.

1. New alliances have to be formed with the young, and with other White groups who have also been barred from sharing fully in the American dream, though they may not recognize what has happened to them.

The impatience of youth frightens many people because the young are not so bound up in materialistic concerns, that they place these above human concerns. In a society where property values take priority over human values, the young represent a threat to the status-quo, and so they are to be feared. More clearly than their elders, the youth of today can see through sham and fraud to the basic imperfections in this society. They ask why should they be taught that all men are equal, when they can see all around them that all men are not being treated equally.

They ask what is all the talk about morality, when their parents cheat on their income taxes, boast of the sharp deals they

have consummated, and are more concerned about keeping their country club membership restricted than with whether people have enough to eat.

Black youths particularly are groping for answers. Sometimes they fumble in the dark, unsure of what it is that they really want, but it is plain that they do not want the same things their parents had. We would make a mistake if we refuse to listen to them, if we refuse to offer them decision-making roles in our organizations. Eventually, the young people of today are going to be in command, and the longer we delay listening to their voices, the more we widen the gulf between us, the more we encourage them to turn away from us and to go their own way alone.

I fully recognize the extreme importance of Black groups developing their own power bases, of determining on their own, what is best for them. It is imperative that they be strengthened, but at the same time, I believe that it would be a mistake if they worked in complete isolation without ties to groups outside their own communities. There are other ethnic groups, the Mexican-Americans, the Indians, the Puerto Ricans, who experience somewhat similar problems as Black people, and on certain issues it is possible to work together. There are many poor Whites, who have been so brainwashed that instead of seeing who the real enemy is, they focus their frustrations on Black people. Poor whites constitute the majority of the poor in this country. They have been brainwashed into acceptance of their condition by belief in the myth of their so-called white superiority. And so, even they remain poor and ignorant and are included among the millions who even tonight will go to bed hungry—in this most affluent nation in the world. Here, alliances are going to be more difficult to shape, but there are certain common interests that should make it possible for such coalitions to be formed.

The coalitions I propose would not be permanent, but would shift as priorities changed. This would prevent them from falling into a fixed mold, where the chances for adjusting internal differences would be much less, than under a more flexible arrangement.

2. Richard Hatcher, the Mayor of Gary, Indiana, suggested at the recent Institute of Black Elected Officials that we need a nationwide coalition of Black political leaders, who are bound together not by party ties, but by commonly shared goals. A body such as this could bring political pressure to bear at the national level where so much that bears on local issues is decided. It could further provide assistance to political figures at the local level by providing them with information and technical assistance.

3. We need to see the internal strengthening of our communities in terms of a totality and not in terms of plans that have little relationship to one another. If we concentrate on jobs, without also concentrating on making certain that there are people available with the skills to take the jobs, we aren't really being effective on behalf of the community. Fragmented programs may serve an ego-building need of their organizers, but they are of little lasting value to the community at large.

When plans are developed for our communities, they should not be developed in isolation, but should be tied into already existing or planned programs to insure maximum impact.

4. The Black community has to become more sophisticated in acceptance of government programs.

Many programs have been started in the Black community, but how many of them actually work, and how many of them are accepted just because they are offered. It seems to me that we have a moral obligation to monitor these government sponsored programs to determine whether they are any good for the people, and if not, then we

should insist that they be taken out and replaced with programs that mean something and would do more than serve as window-dressing.

5. Every citizen must respond to his duty to vote at every election. The person who stayed at home on election day cannot complain if he does not like the result. Those "so called" leaders who encourage citizens to boycott the polling places are indeed irresponsible. The people have a right to govern—the people have a duty to govern—They govern through their vote.

I am not suggesting that the strategies I have outlined offer the only methods of meeting the new challenges. There are many more avenues that can be explored, so whether you agree with me or not, it would be my hope that at least there is a realization that the Civil Rights Movement has to change to meet changing circumstances.

We can learn from past experiences but we should not be so tied to the past that we are condemned to do the same thing over and over again, well past the point of diminishing returns.

Very few positive actions have occurred on the civil rights front within the past few months, and I can understand why a general feeling of dismay has spread throughout minority communities. Even as bleak as the outlook seems, I urge you not to lose one iota of determination to see the job through to the end. We have survived adversity before, and we will survive again because what we are trying to accomplish is right.

I congratulate you on what you have accomplished. There are new challenges ahead that will test you to the utmost. I feel confident that you will meet the new challenges as you have met the old, with a firm determination to overcome.

"The woods are lovely, dark and deep,
But we have promises to keep,
And miles to go before we sleep—
And miles to go, before we sleep."

Thank you.

LETTER FROM HOME

HON. ROBERT L. F. SIKES

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 4, 1970

Mr. SIKES. Mr. Speaker, I have a poem from the pen of Mrs. Lila A. Crew, of Panama City, Fla., written as a salute to our fighting forces for their services in Vietnam. It is significant that the poem was granted an honor certificate by the American Freedoms Foundation and in April 1968 it was published in Leatherneck magazine. It carries a very poignant message and one which I believe my colleagues will want to read. It follows:

LETTER FROM HOME

(By Lila A. Crew)

When alien night brings brief, uneasy calm
To the horror and the hell of Vietnam,
When deepening shadows mask the combat
zone,

The whereabouts of friend and foe unknown;

And ominous jungle sounds forbid you sleep,
Not alone is the vigil yours to keep,
Not alone lie the wounded in despair,
For swift as a falling star, we are there.

Through searing days, in rain, in mud,
We too know death, the stench of blood.
While the octopus, concealed by jungle grass,
So ruthlessly continues to amass
Unwilling innocents to make his kill;
While pacifists, and former brothers, still
Rationalize their failure to repair,

And caution, "peace at any price."—we are there.

Let history well note this breed of men
Sent by a mighty nation to defend
A struggling, oppressed and bludgeoned
friend.

The enemy too late will comprehend
The scope of fury, the blazing valor
That motivate our freedom-loving men.

And when this war is done and heads of
state

Evaluate, score, adjudicate,
How will they measure what we gave?
We sent a legion of the brave,
In grief and overwhelming pride
Our country weeps for those who died.

Whatever truths historians declare,
This will be written: We were there.

JUST PEACE IN THE MIDDLE EAST

HON. EARLE CABELL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 4, 1970

Mr. CABELL. Mr. Speaker at a recent conference held in Washington by the presidents of major Jewish organizations within the United States there was considerable discussion concerning the development of a lasting and just peace in the Middle East. At this conference a resolution was drawn and adopted to which I wholeheartedly subscribe.

In the event that all Members of this body have not had an opportunity to read the text of this resolution I am requesting permission to insert it in the RECORD at this point.

I am sure that a vast majority of the Members of this body will subscribe to this resolution as a vast majority of us cosponsored the Celler statement which was inserted in the RECORD a few days ago.

The resolution follows:

RESOLUTION ADOPTED BY THE NATIONAL EMERGENCY CONFERENCE ON PEACE IN THE MIDDLE EAST

This Conference of American Jewish leaders, concerned with achieving a just and lasting peace in the Middle East, joins general public opinion in this country in vigorously condemning the anti-Israel and pro-Arab policy of the Government of France.

France's massive outpouring of arms to Libya creates an arms imbalance that further fans the flames of conflict in the Middle East. We reject the cynical explanation offered by the French Foreign Minister that this is merely "good business" on the part of France. It is patently clear that Libya has neither the need for 100 jets nor the ability to employ them, and that the planes are in fact destined for Libya's ally, Egypt, whose ruler still dreams of revenge against Israel through an ordeal of fire and blood.

By its act, France joins Soviet Russia in surrendering any credibility as to her neutrality or objectivity as a participant in the Four Power talks on peace in the Middle East and dismays the many friends of the French people.

At the same time, we recall the genuine sympathy and friendship extended by the French people to Israel in the past. It is gratifying to know that even now the majority of the French people, as reflected by the French press, repudiate their government's present policy and share our apprehension over the course pursued by the Pompidou administration.

The rejection of lofty French ideals reveals a contempt for world opinion by the

current French regime. Those who love France cannot and will not be silent. On the eve of President Pompidou's visit to this country, we protest the action of his government in arming Israel's enemies bent on its destruction while denying to Israel the 50 Mirage jets already bought and paid for.

We call on President Pompidou to reverse his Middle East policy, to lift the arms embargo against Israel and to reassert the traditional French commitment to the principles of liberty, equality and fraternity.

JAKE GAITHER: A LIVING LEGEND

HON. DON FUQUA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 4, 1970

Mr. FUQUA. Mr. Speaker, a living legend in the annals of sports is retiring.

But, Jake Gaither is more than a figure in sports. He is an inspiration to those with whom he has come in contact. Coach Gaither is that rare individual who inspires those who meet him—he is that rare combination of ability and drive that few men possess.

A great deal might be said of his phenomenal football record at Florida A. & M. University in Tallahassee. He is the winningest coach in the country with a record of 203 wins, 36 losses, and four ties.

Like so many other Floridians, I am a great fan of Bob Hayes of the Dallas Cowboys. Here is a young man who came under the influence of Coach Gaither and he is just one of those who owe so much to this distinguished Floridian.

As Coach Gaither enters a well-deserved retirement, my thoughts are not so much about his phenomenal coaching record. My thoughts are with those hundreds of young men who came under his influence and because of Coach Gaither their lives were changed. No man could accurately measure his worth to his fellow man.

He has the respect of the high and the low in my State. He certainly has mine. In making this humble tribute to Alonzo S. "Jake" Gaither I cannot think of a more apt expression than that from the column of Florida Times-Union Sports Editor Bill Kastelz, "What a wonderful world it would be if there were more Jake Gaithers."

I insert the articles in the RECORD at this point:

GAITHER RETIRES AFTER 25 YEARS

TALLAHASSEE.—Coach Alonzo S. "Jake" Gaither, who overcame brain tumors, blindness and a "new breed" of socially aware black athletes to build a football dynasty at Florida A&M University, stepped aside Thursday after 25 years as the Rattlers' head football coach.

"The reason is simple—I just don't want to press my luck any longer," said Gaither. Still trim at an estimated 65—he won't give his exact age—Gaither walks with a slight limp but maintains the mental agility and physical toughness that led the Rattlers to a 203-36-4 record since 1945.

"I made up my mind last summer," he told newsmen. "My wife and I talked it over—she wants me to quit. I talked with my brothers—they want me to quit."

Gaither said his heart is sound, "although I don't know if I could stand many of those

games with Grambling or Southern where a field goal or one touchdown makes the difference." He said doctors removed two malignant brain tumors in 1942, leaving him temporarily blind, and he was maneuvered around the practice field in a golf cart since breaking a leg a few years ago.

Assistant Coach Robert "Pete" Griffin, a 1938 star center at Florida A&M who has tutored the offensive and defensive linemen since 1944, was named to succeed Gaither as head coach and head of the health and physical education department. Gaither will remain as Athletic Director and physical education professor.

"They talk about what I've done for football—no, it's what football has done for me," Gaither said after Dr. Benjamin Perry officially announced the resignation. "I can never repay to the game of football the wonderful things football has given to me—it's given me an opportunity to compete in an area where only merit counts. I've been able to help shape the lives of hundreds of boys."

Gaither estimates "about 25 or 30" of those boys have graduated to the pro football ranks, including the Dallas Cowboys Bob Hayes, a 1964 Olympic gold medalist dubbed "the world's fastest human."

Gaither, who joined the Rattlers as an assistant coach in 1937, said he has long wanted "to recruit some good white players," but can't compete with bigger-budgeted predominantly white universities.

The all-black Rattlers played their first white school Nov. 29, beating the University of Tampa 34-28 in what Gaither considers the turning point in his troubles with a "new breed" of black youth more concerned with social issues than athletics. The Rattlers beat Grambling 23-19 in the postseason Orange Blossom Classic the following week to end Gaither's sideline career.

"For four years I've been telling you we're working with a new breed of athlete and this year it paid off—we restored what we lost: pride, willingness to pay the price to win," Gaither said.

"I think it reached fruition after the Tampa game. We were going to give the boys Monday off, but I couldn't give them a day off. They said 'No, coach, we want to work,' and I knew then we no longer had the 'new breed' of athlete—we had the old Rattlers back."

The son of a Methodist minister, Gaither was born in Dayton, Tenn. and was an All-SIAC end for the Knoxville Bulldogs before taking his bachelor's degree in 1927. He joined the Rattlers after receiving his masters degree at Ohio State and today insists that every assistant coach have a masters.

The Helms Foundation Football Hall of Fame honored him in 1961 and he was elected small college Coach of the Year the next year by the American Football Coaches Association. The Tallahassee Quarterback Club presented him its service award in 1956 and 1960 and a city recreation center, park and golf course were named after him in 1954.

Griffin said he plans no major changes—just the usual "new wrinkles" every coach looks for each season—and told Gaither "Jake you're not going anywhere—you're going to be right down there beside me."

JAKE CALLS IT A CAREER

(By Bill Kastelz)

The man I consider the greatest Negro I've ever known in the world of sports hung up his cleats yesterday.

Alonzo S. "Jake" Gaither, the most successful college football coach in the country, called it a career—and what a career it was. Twenty-five years as the guiding spirit behind Florida A&M football produced 203 victories, 36 defeats and four ties.

In 25 years, his worst team had a 6-4 record. His two next worst teams went 7-3. The other 22 weren't anywhere near that bad. His teams won more championships than you

could shake a stick at, and he sent at least two dozen players into the pro ranks.

But, if Jake Gaither's career record was 0-243, he still would be remembered by all of us in the sports writing ranks as one of the very finest Americans with whom we ever had the privilege of working.

Jake never carried a chip on his shoulder. He never figured the world owed him a living. He never complained of his lot—and it was a monstrous hurdle to overcome, much of it during an era when the nation was not quite as broad-minded about racial matters as it is now.

Typical was his statement accompanying his resignation:

"They talk about what I've done for football—no, it's what football has done for me. I can never repay to the game of football the wonderful things football has given to me. It's given me an opportunity to compete in an area where only merit counts. I've been able to help shape the lives of hundreds of boys."

True.

A REMARKABLE AMERICAN

One of these hundreds was Bob Hayes, a Gaither protege, a 1964 Olympic gold medalist called "the world's fastest human," and now with the Dallas Cowboys. Hayes is from Jacksonville.

While he was at Florida A&M, he got into some minor difficulty and Gaither promptly moved in to vouch for him and Jake's word was good enough for all concerned. Hayes had no more trouble and made it big in the pro ranks.

A couple of years ago, Jake was on the sidelines at a football game and a play ran over him and broke his leg. That was a Saturday. The next day, Bob Hayes read about it and that evening, right after the Cowboys' game, he flew to Tallahassee to see how "Coach" was getting along.

Jake, of course, was doing fine. It wasn't a major battle for him.

The last time I talked with him was at the Governor's Cup Jamboree in Tallahassee, where they gave him a trophy about eight feet tall in recognition of his 200th win, and after a standing ovation, he responded:

"I must be gonna die. So many nice things have been happening to me lately."

Jake is and was a lot of things . . . exacting and understanding . . . stern and thoughtful . . . methodical and successful . . . humble and great. All these things and more.

What a wonderful world it would be if there were more Jake Gaithers.

A MILESTONE FOR JAKE GAITHER

Although we deal infrequently on these pages with sports topics, we do comment on Florida traditions and institutions.

Retiring Florida A & M University football coach Jake Gaither does come under the category of sports but he also has built a tradition and in the process has become an institution.

Florida A & M, with 3,500 students, is not a large school in terms of enrollment but it is a proud school with an 82-year history and a passion for retaining its present autonomy.

Recently a cooperative agreement made between A & M and Florida State University prompted rumors that A & M was to be phased out and merged with FSU. The students sought and received assurances that the move was not designed to eliminate FAMU. Part of the reason for this school spirit is Jake Gaither.

When Gaither assumed the head coaching duties at FAMU in 1945 the school had less than 800 students. During his 25 years as football coach he compiled a record of 203 wins, 36 losses and four ties, making him the most victorious coach in the nation.

He has also been selected to the Helms Foundation Football Hall of Fame and one year was chosen as coach of the year by the American Football Coaches Association.

Among the football players he has developed who went on to professional careers are Bob Hayes, Al Denson, Hewritt Dixon, Carlton Oates and Ken Riley.

But his influence extended beyond the football field. As one colleague said: "He has been a tremendous influence in the progress of the university in every possible way . . . it is impossible for any single individual to assess what he has meant to Florida A & M University."

As he leaves his head coaching job and gears his activities to "only" those of athletic director and professor of physical education, passing a big milestone along the way, it is an appropriate time for Floridians to take note of his past accomplishments and to wish him continued success.

GAITHER HELPED SHAPE LIVES OF MANY YOUTHS

Coach Jake Gaither frequently is described as a Living Legend. In stepping down as football coach at Florida A&M University, he clearly indicates he would like to keep it that way—with the emphasis on "Living".

His reason for ending his 25-year career as head football coach is simple, he says. "I just don't want to press my luck any longer." His reference is to the various physical infirmities he has suffered during the years he was building his reputation into a legend.

So a sympathetic public can understand his desire for a less rigorous routine. He certainly has earned the right to take it easy. And he has earned all the praise that is being given him on the occasion of his retirement.

His influence will continue to be felt at FAMU and in all Tallahassee because he isn't the type to bow out completely, at least not as long as he has the physical stamina to keep going. He'll take up the duties of athletic director and physical education professor.

He has earned a grand collection of awards and citations over the years. But those who know him are quite sure Jake won't be sitting around counting them. He's not that kind of man. It's a good bet that he will be doing whatever he can to influence good sportsmanship and invoke pride in young athletes.

Far more important to him than the medals and awards in his collection is the satisfaction in helping shape the lives of hundreds of young men. That is a good indication of the measure of the man.

FREEDOM'S CHALLENGE

HON. DONALD D. CLANCY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 4, 1970

Mr. CLANCY. Mr. Speaker, Carol Marie Stock, a senior at Mother of Mercy High School, Cincinnati, was judged District 4 winner in the 23d annual Voice of Democracy Contest sponsored by the Veterans of Foreign Wars and the Ladies' Auxiliary.

At this time I would like to present her winning broadcast script on the subject, "Freedom's Challenge." Miss Stock, won in competition with students from approximately 50 high schools in the eight-county district.

I am sure that all Members of the House of Representatives will be more interested in what this young lady has to say. Her words demonstrate the sincere interest some teenagers have in solving the problems of our day.

The broadcast script is as follows:

FREEDOM'S CHALLENGE
(By Carol Marie Stock)

The world was new and beautiful. The earth seemed to breathe sweet life into every living thing. I stepped into this world and began to walk.

I walked through fantasy books and Santa Claus, red rubber balls and yellow balloons. I turned a corner and took a step through a world of shiny, scrubbed faces and polished red apples, reading, writing, arithmetic and history. History—a story of ships and adventures, a new country and words like freedom and independence.

I kept on walking and here I am, traveling through protests, riots, questions, issues, answers, elections, interest, involvement, responsibility? Responsibility, responsibility to what? To what I've walked through all my life—Freedom. The freedom I have here in America. America's freedom was won through years of tears and pain, war and suffering, love, involvement, and responsibilities. It's taken time but as I've grown up, I've developed an understanding of what that freedom is. Gradually, I've also come to know its responsibilities. Now I know I must accept some of these responsibilities for my freedom means my help.

Now as I take a different walk, I walk through my city. I see the dirty face of a slum child, protest marchers around a university, a listlessness in the faces of the people. These are my responsibilities. They are things which challenge my freedom and the freedom of others. What good is my freedom if others are held in submission. All men deserve to share in the beauty of freedom. And I mean all freedom; the freedom to run in a park, the freedom to go to any school, the freedom not only to try but to do your best, the freedom to pray or not to pray, the freedom to speak or remain silent.

I must speak and speak now. I must act and act now. Beginning now I must help preserve this freedom. We all must.

Born Free—I was born free, in the great, free United States, "the land of the free, and the home of the brave." If I want to keep these words alive, to keep America the land of the free, I must truly be brave. I must not shrink from my love of America because some may say it's not "in." It's always "in" to love freedom. And if I'm to follow a crowd, let it be those who stand to preserve freedom, with those who challenge freedom's challenge.

I have a long walk before me. The road's dim and fogged, but the past is vivid and the present clear. To pave the future for those who will follow me, I must learn from the present and freedom's past.

You see, I want my children to say as I do and as my ancestors did before me, "O say does that Star-Spangled Banner yet wave, o'er the land of the free and the home of the brave." And to always have their walks end in the light of freedom.

It's my choice, my decision, my freedom's challenge.

MAN'S INHUMANITY TO MAN—
HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 4, 1970

Mr. SCHERLE. Mr. Speaker, a child asks: "Where is daddy?" A mother asks: "How is my son?" A wife asks: "Is my husband alive or dead?"

Communist North Vietnam is sadistically practicing spiritual and mental genocide on over 1,400 American prisoners of war and their families.

How long?

PRESIDENTIAL FAILURE TO MEET
THREAT OF POLLUTION

HON. DON EDWARDS

OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 4, 1970

Mr. EDWARDS of California. Mr. Speaker, President Nixon's budget makes a mockery of his promise in the state of the Union address to meet the threat of pollution. Once more less than 1 cent of the Federal dollar will be spent to fight pollution and to enhance the environment. Once more inadequate programs are being proposed with inadequate funding, resulting in aspirin being applied to a cancer eating at our world.

Yesterday the need for adequate programs with adequate financing was brought home to me by two separate developments in my congressional district in San Jose at the south end of San Francisco Bay.

First, Dr. H. Thomas Harvey of San Jose State College informed me that the people of the San Francisco Bay area face a risk almost double of those in Los Angeles of dying of lung cancer. Among nonsmokers the deaths per 100,000 man-years were 28 in Los Angeles but 44 in the Bay area and San Diego while in other California counties averaged 11. Dr. Harvey added that recent studies showed suspended particles show the most consistent association with mortality from cancer.

Mr. Nixon's budget shows an allocation of \$104 million to combat air pollution, up \$10 million. In another area the budget is open-ended in regard to the ABM system, which some of us believe is but another variety of air pollution. The President offered us a variety of expensive defense spending programs, but no defense against air pollution.

The second development was the refusal of the Federal Government to approve a \$1.2 million grant to the San Jose-Santa Clara sewage treatment plant. My area has or will invest \$70 million in that facility. It has consistently voted bonds for that plant. Yet, the Federal Government refuses to bear its share of the cost of this much needed facility.

And the marine life of the South Bay, the area which is served by this plant, remains on the condemned list because of the danger of contracting hepatitis from the sewage-contaminated shellfish.

An examination of the President's much heralded water pollution program shows that program to be a cruel hoax.

In the state of the Union message he called for a \$10 billion 5-year program—an inadequate program as he described it. Instead from the budget message we learn it is to be but a \$4 billion program, and in fact that in the first year of the program only \$650 million is obligated. And the program is basically one that will cost the cities and counties—the over-taxed local taxpayers—far more money in years to come, while the Federal Government ducks its share of the cost. The program proposed by the President has been opposed by many of our mayors and Governors, Republican and Democrat alike, because it inflicts

heavy, new interest costs on the cities and counties. The President has rejected a workable program already approved by the Congress which calls instead for expenditure of \$1.25 billion in fiscal year 1971.

In conclusion, Mr. Nixon's budget calls for but \$1.1 billion to be spent fighting pollution and protecting the environment, out of a total budget of \$200.8 billion, roughly a half a cent per Federal dollar.

He has offered us rhetoric instead of action, words instead of dollars.

What is needed is workable programs, adequately financed. I hope the Congress will take the lead in the efforts to protect and enhance our environment, now that the President has so clearly dropped the ball.

SAMUEL R. LAROSA

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 4, 1970

Mr. GAYDOS. Mr. Speaker, on February 24, a resident in my 20th Congressional District in Pennsylvania will be honored by the community of McKeesport for his untiring dedication to the youth of the area and the Boys' Club of America. He will be cited for 25 years of work spent in molding boys, many of them from underprivileged areas, into men.

I join with the greatest pleasure in this community salute to Samuel R. LaRosa, known throughout the Mon-Yough Valley area as "Sam." He is not a big man in stature but he towers like a giant in his interest and work with the McKeesport Boys' Club. In the course of his career with the Boys' Club he has accumulated numerous, and well-deserved citations, and shining plaques. But these awards, as appreciated as they are, take a back seat to the many letters he receives from his former "boys" who take the time to thank him for his guidance and counseling during their formative years. Many of those letters come from young men now fighting for their country who credit Sam for instilling in them the pride of being an American.

Mr. LaRosa founded the McKeesport Boys' Club on February 23, 1945, and has been the driving force in its growth and achievements. He worked the first 14 years without pay or a permanent clubhouse. During the winter months he conducted programs in facilities offered by service and fraternal organizations; in the summer he staged baseball clinics on area athletic fields.

In the mid-1950's a prominent McKeesport philanthropist, the late Walter C. Shaw, Sr., took note of Sam and his work. Mr. Shaw donated \$15,000 as a start toward a permanent building for the Boys' Club and eventually contributed \$140,000 for the project. Mr. Shaw joined with a personal friend of mine, Judge Samuel A. Weiss, in spearheading the building fund campaign which was climaxed on April 29, 1957, when Sam and his "boys" literally found a home.

Since then, of course, the membership

in the Boys' Club has grown and its programs have expanded into many areas. Sam did, too. He began working closely with law enforcement agencies in combating juvenile delinquency and has been cited by J. Edgar Hoover, Director of the Federal Bureau of Investigation; the Western Pennsylvania Chiefs of Police Association; and many other groups for his accomplishments.

It is, therefore, Mr. Speaker, my pleasure to submit for publication in the RECORD this recognition of Mr. LaRosa, a man among men in youth work, and I invite the attention of my colleagues to it.

KEY DISTINCTIONS ON DRUG PROBLEM

HON. MORRIS K. UDALL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 4, 1970

Mr. UDALL. Mr. Speaker, several of my constituents have written to me recently to express their concern over the problem of drug abuse. I have given their letters a great deal of thought lately. Like many other people, I am appalled at the spread of dangerous drugs and greatly disturbed by the tragic effect they have had on so many individuals and their families.

I know many of my colleagues agree that action must be taken to stop the proliferation of illegal drugs. When we consider possible remedies to this situation, however, I think it is important that we make at least two distinctions.

First, I believe we must clearly distinguish between drug users and drug sellers and manufacturers.

In the case of users of addictive drugs, such as the hard narcotics heroin and cocaine, we are not dealing with criminals, but with people who are ill. To my mind, it makes absolutely no sense to keep imprisoning the victims of this compulsive habit. We must make a greater effort in the area of rehabilitation, recognizing that confinement alone will not prevent recidivism. Even those unmoved by the case for rehabilitation in human terms should be made to clearly understand that narcotics addicts often commit crimes to pay for their expensive needs; therefore, reducing the number of addicts should help reduce crime—and that is a goal everybody supports.

Even those drug users who experiment with nonaddictive—but dangerous—drugs should not be treated as hardened criminals. Reform is very unlikely when a youthful offender is given a long jail term and a huge fine for a single indiscretion; such treatment probably will do little more than persuade him that the "system" is unjust.

Drug sellers and manufacturers, on the other hand, should continue to be punished as severely as the law allows. Those who become wealthy by destroying the lives of others rank extremely low on my scale of values.

A second distinction which I believe must be made is a differentiation between the hard narcotics, the hallucinogens—such as LSD—and the various other

drugs whose harmful effects have been reasonably well established scientifically, and substances such as marihuana, about which there is little concrete scientific evidence.

We know—or we think we know—that marihuana is not addictive, but we know little else about it. Some will argue that "pot" is less dangerous than cigarette smoking; others will contend, just as vehemently, that it probably is harmful in itself, but even if it is not, it often leads to experimentation with other very dangerous drugs.

I am not sure which theory is correct. For that matter, I am not completely clear on how widespread the use of marihuana actually is, exactly how it affects a user's behavior and a variety of other questions about it.

I think we have to know considerably more about marihuana before we can place it in the same category with heroin, for example. I have long advocated further study of marihuana and I am pleased by the progress that is being made in the area.

The National Institute of Mental Health is expected to issue a report soon on marihuana. In addition, the drug control bill which passed the Senate unanimously on January 28 authorizes a 2-year marihuana study commission. Here in the House, there now is a bill pending before the Judiciary Committee which would establish a commission on marihuana, similar to the one envisioned in the Senate measure.

The Senate bill also deals with the key area of penalties. Not everything in that legislation is ideal from my standpoint, but I am very enthusiastic about the concept of decreasing the severity of penalties for use or possession of drugs. Under the Senate bill, the first offense for simple possession of illegal drugs would be reduced to a misdemeanor, with the possibility of probation rather than imprisonment. However, those persons found to be engaged in a "continuing criminal enterprise," sellers and manufacturers, would still be dealt with harshly—5 years to life for the first offense.

Mr. Speaker, as we debate the drug control bill in the House of Representatives and consider other legislation that may become necessary, I hope we will keep in mind the limits of existing knowledge about certain types of drugs and remember that very often the drug user is more a victim of crime than a criminal himself.

PENNSYLVANIA CITIZEN QUESTIONS DIRECT ELECTION PROPOSAL FOR ELECTORAL REFORM

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 4, 1970

Mr. CLAY. Mr. Speaker, once again, I pose to the Congress and to the Nation my opposition to the proposal for direct election of the President and Vice President of the United States. It is not, in my view, the best nor is it the most logical means to allay the fears of imper-

fections in the present electoral system. If there is reason to fear, it is found in the potential of "direct election" to radically alter the checks and balances of the present political and governmental structure.

I am pleased to call the attention of my colleagues to a citizen who does care—and who does show her concern for the reform measure now pending before the Senate Judiciary Committee. After 2½ years of research on the Federal electoral process, Mrs. Judith Gelber of East Stroudsburg, Pa., found more than sufficient reason to question the proposal which has passed the House of Representatives and which now seems likely to receive the stamp of approval from the Senate committee.

I applaud the efforts of Mrs. Gelber and commend the manner in which she views the responsibilities of citizenship. She documented her concern in three research papers and has demonstrated her commitment to her conclusions by journeying to Washington to visit with the decisionmaking lawmakers.

In order to put the issues before the public, Mrs. Gelber condensed her research for a series of December 1969 articles which were carried as a special feature by the Pocono Record newspaper in Stroudsburg, Pa. At this time, I commend her presentation to the attention of my colleagues and suggest that it is worthy of their study and contemplation.

DRAWBACKS APPARENT IN DIRECT ELECTION (By Judith Gelber)

STROUDSBURG.—The immense stress that multiparty politics exerts on our presidential electoral system became clearly evident in 1968 when George Wallace came uncomfortably close to deadlocking the election.

But, instead of removing those dangerous weaknesses that brought us to the brink of disaster in 1968, Congress concerns itself with such irrelevant electoral reforms as the district and proportional votes plans, and direct election of the president, a plan that is potentially destructive of our political institutions and stability.

Presidential politics have reached a crucial juncture. The 1968 campaigns of George Wallace and Eugene McCarthy uncovered not only a widespread dissatisfaction with conventional party politics but also a willingness to go beyond established channels to achieve political goals.

In the past, the electorate accepted the need of the major parties to move slowly in absorbing dissenting views. But the current mood is for change now whatever the cost to tradition and stability.

For weeks before the November, 1968 election the mass media hammered away at the theme that our archaic presidential electoral machinery might collapse under the additional weight of George Wallace who would have had the power to choose the next president of the United States if he had been able to deny an electoral vote majority to either Hubert Humphrey or Richard Nixon. And barely recognized at the time of the Chicago Democratic convention was the desire of fourth-party forces to field their own candidate.

These newly-spawned forces were discouraged not by any concern for the nation's political stability, but rather by their failure to find a viable candidate.

When George Wallace failed to disrupt the 1968 election, most Americans forgot about electoral college majorities and the need for electoral reform, but not before registering an overwhelming preference for direct election of the president.

A Gallup Poll taken during the week fol-

lowing the election showed that 81 per cent of the people approved of direct election; 12 per cent disapproved; and seven per cent had no opinion. These results were used by congressmen favoring direct election to gain further support in Congress where the first major battle to amend the Constitution must be fought.

The public's ready acceptance of direct election as the only solution to an incredibly involved problem is understandable in view of the complexity of the electoral college system and the belief of the average voter that he is voting directly for the president anyway.

Advocates of direct election have reinforced this attitude by limiting discussion of direct election to its benefits and neglecting its drawbacks. Other electoral reforms, such as the district and proportional vote plans, are also being proposed even though these plans were thoroughly defeated in the last Senate debate on electoral reform in 1956. Meanwhile, the reform proposal that offers possibly the best solution, the automatic vote system, has little chance of even being debated in Congress.

ELECTORAL COLLEGE SYSTEM

Public officials are responsible for their political behavior to the people who elect or appoint them. The greater the number of elected officials, therefore, the greater the extent of the people's control of their government, and the greater the democratic nature of the society. But the election measures in our Constitution clearly indicated that our Founding Fathers intended to put as much distance as possible between the people and the government.

Originally, only the members of the House of Representatives were to be elected directly by the people. The members of the Senate were to be chosen by their respective state legislatures (senators were not elected directly until the ratification of the Seventeenth Amendment in 1913), and the president was to be elected by state electors chosen by whatever method the state legislatures decided upon.

Our subsequent development, however, proceeded along far more Democratic lines than our Founding Fathers had anticipated. The idea that the president could be chosen in isolation from the turmoil of everyday politics by a group of electors possessing greater wisdom and judgment than the populace at large proved to be unrealistic and unworkable. Presidential politics during our early decades was marked by a mad scramble among the states to find a method of appointing the electors that would give the states maximum advantage in choosing the president.

FIRST CASUALTY

One of the first casualties in these political wars was the presidential elector. Although the elector was intended to cast an independent ballot, his "vote" for the president was appropriated by the people who appointed him. Thus, while the elector cast his ballot in the presidential elections, his function soon became that of an agent who votes according to "instructions." Since 1836 almost all states have allowed the people to choose the electors by direct vote.

There is an important distinction between the presidential elector and the electoral vote. Whereas the electors are merely agents of the electorate and serve no useful function, the electoral vote is decisive in the election of the president. The Constitution states that each state is entitled to a number of electoral votes (to be cast by the presidential electors) equal to its total representation in Congress, and the candidate who receives a majority of the total electoral vote "shall be the president."

The method of distributing a state's electoral vote among the candidates has also been the same in all states since 1836. The

winner-take-all, or unit vote, system specifies that the candidate who wins a plurality, or the most votes, within the state takes all of that state's electoral votes.

ROLE ELIMINATED

Although the role of the presidential elector as defined by the Constitution has been eliminated by political tradition, the elector still has the constitutional right to cast a ballot as he pleases.

In 1968 Dr. Lloy W. Bailey, one of the Nixon electors from North Carolina, voted for George Wallace even though all of North Carolina's 13 electoral votes "belonged" to Richard Nixon who won a plurality in that state.

This ability of the electors to cast independent ballots rather than to act only as agents of the electorate constitutes one of the major hazards in our presidential electoral system. Not only are the electors free to vote for whomever they please (even for candidates who are not on the ballot, as they did in 1948), but also they do not cast their ballots until the first Monday after the second Wednesday in December, some six weeks after the November election.

George Wallace intended to use this interim period between the general election and the meeting of the Electoral College to gain concessions from the major party candidates.

Still another feature of our electoral system that could cause considerable trouble is the constitutional provision for a contingent election if a candidate fails to achieve an electoral vote majority.

The political calculus involved in the electoral college system is enough in itself to drive the American voter to embrace any reform measure that promises to simplify the process of choosing the president.

The least complicated, of course, is direct election which would eliminate the entire cumbersome electoral college system with all of its inherent abuses. But a political complex that has functioned for 180 years would also be eliminated, and no nation can undergo such radical change without experiencing serious difficulties and instability.

Our presidential electoral system is not an isolated component that can be plucked out of context and be replaced with something completely new without causing changes in the overall structure.

Those who favor direct election have ruled out any other type of reform. And those who seek to break down the electoral advantages accruing to big states, to minority groups, to urban areas, or to a particular political party under the present system, cling to such electoral reforms as the district or proportional vote plans.

SAME MANNER

Under the district system presidential electors would be elected in the same manner as the members of the House of Representatives—by congressional district. Thus districts that are safely Republican or Democratic would presumably choose electors of the same party.

The proportional vote plan would apportion a state's electoral vote among the presidential candidates according to their popular vote within the state. The latter plan, formerly favored by President Richard M. Nixon, would effectively break the hold of the Democratic party in the South.

Neal R. Peirce, a leading advocate of direct election, wrote in his book, "The People's President," that the real choice today is between two alternatives. Either the country will continue with the existing electoral college system, or it will shift to a direct popular vote. This "either-or" approach, which can only lead to protracted Congressional debate and the possibility of no electoral reform at all, has been adopted by other proponents of direct election.

Committee chairmen have great influence over the legislation that their committees report to Congress. Unless a chairman aims at obtaining a number of viewpoints, the testimony in committee hearings will more often than not reflect the chairman's position. In the Senate, proposals for electoral college reform are presented to the Subcommittee on Constitutional Amendments; the chairman is Senator Birch Bayh of Indiana.

Senator Birch Bayh, Indiana, has been committed to direct popular election since 1966, and his Subcommittee's hearings have been largely devoted to a discussion of the merits of his proposed direct election amendment. On February 21, 1969, Bayh challenged Nixon's position in favor of the proportional plan:

MISSED OPPORTUNITY

"It is difficult to understand why he did not take this opportunity to lend the great prestige of his office and his leadership to state the case for direct election. In fact, the president's message, surprisingly, completely neglects to mention the generally accepted advantages inherent in direct popular election—advantages so clearly stated by most of the witnesses who have testified before my Subcommittee since we opened hearings in 1966."

Since the outcome of the hearings was established in advance (Bayh's Subcommittee reported out a direct election amendment to the Senate Judiciary Committee in the Spring of 1969), the hearings apparently were held to provide a platform for spokesmen who also favored direct election. One of these spokesmen was Theodore C. Sorensen, former special counsel to the late President John F. Kennedy. Sorensen's new position in favor of direct election was complicated by the fact that he had helped to prepare, in part, Senator John F. Kennedy's highly successful defense of our electoral college system in the Senate debate on electoral reform in 1956.

The proposal under debate at that time, the Daniel-Mundt amendment, would have allowed the individual states to choose either the district or proportional vote plan to determine the electoral vote. Alerted to the drawbacks of the proposed amendment by friends at Harvard, Senator Kennedy prepared to do battle. James MacGregor Burns wrote in his political biography of John F. Kennedy: "He mastered the subject thoroughly . . . With statistics, with a command of American history and constitutional precepts, with cold reasoning, even sometimes with little flashes of wit, Kennedy opened holes in his opponents' arguments."

OPENED HOLES

John F. Kennedy not only "opened holes in his opponents' arguments;" he also revealed a basic approach to the structure of our government that was consistent throughout the debate. He felt that the Daniel-Mundt amendment and direct election would destroy the "balance of power" that he considered essential to American federalism:

"So the point that I make is that when all these factors are considered, it is not only the unit vote for the presidency we are talking about, but a whole solar system of governmental power. If it is proposed to change the balance of power of one of the elements of the solar system, it is necessary to consider all the others."

Later in the debate Senator Kennedy made his opposition to direct election quite clear:

"I am sure the Langer amendment (direct election) while purporting to be more democratic, would increase the power of and encourage splinter parties, and I believe it would break down the federal system under which most states entered the union, which provides a system of checks and balances to insure that no area or group shall obtain too much power."

John F. Kennedy's defense of American federalism in 1956 not only thrust him into a leadership role in the Senate, but also helped to establish the reputation that aided his drive for the presidency in 1960. In addition, John F. Kennedy's words have since been frequently and effectively cited by opponents of direct election.

Theodore Sorensen's task, then, was either to discredit Kennedy's 1956 position, or to imply that Kennedy's opposition to direct election was calculated. Sorensen managed to do a little of both in testifying before Bayh's subcommittee on January 24, 1969 in favor of direct election:

"I should point out that Senator Kennedy, as a Senator from a populous state, was defending the big-state preference inherent in the present system; that he felt obligated to oppose all changes in order to maximize the opposition he was leading to the schemes which had a real prospect of passage that year whereas direct elections had none anyway . . . and, finally, that he spoke before the 1960 and 1968 elections provided us with not only examples of faithless and unpledged electors but electoral vote results so close as to bring us to the brink of constitutional crisis."

Sorensen not only distorted John F. Kennedy's 1956 position; he also neglected to mention John F. Kennedy's continuing opposition to direct election after he became president.

In the 1961 Senate hearings on electoral college reform Deputy Attorney General Nicholas Katzenbach, speaking for the Kennedy Administration, supported the automatic system that John F. Kennedy backed in the Senate in 1957.

The automatic system would abolish the role of the presidential elector and the Electoral College and award a state's entire electoral vote automatically to the candidate who wins a plurality within the state.

Direct popular election of the president would eliminate the abuses inherent in our presidential electoral system. But never in all of our history have we elected a president by direct popular vote. For good or for ill the electoral vote has been the decisive factor in every presidential election.

Direct election would be a radical departure from 180 years of experimentation, adaptation, and, finally, stability. We began with the electoral vote system and the presidency; our political institutions, customs, and traditions came later.

Those who advocate direct election do so with the expectation that our political system, except for those features that could cause havoc, will remain basically unchanged. However, the question that should be asked is: How will a completely different electoral system affect those political institutions that have grown up around the electoral vote system?

The restraints inherent in the unit electoral vote and the need for an electoral vote majority to gain the presidency substantially limit the number of candidates who can seriously compete in any presidential election. Only a candidate with great national appeal can capture several million votes within such states as New York, California, Pennsylvania, Illinois, Ohio, Texas, and Michigan—all with 21 or more electoral votes each—and also put together a national electoral vote majority, or at least 270 out of 538 electoral votes.

Of the 18 presidential elections held since 1900, only four have had third-party candidates who received any electoral votes as opposed to popular votes. And the only minor party candidate to receive more electoral votes than a major party candidate in the 42 presidential elections held since 1804 was Theodore Roosevelt who, as the Progressive party candidate in 1912, outpolled the Republican, William Taft.

The American Bar Assn., after conducting

a study of our presidential electoral system in 1966, advocated a direct election system that provided the basis for Senator Birch Bayh's proposed direct election amendment which states that the candidate who receives 40 per cent of the popular vote will be president. If no candidate receives at least 40 per cent of the popular vote, a national runoff election between the two candidates who receive the most votes in the November election will determine the winner.

RULE CITED

The 40 per cent rule has been cited by the ABA as the factor that will discourage the formation of minor political parties on the assumption that only a major party candidate could command 40 per cent of the national popular vote. The ABA also assumed that no third-party candidate could capture at least 20 per cent of the popular vote to force a runoff in an election evenly divided between the two major party candidates. In addition the ABA felt that the difficulty in meeting ballot requirements in all 50 states, and the inability of minor party groups "to thrive in view of the certainty of defeat," would further discourage political splinter groups from competing in presidential elections.

It should be noted that the major advocates of direct election took their positions before the 1968 presidential election when the illusion that regional third parties could not influence presidential elections by becoming national parties was completely shattered.

George Wallace's American Independent party not only was listed on the ballots of all 50 states but also received a percentage of the popular vote in all 50 states. Wallace received at least 20 per cent of the popular vote in 11 states and at least 10 per cent of the popular vote in 24 states; his national total was 13.2 per cent of the popular vote.

The ABA's conclusion that "the certainty of defeat" will deter minor political parties from presidential competition probably stems from the fact that no minor political group of the Twentieth Century has maintained its third-party status after losing in a presidential election. However, the 1968 election indicated that this kind of political reasoning is dangerously outdated.

When asked about his 1968 "defeat" on the American Broadcasting Company's television program, "Issues and Answers," on July 13, 1969, George Wallace answered:

"I feel that our movement was highly successful in that we acquired ballot positions in 50 states, established a beachhead in each state, and both national parties took positions in that campaign that they ordinarily would not have taken had our movement not been involved. So, far from being a defeat, I think it had terrific impact upon the national political scene."

The element in American politics to be reckoned with now is the minor party candidate who seeks to influence the issues in a presidential election rather than to win the presidency. On that basis, therefore, George Wallace and many others rightly regard his 1968 campaign as a great success. And since "beachheads" are no more abandoned in political wars than in shooting wars, the Wallace "movement," which is still very much alive, will probably continue to thrive and be an important factor in the 1972 presidential election.

Wallace's claim that he will run for the presidency in 1972 if President Richard M. Nixon does not shape up to his specifications has received little acceptance. However, the greater President Nixon's effort to take over the Wallace constituency, the greater the likelihood that Wallace will run in 1972. A Wallace presidential candidacy figures prominently in the power struggle in the South between the Democratic conservatives and the Republican party.

The seniority rules in Congress will continue to work to the advantage of southern Democrats as long as they are assured of being returned to their seats in every election. If disgruntled southern voters defect to the Republican party on Election Day, as they did in 1964, because of the national Democratic party's stand on civil rights, then the Democrats will no longer be certain that southern voters will remain faithful to the Democratic party in local and state elections.

A Wallace candidacy therefore becomes an important means of siphoning off votes that would go to the Republicans. George Wallace is still a registered Democrat in Alabama.

With the rise of multiparty politics, the serious drawbacks of a direct election system become increasingly apparent.

George Wallace's aim in making the American Independent party a national rather than a regional party was to gain enough electoral votes to deadlock the election and barter votes for concessions to the South on civil rights. This strategy failed because of the checks inherent in the winner-take-all feature of the electoral vote.

Wallace was unable to muster the necessary plurality over the other candidates and the electoral votes other than the 45 electoral votes he gained in the five southern states. However, the results might have been different under a direct election system.

George Wallace's support, which hovered between 19 and 21 per cent throughout September, 1968, alarmed both major party candidates who then began an intensive drive to discourage votes for Wallace on the grounds that a vote for Wallace was a wasted vote—he could not gain enough electoral votes outside of the South to influence the results of the election.

However, without the need to pile up substantial votes in several states in order to capture enough electoral votes to deprive Nixon or Humphrey of an electoral vote majority, Wallace could have appealed to his supporters to stand fast because every vote, no matter where it came from, would have counted.

Since the popular vote for Humphrey and Nixon was so evenly divided, Wallace, by maintaining his support, would have achieved his aim of deadlocking the election and forcing a runoff between the major party candidates. Wallace and his supporters would then have been able to force concessions from Humphrey and Nixon because the margin of victory for either candidate in the second election would have been in the votes of the American Independent party.

In brief, a direct election system offers third-party candidates a greater opportunity of deadlocking an election than an electoral system that maintains the unit electoral vote and the need for an electoral vote majority as requirements for the presidency.

Senator Eugene McCarthy's 1968 presidential bid, while completely different from George Wallace's campaign in purpose and strategy, also raised the issue of multiparty politics immediately after the Chicago Democratic convention. And it is not entirely remote that a fourth-party candidate will enter the presidential race in 1972.

Eugene McCarthy was anything but enigmatic, a word frequently used by the press to describe the senator's behavior, when early in 1968 he gave his reasons for entering presidential politics:

"In the months prior to my November 30 announcement that I would enter the primaries, I traveled throughout the country . . . Not only on campuses but among many thoughtful adult Americans, it was apparent that alienation from politics was growing, reflected in a tendency to withdraw either in frustration or in cynicism, to talk of non-participation and to make threats of support for a third party or fourth party or some other irregular political movement . . . My hope is that my challenge may alleviate

the sense of helplessness and restore to many people a belief in the processes of American politics and of American government.

The senator's traditional approach to American politics led him, in his own words, "to test the established political processes of the Democratic party," rather than to emulate George Wallace and campaign outside the regular two-party system.

In all probability this concern for "the established political processes" also influenced McCarthy's decision not to create a four-way presidential race after being rejected by the Democratic party leaders at the convention in Chicago.

However, the effect on McCarthy's supporters of his repudiation at Chicago, as described by the three British authors of "An American Melodrama," was somewhat different:

"Defeated McCarthy organizations . . . determined to remain intact to spearhead petitions, independent-electoral slates, or write-ins for McCarthy on the November ballot . . . Convinced that McCarthy had impressive electoral strength in the two largest states—New York and California—their argument was that the candidate (like Wallace) should work for a deadlocked election that would force the final decision into the House of Representatives. Write-ins or electoral slates put forward in key states, creating a four-way Nixon - Humphrey - Wallace - McCarthy split, could conceivably result in McCarthy's capturing New York's 43 electoral votes and California's 40, and possibly others."

McCarthy himself briefly speculated that "we could win New York, California, Oregon, Minnesota, and maybe even Wisconsin."

But McCarthy was the only candidate with the stature and political strength to command a plurality and the electoral vote in the strategic states of California and New York. Without the Senator, therefore, the fourth-party forces were stymied. And when the Senator refused to run, the strategy to deadlock the election collapsed.

If the direct election system had been in force, the fourth-party forces could have turned to another candidate and capitalized on the emotional turmoil created by the Chicago Democratic convention. Since there would have been no need to capture hundreds of thousands of votes in key states in order to gain electoral votes as well as popular votes, the four presidential candidates would have directed their campaigns at the broad mass of American people to gain every conceivable vote.

Such a savage campaign, as the major party candidates fought to stay alive, and as George Wallace and the fourth-party candidate appealed to the vast resentment of the dissidents, could have torn the nation asunder.

* * * the nation would have had to endure a second destructive political battle.

Under direct election then, more candidates are encouraged to run because they do not need considerable political strength in the large populous states. And since chances for a deadlocked election increase as the number of candidates increases, Election Day can become essentially a national Primary Day.

ELECTORAL REFORMS ARE FUTURE NEEDS

(By Judith Gelber)

STROUDSBURG.—A four-way presidential race under our present electoral system could also be highly disruptive.

If Sen. Eugene McCarthy had chosen to run as a fourth-party candidate, his first major aim would have been to gain more electoral votes than George Wallace.

The Electoral College system permits only the three candidates who receive the most electoral votes to compete in the Electoral College or in the House of Representatives if

no presidential candidate receives an electoral vote majority in the November election.

This scheme could actually lead to three elections with the electorate participating only in the first one. Since the presidential electors are constitutionally free to cast independent ballots, the election could have been decided when the electors met some six weeks after Election Day.

If the electors had failed to choose a president, then 26 states in the House would have made the choice when Congress convened the following January. The Constitution states that "in choosing the President (in the House), the votes shall be taken by states, the representation from each state having one vote . . . and a majority of all the states shall be necessary to a choice."

George Wallace intended to settle the election in the Electoral College on December 16, 1968 by swapping his electors' votes for political concessions from either of the other two candidates; he knew he had no bargaining power in the House.

Eugene McCarthy's prospects were also next to nil in a House election. Although he had considerable strength in the big populous states, the voting power of all the states, large or small, is the same. In addition few if any Democrats or Republicans would have been foolhardy enough to vote for a candidate from another political party.

Multiparty presidential politics can be so destructive of our political institutions and stability under both direct election and the electoral college system that the nation cannot afford to rush into drastic electoral reform, and it cannot ignore the potential for chaos that now exists.

The nation can, however, enact electoral reforms that will eliminate the dangerous loopholes without dismantling the overall electoral structure and at the same time provide for the orderly development of the new forces within the established political framework.

The Electoral College must be abolished. The presidential electors are not only redundant and therefore useless; their ability to act contrary to the "instructions" of the electorate constitutes a serious threat and acts as an inducement to manipulate the electoral process.

MEANS OF EXPRESSING

The American Independent party could have served as a legitimate means of expressing the views of a particular segment of the population if George Wallace had not been able to use the votes of his electors to threaten out political structure. If the menace in multiparty politics is eliminated, therefore, minor parties can function as responsible channels for political dissent.

The electoral vote, as distinct from the electoral college, system has become the target of electoral reformers largely because of a desire to eliminate the presidential electors. However, the electoral votes of the states not only help to preserve the federal structure of our government, but also act as vital restraints in the presidential electoral process as in 1968. Abolishing the entire system and instituting direct election would therefore create hazards greater than those that now exist.

Opportunities for abuse can be eliminated without radically changing our basic electoral structure by making the electoral vote automatic. Under this automatic system the people would vote directly for the presidential candidates, and the candidate who receives the most votes within a state would automatically receive all of that state's electoral votes.

As at present the candidate who receives an electoral vote majority would be elected president. Thus the role of the presidential elector would be eliminated and the electoral

vote would be maintained as an automatic mathematical figure.

ADDITIONAL RISK

Another risk in the present system is the need to hold the presidential election in the House of Representatives if there is an electoral vote deadlock. The choosing of the President of the United States should not be restricted to the House of Representatives.

The base of this contingent election should be broadened so that the vote approximates the electoral votes of the states. The contingent election should therefore be held in a joint session of Congress with each senator and representative having one vote. And the number of presidential contenders in the contingent election should be reduced from three to the two candidates who receive the most electoral votes in the November election to reduce the incentive to enter a presidential election as a "spoiler" rather than as a legitimate candidate.

Sen. McCarthy's refusal to run as a fourth-party candidate in 1968 was completely in keeping with the goals he set for himself and the American people at the beginning of his campaign. McCarthy's challenge was not to our basic political system but to "the established political processes of the Democratic party." His "hope" was to "restore . . . a belief in . . . American politics and . . . government." Essentially then his campaign was directed at drawing Americans back into the established political system and keeping them from "a third party or fourth party or some other irregular political movement."

But what McCarthy felt was "irregular" in 1968 may well be the only means of preventing the young activists who were drawn to his campaign in 1968 from casting themselves adrift entirely from the system in 1972. After testing the system and tasting their bloody defeat at the Chicago Democratic convention, the new forces may not willingly travel the same road again, particularly if they feel themselves once more locked out of the political process. McCarthy wrote on December 20, 1968.

"I have tried to make it as clear as I can to those who have supported me this past year after I asked them to test the established political processes of the Democratic party that I would not make that request again unless those processes have been clearly changed."

Whatever challenge McCarthy raises in 1972, however, will be consistent with the "hope" and "belief" that led him into presidential politics in the Fall of 1967. McCarthy's quarrel is not with our political system but with those who seek to manipulate it for their own ends. This is clearly demonstrated in the Senator's approach to electoral reform. In a conversation with the author in mid-June, 1969, McCarthy held that reform should be directed at preventing abuse of the electoral system by the presidential electors rather than at introducing direct election. He later wrote:

"The Electoral College does not serve the purpose for which it was devised, and some improvement in the system of electing the President is desirable. It is my view that any changes should preserve the identity and will of the people of the respective states and that each state should have electoral votes proportionate to its representation in Congress."

A recent headline in the New York Times declared: "Wallace: Alive, Well, Thinking Big in Alabama." The ensuing article dealt not only with Wallace's success in getting the Alabama legislature to back his proposal for slowing desegregation, but also with Wallace's presidential plans for 1972. Such speculation is not ill-founded. The American Independent party is an established national

political party, and it is extremely doubtful that those 50 "beachheads" will go to waste.

The forces on the other side of the political spectrum, young and old, are also not likely to accept any repetition of last year's presidential campaign, particularly if the cast of characters remains unchanged. The Democratic governors recently called Senator Fred Harris, national chairman, to task for devoting his time to reform rather than to the "nuts and bolts" of the moribund Democratic party's organization.

Presidential electoral reform does not seem important in view of the pressing problems currently confronting the nation. But the four-way presidential race now shaping up for 1972 will spell disaster if it is run under our current electoral system. Our presidential elections will become more precarious as the developing multiparty system increases the possibilities of deadlocked elections and vote-swapping in the Electoral College.

Electoral reform, however, should preserve those features that sustain our basic electoral structure while it eliminates dangerous loopholes. This is precisely what the automatic electoral vote system would accomplish.

CALENDAR OF THE SMITHSONIAN INSTITUTION, FEBRUARY 1970

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 4, 1970

Mr. FULTON of Pennsylvania. Mr. Speaker, it is a pleasure to place in the CONGRESSIONAL RECORD the calendar of events for the Smithsonian Institution for the month of February 1970.

The Smithsonian Institution has once again scheduled outstanding events, and I urge those who can to visit the Smithsonian during the month of February 1970.

The calendar for February follows:

FEBRUARY AT THE SMITHSONIAN

MONDAY, FEBRUARY 2

Apollo art: An exhibition of 60 works at the National Air and Space Museum, by 25 well-known artists—including Robert Rauschenberg and Jamie Wyeth who were invited by NASA to record their impressions of the lunar program. The results range from realism to abstraction. Closing indefinite.

Argentine Chamber Orchestra, conducted by Pedro Ignacio Calderon. Johann Christian Bach, Symphony in B Flat Major; Mozart, Concerto No. 3 in E Flat Major, K. 447 for French Horn and Orchestra, soloist: Guelfo Nalli; Astor Piazzolla, Tangazo—Variations about Buenos Aires; Beethoven, Symphony No. 1 in C Major, Op. 21. National Museum of Natural History auditorium, 8:30 p.m. Tickets: \$3.75, \$2.75 and \$1.75. Co-sponsored by the Smithsonian Division of Performing Arts and the Washington Performing Arts Society. For further information call: 393-4433.

WEDNESDAY, FEBRUARY 4

Smithsonian Film Theatre: *We Saw It Happen*. The film traces the adventure of manned flight, from the sands of Kitty Hawk to the jet-ports of the space age. Introduction by Louis S. Casey of the National Air and Space Museum. 2 p.m., auditorium, Museum of History and Technology; 8 p.m., auditorium, Museum of Natural History.

Informal concert featuring instruments from the Smithsonian collection 4:30 p.m.,

Hall of Musical Instruments, Museum of History and Technology.

Crafts of Montana, a sales exhibition of crafts in all media by 34 contemporary craftsmen. The first in a new series of exhibitions devoted to the practicing craftsmen of America, on display in the Museum Shop, Arts and Industries Building. Through March 1.

THURSDAY, FEBRUARY 5

The Creative Screen: *Treadle and Bobbin*—the camera of Wheaton Galentine captures the hypnotic movements of Grandma's sewing machine. *Currier & Ives*—memorable Americana by the printmakers of the quaint and sentimental melodramas of the 19th century. Free films are shown on the half hour from noon until 2:30 p.m. At the National Collection of Fine Arts.

Smithsonian Film Theatre: *We Saw It Happen*. Noon, auditorium, Museum of History and Technology.

SATURDAY, FEBRUARY 7

The Creative Screen: *Treadle and Bobbin; Currier & Ives*. See February 5 entry for details.

Music from Marlboro, with Richard Goode, piano; Paula Robinson, flute; Joseph Turner, oboe; Larry Combs, clarinet; William Winstead, bassoon, and John Barrows, horn. Nielsen, Quintet for Winds, Op. 43; Schubert, Introduction and Variations, Op. 160, for Flute and Piano; Mozart, Quintet in E-Flat, K. 452, for Piano and Winds. National Museum of Natural History auditorium, 3:00 p.m. Tickets: \$3.75, \$2.75 and \$1.75. Co-sponsored by the Smithsonian Division of Performing Arts and the Washington Performing Arts Society. For further information call: 393-4433.

SUNDAY, FEBRUARY 8

Young People's stitchery workshop, sponsored by the Smithsonian Associates. By Subscription only. For information call 381-6158.

TUESDAY, FEBRUARY 10

Lecture: *The Decorative Arts of Ancient Egypt* by John D. Cooney of the Cleveland Museum of Art, 8:30 p.m., auditorium, Freer Gallery of Art.

Lecture: *Moonlighting Lasers* by Dr. Carroll O. Alley, Jr., for members and friends of the Smithsonian Associates. 8:30 p.m., auditorium, Museum of History and Technology.

WEDNESDAY, FEBRUARY 11

Smithsonian Film Theatre: *History of Balloons; The Blimps: Clearly Identified Flying Objects; Anatomy of a Triumph*. Three presentations tracing the history of lighter-than-air craft and the role the federal government has played in aviation and space programs. 2 p.m., auditorium, Museum of History and Technology; 8 p.m., auditorium, Museum of Natural History. Introduction by Paul E. Garber, historian emeritus, National Air and Space Museum.

THURSDAY, FEBRUARY 12

Lecture: *Audubon*. This illustrated lecture traces the journeys of John J. Audubon in quest of unusual birds from Florida swamps to the Bay of Fundy and through the European continent to the dry Tortugas. 5:15 p.m. and 8:30 p.m., auditorium, Museum of Natural History. Presented by the Audubon Naturalist Society.

Smithsonian Film Theatre: *History of Balloons; The Blimps: Clearly Identified Flying Objects; Anatomy of a Triumph*. Noon, auditorium, National Museum of History and Technology.

SATURDAY, FEBRUARY 14

Greek antiquities seminar, sponsored by the Smithsonian Associates. By subscription only. For information call 381-6158.

Lecture: *Historic Preservation Today*, by

James Biddle, President, National Trust for Historic Preservation. At the National Collection of Fine Arts, 3 p.m., Lecture Hall.

SUNDAY, FEBRUARY 15

Greek antiquities seminar. Repeat.

WEDNESDAY, FEBRUARY 18

Informal concert, using instruments from the Smithsonian's collections. 4:30 p.m., Hall of Musical Instruments, Museum of History and Technology.

Smithsonian Film Theatre: *Recent Achievements in Unmanned Space Flight*. A selection of films depicting current developments in the unmanned phase of the national space program will be presented. 2 p.m., auditorium, Museum of History and Technology; 8 p.m., auditorium, Museum of History and Technology; 8 p.m., auditorium, Museum of Natural History. Introduction by Frederick C. Durant, Assistant Director, National Air and Space Museum.

THURSDAY, FEBRUARY 19

Encounter: *Our Shrinking World—The Disappearance of Species and Wild Areas*. Panel discussion with audience participation. Program chairman: Dr. Lee Talbot, Smithsonian Office of Ecology. Panel members: Dr. Raymond Dasmann, The Conservation Foundation; The Honorable William O. Douglas, U.S. Supreme Court; Dr. Joseph Fisher, Resources for the Future, Inc.; William Penn Mott, Jr., California Dept. of Parks and Recreation. 8:30 p.m., auditorium, Natural History Building. Sponsored by the Smithsonian Associates and directed by Dr. William Oron, Smithsonian Oceanography and Limnology Program.

Smithsonian Film Theatre: *Recent Achievements in Unmanned Space Flight*. Noon, auditorium, Museum of History and Technology.

Concert: United States Air Force Band. Auditorium, National Museum of History and Technology, 8:30 to 10:30 p.m.

The Creative Screen: *Highway*—award-winner Hilary Harris photographs this film from behind the wheel of an automobile giving an exciting visual expression of the exhilarated sense of speed. *Images from Debussy*—an abstract dance of light and water with the music of Claude Debussy—"Arabesque En Mi," "Reflets Dans l'Eau" and "Arabesque En Sol." Free films are shown on the half hour from noon until 2:30 p.m. At the National Collection of Fine Arts.

FRIDAY, FEBRUARY 20

Concert: United States Air Force Band. Auditorium, National Museum of History and Technology, 8:30 to 10:30 p.m.

SATURDAY, FEBRUARY 21

The Creative Screen: *Highway; Images from Debussy*. See February 19 entry for details.

MONDAY, FEBRUARY 23

Harpichord concert, featuring James Weaver. Music of Bach, including 5th Brandenburg Concerto played on the Dulchin Harpichord made in 1745. 8:30 p.m., Hall of Musical Instruments, National Museum of History and Technology.

WEDNESDAY, FEBRUARY 25

Smithsonian Film Theatre: *The Voice of the Desert*. Joseph Wood Krutch—author, naturalist, teacher, philosopher—presents a magnificently filmed essay on desert life in Arizona showing the beauty of the land and the fascinating variety of wildlife found there, and focusing as well on one man's love for the land. 2 p.m., auditorium, National Museum of History and Technology; 8 p.m., auditorium, National Museum of Natural History. Introduction by Dr. Helmut K. Buechner, Senior Ecologist, Office of Environmental Sciences, Smithsonian Institution.

THURSDAY, FEBRUARY 26

Concert: United States Air Force Band. Auditorium, National Museum of History and Technology, 8:30 to 10:30 p.m.

Smithsonian Film Theatre: *The Voice of the Desert*. Noon, auditorium, Museum of History and Technology.

FRIDAY, FEBRUARY 27

Surface stitchery workshop, sponsored by the Smithsonian Associates. By subscription only. For information call 381-6158.

SATURDAY, FEBRUARY 28

Eikoh Hosoe: Man and Woman. 32 prints by Japanese photographer Hosoe offer a humorous view of man-woman relationships. National Museum of History and Technology, third floor. Through April 14.

Last Saturday jazz; artist to be announced. National Museum of Natural History auditorium, 8:00 p.m. Tickets at \$2.00, may be purchased at the door. Presented by the Smithsonian Division of Performing Arts in cooperation with the Left Bank Jazz Society. For further information call: JO 3-9862 or 581-3109.

Surface stitchery workshop. Repeat.

Washington: A new perspective. Area photographer James Johnson presents views of Washington that the tourist doesn't usually get. Two groups of photos show architectural details of vanishing D.C. and familiar tourist sites viewed through special photographic techniques. National Museum of History and Technology, third floor. Through April 14.

RADIO SMITHSONIAN

You can listen to the Smithsonian every Sunday night from 7:30 to 8:00 p.m., on radio station WGMS (570 AM & 103.5 FM). The weekly Radio Smithsonian program presents music and conversation growing out of the Institution's exhibits, research, and other activities and interests. Program schedule for February:

1. *Frankincense and Myrrh*. Dr. Gus W. Van Beek talks about the exciting and wealthy trade position of South Arabia in the first millennium BC, and how the two oils, frankincense and myrrh, gained outstanding economic importance. This discussion pictures the area as a vital trading organism, dependent on ship and land routes, monsoon winds, trade pacts, and a singularly noteworthy visit by the Queen of Sheba to King Solomon. Object: trade-cooperation. *Pieces de Clavecin en Concerts (III)*. The music of Jean-Philippe Rameau, in an informal performance in the Hall of Musical Instruments, by Jacqueline Anderson, violin, Lane Anderson, cello, and Helen Hollis, harpsichord.

8. *The First Ladies' Gowns*. A tour of the collection of gowns, and comment by Mrs. Margaret Klapthor. Remarks on the styles and stories connected with the famous White House hostesses, up to the present administration. *The Machine Left Behind*. Techniques to identify human remains, as applied and described by Dr. T. Dale Stewart, senior physical anthropologist. Where often necessary, but on the scantest of clues, Dr. Stewart has determined with great probability the human identity from only the bones, hair and fabric, for both civil and military authorities.

15. *Perceptions, II*. In the beginning was Music. Yet now, it is possible to express composition in the concert itself, arranging it as a "happening," with additional effects, lighting, electronic music, etc., or to write totally original music in the framework of an ironic and psychological "game." Morton Subotnik and Lorán Carrión, the creators, are interviewed, along with musicians and participants.

22. *Freeze-Drying*. Rolland O. Hower, a specialist, in the field, discusses the technique which preserves any specimen almost perfectly, and how the technique is being refined and applied. *Flora North America*. The

scientific index of all plants in North America will be computerized, and it will be possible to identify a plant precisely, by use of a remote computer terminal or simple telephone connection. (Drs.) Stanwyn G. Shetler and Mason E. Hale, from the National Museum of Natural History, talk about the history and progress of the project.

SMITHSONIAN RESIDENT PUPPET THEATRE

Hansel and Gretel, marionettes created by Bob Brown for the production of the play with music by the Smithsonian Division of Performing Arts. Performances are at 10:30 and 12:30, Wednesday, Thursday and Friday and at 10:30, 12:30 and 2:30 Saturday, Sunday and holidays. Third floor, National Museum of History and Technology. Admission: \$1.00 for adults, 75 cents for children; special 50 cent rate in groups of 25 or more (for advance reservations for school groups on weekdays call 381-5241).

THE NO-TOUR TOURS

Air France excursion—(Boeing 707)—Dulles-Paris-Dulles: May 1-22, \$257. Make your own arrangements for three weeks of travel in Europe.

BOAC excursion—Boeing 707—Dulles-London-Dulles: October 2-23, \$247. Make your own arrangements for three weeks of travel in the British Isles or Europe.

Please note: These special quoted fares may be subject to airline changes or regulations beyond our control.

For reservations and details contact: Miss Kennedy, Smithsonian Institution, Washington, D.C. 20560, or call 202-381-5520.

SPECIAL FEATURE: SEARCH ON FOR FIRST LADIES' GOWNS

(By Mary M. Krug)

The gowns of the First Ladies are one of the most popular exhibits at the Smithsonian. If something were to happen to any of them . . .

It wouldn't make a bit of difference.

Actually, that is an extreme exaggeration. The gowns are precious and irreplaceable. But if some misfortune should occur, future generations will still be able to view authentic gowns of the official White House hostesses, thanks to the foresight of curator Margaret Klapthor.

Mrs. Klapthor has begun a long-range project to locate a second garment of each First Lady for the permanent collections, and she has taken steps to see that each dress already on hand is recorded in detail.

Not that she is expecting anything to happen. The Smithsonian dresses are kept in an environment in which temperature, humidity and light are tightly controlled and continuously monitored. "But textiles do have a limited life span, even though we don't know exactly what it is. It might be 400 years," Mrs. Klapthor explains.

Whatever or, if ever, anything should happen, Mrs. Klapthor feels it is important that Smithsonian visitors should still be able to see a genuine First Lady's garment, not only because of the popularity of the exhibit, and not only because the dresses reveal much about the personality and taste of the White House hostesses. The gowns also reflect the social history of the times and changing national taste.

Locating the back-up dresses will involve much the same detective work as was used when the collection was established in the early 1900's. Mrs. Klapthor has begun by contacting descendants of the First Families, asking for either dresses or leads. She hopes that through word-of-mouth and other publicity, she can turn up a garment for every official White House hostess.

The earlier First Ladies, of course, will offer the greatest challenge. Recent First Ladies have been asked to give a second dress along with the one they contribute for display, and there are now back-up dresses for 15 First Ladies on hand. Mrs. Klapthor hopes to lo-

cate garments that were actually worn during White House tenure, and of course something worn for a State occasion is the ideal. But she is ready to consider any item that can be authenticated.

The second phase of Mrs. Klapthor's preservation program is the detailed recording of every dress already on hand. Mrs. Sara Taft, a New York designer and dressmaking instructor, has taken on the job of making patterns for each gown. Working at the Smithsonian—the dresses are never taken out of their protective environment—she examines construction details down to the last bead or tuck. For each dress she then creates a full-color illustration, a paper pattern, a muslin mock-up, and notes or drawing on fine points such as beading or embroidery.

Several months' work is required for each package, but "Mrs. Taft has really gotten wrapped up in the job, and she does exquisite work," Mrs. Klapthor notes. So fine, in fact, that in theory every dress could be reproduced exactly. But Mrs. Klapthor will never let that happen as long as she is curator.

"I don't want to take the slightest chance that a copy should be displayed along with the originals," she says. "People who visit the Smithsonian expect to see the real thing, and that is what they deserve to see. Even if a dress were labeled a copy, it might cast some doubt on the authenticity of other items on exhibit."

The packages will instead be used as reference items for study by historians and students of costume design. About a third of the project has been completed, with the oldest gowns being done first. If necessary, details on more recent dresses could be obtained from the designers.

The First Ladies collection was begun by two public-spirited Washingtonians, Mrs. Julian James and Mrs. Rose Gouverneur Hoes. The first dress they obtained was the inaugural gown of the presiding First Lady, Mrs. William Howard Taft. Every First Lady since then has added a dress to the collection.

The exhibit, which is located in the National Museum of History and Technology, is so popular that carpeting installed only four years ago, and supposedly indestructible, has already worn out.

That unforeseen problem was solved by a replacement. Thanks to Mrs. Klapthor, if any unforeseen problems should befall the dresses, there will be replacements on hand for them as well.

CONTINUING EXHIBITIONS

American printmaking: The First 150 Years. Exhibition at the National Collection of Fine Arts. One hundred and fifteen prints covering the time span 1670 to 1820 show the early history of printmaking and give a revealing picture of the early days of the nation. Although often limited in technical and stylistic sophistication, these prints have much charm and subtlety and offer significant insights into the national character and purpose.

Laser 10: *The First 10 Years of Laser Technology*. Special exhibition on laser history and applications, including the first laser made, actual working lasers, and examples of uses of lasers in communications, holography, medicine, industry, civil engineering, space exploration, and art. Iron and Steel Hall, National Museum of History and Technology. Through May.

Charles Fenderich: *The Washington Years* (Through August 31). Top figures in the political world of Washington in the years 1837-1848 are shown in incisive portrait lithographs by Charles Fenderich, a skilled artist who dropped entirely from sight after he joined the Gold Rush to California in 1849. Van Buren, Harrison, Tyler, and Polk are among the statesmen depicted. Scenes of Lafayette Park's Jackson Monument, the proposed Washington Monument, and the inauguration of William Henry Harrison sup-

plement the exhibition of Fenderich's achievement. National Portrait Gallery, through August 31.

Thomas Alva Edison: Sound and Light and Elisha Kent Kane, 1820 to 1857. Companion teaching exhibitions for fifth through twelfth graders show portraits and associative items of two of America's most famous men, the inventor Edison and Arctic explorer Kane, at the time of his death one of America's most revered men although he is now largely unknown. Among the Edison associative objects are a wax cylinder phonograph, light bulbs from his laboratory his kinoscope which was one of the earliest motion picture projectors, and his film "The Great Train Robbery" of 1903 which was one of the first American movies to have a plot. National Portrait Gallery, through April 15.

MUSEUM TOURS

National Collection of Fine Arts

Daily tours at 11 a.m. and 1 p.m. Weekend tours 2 p.m., Saturday and Sunday. For advance reservations and full information, call 381-5188 or 381-6100; messages 381-5180.

National Zoo

Tours are available for groups on weekdays 10 a.m. to 12 noon. Arrangements may be made by calling—two weeks in advance—CO 5-1868 Extension 268.

Visitors may purchase animal artifacts and specially designed souvenirs and books at the Kiosk, which is operated by Friends of the Zoo volunteers as a public service and to raise funds for educational programs. Open daily 11 a.m. to 4 p.m.

Museum of History and Technology

Free public tours of the National Museum of History and Technology during weekends are sponsored by the Smithsonian and operated by the Junior League of Washington. They will be conducted on Saturdays and Sundays through May 1970.

The tours begin at the Pendulum on the first floor, and each tour lasts for approximately one hour. Saturday tours begin at 10:30 and at noon, and at 1:30 and 3:00 p.m. Sunday tours begin at 1:30 and 3:00 p.m.

Tours are available to anyone who wants to join the docent stationed at the Pendulum at the above-specified times. However, if you would like to plan a special group tour, call 381-5542 to make arrangements.

National Portrait Gallery

Tours are now available for adults and children at 10:00 a.m. and 11:00 a.m. For information on adult tours call 381-5380; for children's tours, 381-5680.

MUSEUM SHOPS AND BOOK SHOPS

Museum shops

1. National Museum of History and Technology—Rotunda.
2. Natural History Building—Constitution Avenue Entrance.
3. Arts and Industries Building—Mall Entrance.
4. Freer Gallery of Art—Mall Entrance.
5. National Museum of History and Technology—Mall Entrance.

Book shops

1. National Museum of History and Technology—Constitution Avenue Entrance.
2. Natural History Building—Mall Entrance.
3. National Collection of Fine Arts—Main Floor, 8th and G.
4. National Portrait Gallery—F Street Entrance.

Smithsonian Museums are open to the public 7 days a week. Hours: 10 a.m. to 5:30 p.m. daily.

Cafeteria: Open 10:30 a.m. to 5:00 p.m. (Located in the History and Technology Building, 12th Street and Constitution Ave. N.W.)

Hours at National Zoo: Gates open 6 a.m., close 5:30 p.m. Buildings open 9 a.m., close 4:30 p.m.

ACLU DEMANDS ARMED FORCES ABOLISH GOD

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 4, 1970

Mr. RARICK. Mr. Speaker, not only did the men who founded our country believe in God but most of them were devout Christians.

The great majority of Americans today believe in God and unashamedly profess themselves Christians.

Without God the entire philosophy of freedom becomes a meaningless sham—for unless men "are endowed by their Creator with certain unalienable rights" then they are indeed mere animal pawns of the socialist state. Marx, Lenin, Stalin, and all of their ilk understood this. It has been a cardinal point of their credo to eliminate Christianity—to outlaw God in public life.

It is not surprising that the disreputable American Civil Liberties Union which has been in the forefront of every attack on freedom and decency since its inception has now attacked God in the Military Academy, the Naval Academy, and the Air Force Academy. It is as unsurprising that the leftist Meyer-controlled Washington Post should approve of the assault.

I include in my remarks the following dishonest editorial of January 26, 1969, giving surface respectability to the long-standing party line:

COMPULSORY WORSHIP

It would be hard to imagine any practice more at odds with the idea of religious freedom than mandatory attendance at religious services. Compulsory chapel, which used to be common at independent and private institutions of learning, has now been almost completely discontinued except at avowedly religious schools; it was manifestly offensive to the concept of tolerance. At any public institution financed by public funds, it is manifestly offensive also to the United States Constitution. It is genuinely shocking, therefore, to learn that the practice persists at the three official service academies, West Point, Annapolis and the Air Force Academy at Colorado Springs.

After trying vainly to persuade the Defense Department that compulsory worship is as un-American as an established church, the American Civil Liberties Union went to court in behalf of eight midshipmen and cadets at the service academies charging that the requirement violates the First Amendment and also, since the cadets and midshipmen are candidates for commissions in the armed forces, violates the constitutional ban on a religious test "as a qualification for any officer or public trust under the United States."

The Constitution of the United States was written by men whose parents and grandparents had left England in large degree because they were unwilling to worship in accordance with the orthodoxies and requirements of an established church. They made a flat prohibition against such an establishment the very first item in the first article of their Bill of Rights because they had learned that secular and religious authority must be rigorously separated. The idea is as old as Christianity: "Render therefore unto Caesar the things which are Caesar's; and unto God the things that are God's."

"Neither a state nor the federal government," the Supreme Court of the United States has said, "can set up a church . . . Neither can force nor influence a person to go to or to remain away from church against his will or force him to profess a belief or disbelief in any religion." How strange and disquieting it is that the armed forces set up to safeguard the United States should forget, or resist, this fundamental principle. It happens that the suit to remind them of it was filed precisely on the 50th birthday of the American Civil Liberties Union. The ACLU could have found no more useful or fitting way to celebrate a major milestone in its long service to American freedom.

I CAN NO LONGER BUY TIMBER SUPPLY

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 4, 1970

Mr. CONYERS. Mr. Speaker, an amended version of the National Forest Timber Supply Act, H.R. 12025, now known as the National Forest Conservation and Management Act, comes before the House this Thursday, February 5. As one of the many who were originally interested in this bill, I must now inform my colleagues of the reasons why I can no longer support this legislation.

Since I represent an urban area which is beset by the same housing ills that plague most of our cities, I believe that every available means should be utilized to eliminate the factors which have produced a virtual halt in the building of new homes. To me, H.R. 12025 appeared to offer a solution to a major aspect in the problem of insufficient and inadequate housing. If the principal drawback to increased home construction was the lack of lumber, then H.R. 12025 would go a long way toward solving our housing problems.

However, since H.R. 12025 was introduced last year, several things have convinced me that the legislation should not be enacted at this time:

First, the present act does not provide adequate safeguards to preserve the fish, wildlife habitat, range forage, watershed protection, and recreational opportunities of our national forest lands. In these times of economic crisis, the fund created by this legislation would place the other missions of Multiple Use-Sustained Yield Act of 1960 at a distinct disadvantage;

Second, the need for increased harvesting at this time does not appear to be justified in light of the fact that we are now exporting more than four billion board feet of lumber annually;

Third, the Bureau of the Budget recommends deferment of the legislation until the President's Ad Hoc Task Force on Lumber releases its study on the supply-demand relationship in the lumber industry. The Forest Service also hesitates to support the bill before the results of the President's study are known; and,

Fourth, it now appears that much of the blame for the present low level in new housing starts can be attributed to the spiraling rates of financing and other costs rather than to a lack of lumber.

Therefore, in light of the uncertainty of the impact of H.R. 12025 on the Multiple Use Act of 1960, and the dubious need for increased harvesting at this time, I feel that it is necessary to oppose passage of the National Forest Conservation and Management Act.

MEDICAL CARE II: MEDICAL MAN-POWER CRISIS

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 4, 1970

Mr. ROSENTHAL. Mr. Speaker, I indicated in yesterday's RECORD, that I will offer a series of articles on the massive crisis in our medical care system to which the President referred last year. In the first article, the general problem of the crisis in medical care was outlined.

The following article, from the Medical World News of January 23, 1970, considers a key aspect of the problem: How we can make better use of the medical manpower we have. It discusses the many attempts now underway to create new allied health professionals to serve on the medical care team.

Particularly impressive is the indication that medical corpsmen—whose talents and training has been largely wasted until recently—are now being recognized both as a source for the medical team itself and as a prototype of the kind of medical worker which civilian institutions could also produce.

The article follows:

CAN DOCTOR'S AIDES SOLVE THE MANPOWER CRISIS?

Thanks to the nation's acute and worsening shortage of health manpower, the ex-medical corpsman is now ending a 30-year sentence as physician's assistant in the federal prison system and is emerging as a new force to help doctors cope with their burgeoning load of patients.

The "sentence" wasn't a literal one, of course, but it has taken several decades for the country's medical schools and organizations to imitate U.S. penal authorities and appreciate the large pool of trained personnel available through service discharges of the men popularly known as medics. Though nobody underestimates the problems that will be encountered in licensing and supervising physicians' assistants, more than a dozen medical institutions now have training programs in operation or are about to inaugurate them.

The young man on the left in this week's cover photograph is Paul Snyder, an Air Force surgical technician from 1957 to 1969, who moonlighted at civilian hospitals near his bases. Given additional training after his discharge, he has adapted his military medical knowledge and skills to civilian health care. Now, as a Medex, he serves to extend the capabilities of general practitioner Kenneth Pershall in Othello, Washington.

Conceived and directed by Dr. Richard A. Smith, associate professor of preventive medicine at the University of Washington's medical school in Seattle, the Medex program is one of the solutions being developed across the country to help alleviate the health manpower shortage. Like several others, it is designed to make use of the pool of trained corpsmen who leave the Armed Forces each year, up to 30,000 by National Research

Council estimate. Unlike the others it has a unique name for both the program and its trainees. Medex is both singular and plural, a title and a form of address. Dr. Smith coined it to express the physician's extension concept. It has the advantage of sounding familiar to the ex-medics.

The first class of 15 carefully selected Medex trainees completed the initial three-month period of university training in mid-September. Now they are in their preceptorship phase, each with a rural GP who is committed to hiring the Medex on successful completion of his training.

Dr. Richard Bunch, who shares Dr. Pershall's practice and also employs a Medex, tells MWN: "While still in their preceptorships these fellows are treating, under our general supervision, children's upper respiratory infections, lacerations and moderate traumas, and replacing one of us in surgery where normally two doctors are needed. When they've finished their break-in period with us, I estimate we'll each be able to take care of 20 additional patients per day." Medex Snyder and his cohort John Betz earn \$5,400 plus \$500 per year for each dependent child to a maximum of three. Drs. Bunch and Pershall plan to pay salaries substantially higher than that when training is complete.

"My concerns in starting this program were twofold," says Dr. Smith. "First, we are in a crisis in health manpower already—it's not coming, it's here, and it's going to get worse. Second, I was concerned that this huge pool of medically trained men was not being used. These guys have had perhaps \$25,000 invested in their training, and it's usually lost. Some ex-corpsmen have, among other things, as many as 70 hours of preventive medicine, anywhere from 70 to 130 hours of anatomy and physiology, 70 to 180 hours of medicine and surgery, 92 to 190 hours of pharmacology, advanced on-the-job training in outpatient clinics, on-the-job training in general medicine, anywhere from 120 to 200 hours of trauma, minor surgery and field surgery, perhaps 40 hours of emergency-room on-the-job training, another 80 hours of on-the-job training in general surgery, 40 hours in orthopedics, 98 hours in surgical procedures, 30 to 55 hours in microbiology and laboratory medicine."

Last July, HEW Secretary Finch and his newly appointed assistant secretary for health and scientific affairs, Dr. Rogers Egeberg, warned of an "impeding breakdown in the delivery of health care." Among the steps they took to help alleviate the manpower shortage was the establishment of an Office of New Careers with the top priority of developing programs for returning Vietnam medical corpsmen. Recently, Dr. Egeberg noted in a HEW memorandum that some 60% of medics leaving the Armed Forces are interested in getting additional education to qualify for civilian jobs in health care, and that about 15% are already qualified to move right into civilian jobs in medicine.

Organized medicine, too, is stepping into the health manpower breach. On December 20, the Committee on Emerging Health Manpower of the AMA's Council on Health Manpower held a meeting of a dozen directors of training programs for various kinds of physicians' assistants, to discuss their programs in the light of a set of guidelines for development of new health occupations adopted on December 2 in Denver by the House of Delegates. The unusually smooth course of the meeting showed the participants want to press ahead with a cooperative program to clarify and classify the roles of the new kinds of physicians' assistants, the educational levels desired, and the need for certification, licensure, or changes in medical practice acts.

"In the morning session I thought that the whole thing could blow up in our faces," says the AMA committee's chairman, Dr. Thomas C. Points of the University of Okla-

homa Medical Center, Oklahoma City. "But I felt that everyone agreed the guidelines were essential and they were all willing to work with them so that we can really get some coordinated programs going."

Dr. Paul J. Sanazaro, director of HEW's National Center for Health Services Research and Development, agrees. "Everyone seemed to agree essentially on what needs to be done, and on the importance of getting it done, and there was no defensiveness. The meeting reflected a spirit of initiative in the AMA, and responsiveness to many developments in the country initiated under different auspices and different assumptions. Incorporating the new professional assistants may turn out much smoother than we might have expected. The AMA staff is able and committed and has full support internally and externally."

When the program directors return their course descriptions to the AMA committee in mid-February, the concept approved by the committee will be passed on to the full Health Manpower Council. If approved there, it goes to the Council on Medical Education, which will lay down the essentials for an accreditation program. After that, it will go to the House of Delegates for acceptance—the staff hopes by next fall's clinical convention.

The new types of health professionals are being trained in some 20 programs at as many institutions. No one is certain just how many there are, because some are being carried on informally with only one or two trainees. Besides Medex and the Duke University physician's assistant program (MWN, Feb. 23, '68), which now has 29 graduates helping to relieve overburdened doctors, the major programs are:

Cleveland Clinic Hospital is training "clinical corpsmen" in a one-year program, accepting applicants with two years' military or civilian experience.

Alderson-Broaddus College, Philippi, W. Va., trains physicians' assistants in a four-year baccalaureate program offered to qualified high school graduates.

University of Colorado Medical Center is training "child health associates." The three-year program includes two years of academic training and a year's internship; applicants must have two years of college.

The university also trains pediatric nurse-practitioners in an intensive four-month program of theory and practice of pediatrics, offered to graduate nurses.

Bowman Gray School of Medicine also trains "child health assistants" in a two-year program. Applicants with two years of college, or ex-corpsmen with adequate training, are accepted.

Pacific Medical Center operates a two-year program training orthopedic assistants, involving City College of San Francisco and eight hospitals.

Grady Memorial Hospital in Atlanta trains "medical specialty assistants" to work in medical and coronary intensive care units. The two-year program accepts former corpsmen with two years' experience.

Baylor College of Medicine trains ophthalmic assistants in an eight-week course for trainees with two years of college preferred.

Emory University School of Medicine gives anesthesia assistants a 21-month master's degree program.

University of Pittsburgh trains emergency medical technicians in a one-year program. Ohio State University educates emergency medical technicians.

Four more programs are in preparation: University of Kentucky School of Allied Health Professions plans to train clinical associates.

Brooklyn-Cumberland Medical Center will train physicians' assistants.

Oklahoma State University is preparing to train medical care technicians.

University of Colorado plans to train physician associates in anesthesia.

Not all physicians are convinced that such training programs are the answer. One is Tulane University professor of medicine George Burch. He tells MWN: "If I get sick, I don't want any physician's assistant taking care of me. I want a fully trained doctor. The errors made by the legions of aides from RNs to electronics specialists are legion. Certainly we need these people, but we need doctors much more. The training programs now being put forward are simply no substitute for the additional medical schools we sorely need."

The nursing profession also shows less than eager enthusiasm for the new doctors' aide training courses. Says Eileen Jacobi, RN, Ed.D, associate executive director of the American Nurses' Association: "Baccalaureate and graduate education in nursing prepares nurses at a highly professional level, but one of the complaints the ANA often hears from its membership is that highly qualified nurses are often not allowed to function at the level for which they have been prepared. Why can't we utilize the existing nurse talent to meet patient health needs that are now unmet? Because the physician, although often in need of such assistance, is unwilling to allow the nurse to assume other than her traditional role."

The variety of titles for the new professionals sometimes accurately reflects the skill that is being taught, notably in the specialty assistants. The others reflect mostly the private preferences of program directors. Nearly all those involved agree that deciding on uniform titles for people with equivalent training is essential to getting the new health professions recognized and understood by the medical profession and the public. "I keep harping on Medical Care Technician," says committee chairman Tom Points. But others think that "technician" suggests a lower level of training than the type of professional they are developing, who is seen by a number of proponents as being on a level between a doctor and a nurse. One suggestion that appears to be gaining favor is the use of "clinical assistant" for those with training at the two-year, or junior college, level and "clinical associate" for those with baccalaureate degrees.

"I think this is one of our problems," says Dr. Points, "someone with two years of training being put in at a level between graduates of four-year and seven-year medical courses. What do you call them?"

The optimum levels of education for the physicians' assistants is one of the questions most in need of clarification. All those involved in the training programs agree that as much flexibility as possible should be built into them, to provide both vertical and horizontal mobility. Dr. T. F. "Bud" Zimmerman, director of the AMA's department of health manpower, feels that the new physician-support personnel should cover a spectrum from generalist to specialist, and from the on-the-job training level of education to the post-baccalaureate level.

Dr. D. Robert Howard, director of the Duke University program, sees a three-level range: on-the-job training, junior college, and senior college. "Above that," he points out, "your upward mobility would be into medical school." But he cautions that students with the capability to qualify for medical school might be poor choices for physician's assistant training. "They're not going to get enough job satisfaction or ego satisfaction in doing the type of work that a physician will delegate."

Delegation by a physician is the key to all the new concepts of physicians' assistants. Even though an excorpsman may have been what the military services call an independent duty operator who functioned as the only "doctor" for many miles, as do Special Forces medics or the Air Force's remote-station medical technicians, almost no one contemplates their serving independently in

civilian health care. Nevertheless, the assistant can work apart from the physician so long as they are in contact by telephone or two-way radio.

The Medex program, for instance, provides two-way radio equipment for each physician-Medex team. The Medex, like the physician he works with, is on call 24 hours a day. This can be especially useful if two emergencies should happen simultaneously or nearly so. "I thought this was a rare thing in general practice," says Dr. Smith. "But I discussed it at the state medical association. I said, 'What happens in that rare instance when you have an acute traumatic injury in your office and another patient has a massive coronary on the other side of town and can't be moved? Your Medex can go over there and talk to you from the bedside.' One doctor raised his hand: 'That's not a rare occurrence,' he said. 'It happened to me three times last week.'"

But even under the supervision of a physician, this kind of service presents delicate legal problems, and most authorities believe that state medical practice acts will have to be modified to allow for the use of physicians' assistants. There are a few states like Oklahoma which happen to have a direct statement in their medical practice law referring to physicians' assistants. Dr. Points explains, "That presents the least difficulty. But to the extent that they aren't explicit, the feeling is that medical practice laws will need to be modified in time. It's difficult to talk about a model law now, because we don't yet have enough experience on a large scale."

"Four states have already enacted legislative changes, and most of the others are in the process of making changes," says Duke's Bob Howard. "We have a committee working on changes we feel would be desirable here in North Carolina. Our draft reads pretty much the same as the others; it makes an exception to the medical practice law for any act or acts performed at the direction and under the supervision of a licensed physician by a person currently approved by the Board of Medical Examiners as one qualified to function as a physician's assistant." However, he points out, "you can also change medical law by custom and usage. In this state we're almost to the point now where formal legislative changes aren't really necessary, because we can say that having physicians' assistants is already custom and usage here."

Whether former military corpsmen will continue to be the main pool from which physicians' assistants will be drawn is an open question. The AMA's Dr. Points doubts that 30,000 medics are, in fact, being discharged yearly. "When we analyzed this at Oklahoma State, we found that there are several levels of training in the military. That 30,000 figure includes the lowest level of aidman. The man we're talking about using is the independent duty operator, and I doubt there are more than 10,000 of them."

"I think they will constitute the main source of manpower," says Dr. Howard. "There's not much of a pool of males outside this one, which we're emphasizing, although we are not limiting our program to men. But it's hard to get women who are willing to work the hours these people work. If they're going to be effective as physicians' assistants, they've got to work the same hours the physician is working. The women we have in the program—and this is an advantage of taking only experienced people in this kind of project—have already demonstrated that they're willing to make that kind of career commitment."

"My impression is that a male labor force is more stable," says the AMA's Bud Zimmerman. "One of the problems in the allied health professions up to now is that they are quite female-oriented, and because women get married and have children, they tend to

be sort of in and out of the work picture. So greater male involvement in these professions will eventually mean a labor force that's more stable."

But Dr. Points has reservations. "I think we've overworked the idea of the discharged medical corpsman as the answer to everything," he says. "The idea is to get the educational system to do the same thing the military has done. I can see these programs training corpsmen outside the military. In fact, I can see the military recruiting them into the service after they have a baccalaureate degree, when they wouldn't need much more training."

Recruiting former medics has been approached in a number of ways. The methods used by the Duke and Medex programs have probably been most successful. "The secret is using the servicemen's newspapers," says Dr. Howard. "We just send the Army, Navy, and Air Forces Times an announcement when we have openings. They run the information in their educational supplemental, and the inquiries come pouring in." For this year's class of 40 trainees, Duke received 3,500 inquiries, 500 applications.

Dr. Smith used a more personal approach. "We went to a number of military installations where there were corpsmen and got in touch with a few key people. We spelled out the requirements for selection. Basically, they were that a man be getting out of the service by last June, and that he and his family be willing to live and work in a rural area. We soon had an informal communications network stretching from Vietnam to West Germany, and applications poured in."

Altoona (Pa.) Hospital officials began at a nearby military hospital Project Transition office, the Defense Department's program to help place men leaving the service in civilian jobs. The hospital's representative obtained information on medical personnel about to leave the service. He visited two Army hospitals and one Navy installation, wrote to a number of others, and had posters distributed at a number of bases. The hospital received 60 inquiries in as many days from corpsmen who hoped to stay in medicine.

Joseph Donovan, executive director of the Santa Clara County (Calif.) Medical Society, has had most success by using press, radio, and TV advertising to inform corpsmen and their families of opportunities for training.

Placing the graduates is easier than recruiting them. Dr. Smith chose employers for his Medex trainees before he selected candidates. After both groups were selected and had met each other, physicians and Medex were carefully matched—even the compatibilities of their wives were considered. Each physician preceptor is training his Medex for his own practice. Salaries are to range between \$8,000 and \$12,000 a year depending on the practice.

The Duke graduates, too, are spoken for. "They all have jobs long before they get out," says Dr. Howard. "People start clamoring for them too early, as far as I'm concerned." Of the 29 graduates, 14 are working at the medical center (largely so that their training can be evaluated), and 15 are with physicians in private practice.

Results, so far, are encouraging. "At this point they've exceeded our expectations," says Seattle's Dr. Smith. "Some patients come in and ask to see the Medex, or call to make an appointment to see him. When they have a minor complaint, they don't want to bother the busy doctor. One thing that really got to me was a little notice put into a local paper in eastern Washington by a woman who had just gotten out of the hospital. She wanted to thank the staff of the hospital and most especially Dr. X and Medex Y. To those of us on the staff that was very significant. It meant the Medex is recognized as an integral part of that medical team."

FIGHT OVER THE NATIONAL FORESTS

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 4, 1970

Mr. DINGELL. Mr. Speaker, two of the Nation's great newspapers today have raised strong editorial objections to H.R. 12025, the proposed National Forest Timber Conservation and Management Act, which the House is scheduled to consider on Thursday, February 5.

The New York Times says the proposed act would allow the "great tracts of nationally owned timberland to be subjected to heavy cutting pressure in contravention of established Forest Service practices."

The Washington Post points out that vital information on timber supplies is not available at this time to the Members of the House and suggests that at the very least a vote should not come until this information is available. The information in question is the report and recommendations of the President's task force on housing and timber needs.

What is the issue facing the House?

The Washington Post:

Congress is facing an early test of its concern over protection of the environment.

The New York Times:

If Congress is as dedicated to the protection of the environment as its spokesmen daily say it is, it will defeat this bid for preferential treatment of a single commercial interest at the expense of the national interests.

I insert the texts of the two editorials at this point in the RECORD:

[From the Washington Post, Feb. 4, 1970]

FIGHT OVER THE NATIONAL FORESTS

Congress is facing an early test of its concern over protection of the environment. The House has before it a national timber supply bill which, many conservation groups believe, would raid the national forests in an effort to reduce lumber prices. The measure was approved by the House Agriculture Committee at the behest of the home builders and the timber industry as a stimulus to the growing and cutting of timber to sustain expanded home construction. But conservationists fear that it will intensify the pressure on the national forests with grave consequences to watersheds, wildlife, human recreation and the ultimate supply of timber itself.

The motive behind the bill is undoubtedly a worthy one. It recognizes that an enormous increase in the supply of timber will be needed in the years ahead to support a larger housing industry and other essential building and seeks to intensify use of the national forests for this purpose. The country is still growing timber a little faster than it is being cut, but experts expect the cutting rate to exceed the growing rate within a few years, and not much is being done about it. At least 5 million acres of national forest land ought to be replanted and 13 million additional acres need improvement of one kind or another. It is estimated that \$200 million per year is needed to bring these forests into full production under the approved multiple-use, sustained-yield policy now followed by the Forest Service, but less than half that sum is available.

Almost everyone seems to be in agreement that rehabilitation of the national forests

should no longer be delayed. But there the agreement ends. The conservationists fear that, even though larger outlays for planting, stand-improvement and so forth are contemplated in the bill before the House, it would lead to intensified cutting too soon. Sponsors of the bill insist that it would give no new authority to the Forest Service, that multiple use would be retained and land management improved, and that cutting would not be stepped up until justified by additional planting. But Section 7 of the bill seems to authorize new programs, heavier cutting and revision of the rotation rate in timber growing which many regard as incompatible with sound forest management.

The House should know what it is doing before it ventures into this quagmire. It is true that the Agriculture Committee substantially improved the bill, but ambiguity remains. The least that can be asked is that Congress wait for the recommendations of the President's task force on housing and timber needs. It is said that the report of the task force has been completed and is under scrutiny by department heads before being sent to Capitol Hill.

The issue is not merely one of providing new timber supplies, vital though that objective is. Since any change of policy in the national forests will have an impact upon recreation, grazing, water supply and the environment as a whole, it must be scrutinized from the viewpoint of the general welfare. If this requires a good deal of time, a proper start could be made by providing more funds for improvement of the forests, while leaving the controversial problem of cutting more timber until the new growth is under way.

[From the New York Times, Feb. 4, 1970]

WHOSE FOREST PRIMEVAL?

A projected raid on the national forests, up for vote in the House this week, is reminiscent in some ways of the "lumber baron" days of the nineteenth century—though much more subtle. The so-called National Timber Supply Act would allow these great tracts of nationally owned timberland to be subjected to heavy cutting pressure in contravention of established Forest Service practices and in disregard of long-range conservation aims.

By making maximum yield the prime consideration in logging, the national forests, the House measure would destroy the principle of balanced—or multiple—use. Besides providing timber, as they should within reason, these public preserves play a vital role in protecting watersheds, supporting fish and wildlife and providing vast recreational opportunities that would be seriously damaged by this dangerous proposal. Of the 97 million acres that would be opened up to high yield forestry, an estimated 6 to 8 million acres of potential addition to the national wilderness system would be lost forever.

If Congress is as dedicated to the protection of the environment as its spokesmen daily say it is, it will defeat this bid for preferential treatment of a single commercial interest at the expense of the national interests.

SILVER COINS

HON. JAMES A. McCLURE

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 4, 1970

Mr. McCLURE. Mr. Speaker, last year the Treasury Department recommended the removal of all silver from our coinage. Unfortunately, the House Commit-

tee on Banking and Currency, and later the House itself, endorsed this proposal.

One of the arguments advanced at that time was an allegation that coins of value are no longer being minted in other countries and that the use of silver, even for commemorative purposes, is a thing of the past.

I would like to point out, Mr. Speaker, that the Vatican City is issuing a 500-lire coin in silver commemorating Pope Paul VI. His image appears on the coin. Although the information we have does not say so specifically, I assume that this is similar to previous issues by the Vatican of 500-lire coins which have had a fineness of 835 silver and 165 copper with a gross weight of 11 grams. In 1967 a previous issue of this denomination was minted and 110,000 coins were struck.

Furthermore, the African Republic of Guinea has issued four silver coins in 1969 in honor of Martin Luther King, John F. and Robert F. Kennedy, the moon landing, and the 1972 Olympics. The denominations are 100, 200, 250, and 500 Guinea francs. These coins are being offered to the American public through coin dealers.

There are many other instances of silver coins being offered throughout the world and I intend to bring them to the attention of the House in the next few days.

JEFFERSON, LINCOLN, ROOSEVELT— ALL WHITE SUPREMACISTS

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 4, 1970

Mr. RARICK. Mr. Speaker, we have heard loud protests from the leftists over remarks attributed to the latest Supreme Court nominee.

Despite his current crawling recantation, it seems clear that at one time he recognized and publicly stated his views on racial separation—that is before the Warren court amended the Constitution in 1954.

Perhaps it is well to point out a little truth at this time. White supremacists are in good company.

Thomas Jefferson, author of the Declaration of Independence and father of the Democratic Party, wrote in his autobiography that "the two races equally free cannot live in the same government"—a thought which was censored when the first part of the same sentence was carved in the Jefferson Memorial here in Washington.

Abraham Lincoln, the great emancipator and father of the Republican Party, whose Emancipation Proclamation was a political appeasement of the radical Republicans and, by its own terms, freed no one, consistently held that inherent differences would "forever forbid the two races living together on terms of social and political equality."

We are indebted to David Lawrence for reminding us of the truth at this particular time, and for his query as to whether either Jefferson or Lincoln was so un-

American that he should not hold a position of high trust in his Government.

I include the Lawrence editorial in my remarks:

WHAT PRESIDENTS ONCE SAID ABOUT RACIAL EQUALITY

(By David Lawrence)

The controversy recently about Judge G. Harrold Carswell's speech which he made in 1948 in favor of segregation—six years before the Supreme Court ordered desegregation in the public schools—prompts a re-examination of just what was said in public speeches and in utterances of Presidents of the United States on the general subject of racial equality prior to the Court's ruling in 1954. Here are some extracts:

Thomas Jefferson, in a letter to Francois Jean de Chastelleux on June 7, 1785:

"I have supposed the black man, in his present state, might not be in body and mind equal to the white man; but it would be hazardous to affirm that, equally cultivated for a few generations, he would not become so."

Jefferson's Autobiography, published in 1821:

"Nothing is more certainly written in the book of fate than that these people are to be free; nor is it less certain that the two races equally free, cannot live in the same government. Nature, habit, opinion have drawn indelible lines of distinction between them."

Abraham Lincoln, in a speech at Ottawa, Ill., on Aug. 21, 1858:

"I have no purpose to introduce political and social equality between the white and the black races. There is a physical difference between the two, which in my judgment will probably forever forbid their living together upon the footing of perfect equality, and inasmuch as it becomes a necessity that there must be a difference, I, as well as Judge Douglas, am in favor of the race to which I belong having the superior position."

"I have never said anything to the contrary, but I hold that notwithstanding all this, there is no reason in the world why the Negro is not entitled to all the natural rights enumerated in the Declaration of Independence, the right to life, liberty and the pursuit of happiness. I hold that he is as much entitled to these as the white man. I agree with Judge Douglas, he is not my equal in many respects—certainly not in color, perhaps not in moral or intellectual endowment. But in the right to eat the bread, without leave of anybody else, which his own hand earns, he is my equal and the equal of Judge Douglas, and the equal of every living man."

Abraham Lincoln, in a speech at Charleston, Ill., on Sept. 18, 1858:

"I will say then that I am not, nor ever have been in favor of bringing about in any way the social and political equality of the white and black races—that I am not nor ever have been in favor of making voters or jurors of Negroes, nor of qualifying them to hold office, nor to intermarry with white people; and I will say in addition to this that there is a physical difference between the white and black races which I believe will forever forbid the two races living together on terms of social and political equality. And inasmuch as they cannot so live, while they do remain together there must be the position of superior and inferior, and I as much as any other man am in favor of having the superior position assigned to the white race. . . ."

"I will add to this that I have never seen to my knowledge a man, woman or child who was in favor of producing a perfect equality, social and political, between Negroes and white men."

Theodore Roosevelt, in his Seventh Annual Message to Congress on Dec. 3, 1907:

"Our aim is to recognize what Lincoln pointed out: The fact that there are some respects in which men are obviously not equal; but also to insist that there should be an equality of self-respect and of mutual respect, an equality of rights before the law, and at least an approximate equality in the conditions under which each man obtains the chance to show the stuff that is in him when compared to his fellows."

William Howard Taft, in his Inaugural Address on March 4, 1909:

"The colored men must base their hope on the results of their own industry, self-restraint, thrift and business success, as well as upon the aid, comfort and sympathy which they may receive from their white neighbors."

Franklin Delano Roosevelt, in a letter to Cleveland G. Allen on Dec. 26, 1935:

"It is truly remarkable, the things which the Negro people have accomplished within living memory—their progress in agriculture and industry, their achievements in the field of education, their contributions to the arts and sciences, and, in general, to good citizenship."

Harry S. Truman, to the Democratic National Convention in 1940:

"I wish to make it clear that I am not appealing for social equality of the Negro. The Negro himself knows better than that, and the highest type of Negro leaders say quite frankly they prefer the society of their own people. Negroes want justice, not social relations."

How many of the foregoing statesmen could be confirmed as Justices of the Supreme Court today if their statements of earlier years such as the above were cited against them by members of the Senate?

DR. CHARLES MAX COLE SPEAKS ON MEDICAL PROGRESS

HON. JAMES M. COLLINS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 4, 1970

Mr. COLLINS. Mr. Speaker, Dr. Charles Max Cole, president of the Texas Medical Association, made a compelling speech before the Texas Medical Association's 1970 Conference on Medical Service on January 17 in Austin. Dr. Cole's speech "The 1970's; New Vistas and Challenges for Texas Medicine" cites the role that doctors and medicine should play in the challenging 1970's.

We are all proud of the great contributions in medical research and development that have come to us in recent years through our great doctors. And, with strong private medicine, we can expect similar progress in the seventies. This is highlighted in these sections of the address by Dr. Charles Max Cole:

THE 1970'S; NEW VISTAS AND CHALLENGES FOR TEXAS MEDICINE

It has become popular at the beginning of each new decade for an organization such as ours to look back upon the previous ten years and assess the accomplishments and progress and then to look forward into the next decade and make predictions of great things to come. The decade immediately finished was widely heralded as the "soaring sixties" and indeed many things of tremendous import to mankind occurred in the fields of medicine and science. 1960 saw the introduction of the first oral contraceptive. The

disease poliomyelitis has already been staggered by the Salk vaccine and in 1961 the finishing blows to eradicate this disease were delivered with the approval of the Sabin oral live virus vaccine. In 1963 two red measles vaccines were licensed and as the decade drew to an end there followed an effective vaccine against German measles, the disease that had been blamed for so many birth defects. Many chemotherapeutic agents directed at cancer were introduced in this decade, some of which show great promise to leading to ultimate control of at least some forms of cancer.

There were a number of other new drugs introduced but the flood of new drugs that characterized the previous decade ended abruptly with the thalidomide disaster which rocked the medical world in 1962 and led to the adoption by Congress of stringent legislation giving the Federal Drug Administration new powers over the control of new drugs.

The field of organ transplants reached its peak in 1968 and then declined as the moral, ethical, and legal implications and complications received greater attention. Some of the more far reaching changes in the medical world occurred in the political and socio-economic areas and these changes and proposed new changes may well present our greatest challenge in the 70's. During this decade just past there has come an increasing awareness of environmental factors in health. We have begun to be aware of the population increase projections for the future and many feel that this population explosion may well be mankind's greatest problem in the very near future.

PEOPLE POLLUTION

We have heard much about water pollution, air pollution, food pollution, noise pollution, and radiation pollution of our environment. A new term, with intriguing implications, "people pollution" is coming into current usage and we shall hear more and more of it in the very near future. It refers to the ill effects of overpopulation. In spite of the dire predictions for the future we remain rather apathetic about the dangers of overpopulation. Currently population is increasing almost three times as fast as food production and over the world at the present time 3½ million people die each year of malnutrition. Next year the U.S. population will reach 210 million. Two years later it will be 10 million more. According to the United Nations estimates, the world's population, now about 3½ billion, will shoot up past 6 billion before the end of this century, only thirty years away. The U.S. population is expected to reach 300 million by that time, requiring the creation of the equivalent of a new city of 250 thousand people every month for the rest of the century. It is further predicted to increase another 100 million within the first 40 years of the next century!

Most of us have felt that the dangers of this population increase are for future generations to worry about and that the chief concern will be that of producing enough food. We also have faith in our technological skills and expect breakthroughs in food production somehow to feed these enormous masses. We also feel this problem is chiefly one for the underdeveloped nations, which do indeed increase their populations much faster than do we.

But there is no comfort in any such wishful thinking, for the "people pollution" of the crowded areas is already with us and will be a major problem for physicians in the coming decade. Animal studies show that crowding animals together in the laboratory produces measurable ills:

1. The sex act, generally surrounded with intricate courtship rituals by most animals, become a nervous quick brutal obsession.

2. Homosexuality among males, virtually

unknown in almost every mammalian species in the free state, makes its appearance.

3. Females begin to lose their capacity to build nests and to take care of their litters. Mothers kill and maim their young, and spontaneous abortion appears to be more frequent.

4. Instances of brutality and fighting among animals are far more frequent.

Some studies among humans present interesting findings. In one such study the mortality rate during the first year of life was 60 for each 1000 births in families with one or two children. But in families with three or four children the death rate rose to 90 per 1000 and in families with 10 or more children it rose to 300 per 1000 births. The "battered child syndrome" is a relatively new entity and appears primarily in the population centers. It seems clear that the sky rocketing crime rate and the appalling increase in drug abuse are evidences of "people pollution." Neuropsychiatric disorders seem almost certain to increase with our continued urbanization and there is already evidence that many contagious diseases, almost under control a few years ago, are again on the increase.

PUBLIC IMAGE

Over the years in my activities with the Texas Medical Association and my own county society I have repeatedly heard the cry from my fellow physicians that our profession needs better public relations. Invariably these individuals speak as if public relations is a purchasable commodity on the open market. A skilled public relations counsel can be helpful and we have had the benefit of some of the best at the national level. Our profession has traditionally been strong in its public relations. Polls indicate doctors rank first in public esteem among professional people. But the charges and attacks made upon us in recent years might well be considered a conspiracy designed to weaken our influence in every area and particularly the political area.

I, like most of you, become furious when unproved and irresponsibly made charges, such as those released last summer by the Senate Finance Committee in regard to Medicare and Medicaid, make front page news stories, and our rebuttals, if printed at all, are buried inconspicuously on the back pages. Newspapers give space to articles on the basis of reader appeal and interest. And no one can deny that the stories released by the Senate Finance Committee charging physicians with making hundreds of thousands of dollars from the Medicare and Medicaid programs had such interest. The fault here lies primarily with the Senate Finance Committee which brings us again to the importance of our activity in politics. A responsible and fair minded committee would not have released such stories or made such charges without first arriving at all the facts.

Our good public image cannot be maintained through artificial efforts just as it was not first achieved in this way. The high regard that the people of this nation have for their physicians is based upon the generations of dedicated service by physicians. In the modern day we are rendering the same effective and dedicated service but we are not doing it under the hardships that are known to have existed in past generations. Most physicians are well fed, well clothed, well housed, and well transported in this affluent age. We are vulnerable to the critic. Our professional skills are not challenged, so our rebuttal must come in the form of increased service outside the professional realm. Society today is beset by many very serious problems. Some of the more serious are the increasing crime rate, the appalling extent of drug abuse, and the weakening of our moral values. If these and many other of our community problems are to be solved, and solved they must be, it will be through the

combined and concerted efforts of aroused and interested and dedicated citizens. Physicians must be among the leaders in such community activities. We are certainly concerned about these problems and we must not let ourselves be too busy to do our part. And, incidentally, no better way could be found for improving the public image of our profession than by its widespread community involvement in this way.

PLANNING FOR THE FUTURE

As we move into the 70's it seems clear to me that we will face challenges even more severe than those encountered in the late 60's. I have great faith that many important medical discoveries will result from the intensive research now being carried on and that we will see many dread diseases either controlled or palliated. I do not doubt the professional skill that we will offer to our patients in the coming years for I believe our medical schools and teaching hospitals will do an even better job in this area and that we will see increasing emphasis on continuing medical education, with the development of new techniques of teaching that will be available to the practicing physician in both large and small communities enabling him to remain current in his medical knowledge and skill. I am, however, fearful that we will see an overwhelming increase in demand for medical services in the next few years and that we may well find ourselves unable to meet this demand. What happens then is my greatest concern.

We need, in the most urgent way to engage in long range planning so that we may anticipate the demands that will be made upon us and devise our own methods of responding to them. The production of physicians and other trained health personnel is lagging behind demand even at present levels. The increase in our population will accentuate this shortage. Wider inclusion of population segments in either government health programs or private health insurance coverage, together with broader benefits in both types of coverage, will further add to the demand for health services and compound the shortage.

I am convinced that if we devote our full energies to this task and remain open minded and willing to face clear realities we can meet the demands of the 70's, still protecting the cherished freedom of our profession and maintaining the fee for service, private practice concept of medical care delivery that respects and cherishes the individual doctor-patient relationship. The challenges of the 70's are of such magnitude that we dare not turn away from them.

COLLEGE PRESIDENT SUPPORTS HEW APPROPRIATION VETO

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 4, 1970

Mr. FINDLEY. Mr. Speaker, the president of one of the great coeducational colleges of the Middle West wrote to me on January 30 with words of support for President Nixon's veto of the HEW appropriation bill. Here are his words:

I simply want to express my complete approval of your action in helping to sustain President Nixon's veto of the HEW appropriation. Inflation is doing much more danger to education than could ever be remedied by appropriations such as were envisioned in the larger amounts proposed by Congress for distribution to education. Unless we can choke off inflation, it will do little good to

give us more and more cheaper and cheaper money. I am sorry many of my colleagues seem to have been on the other side of the fence, but I think they were short-sighted.

While I am not satisfied at all with the priorities of expenditures of the Federal Government, I am convinced that inflation unless checked will produce such havoc that it may even endanger the future of the nation.

HAZARDS OF NUCLEAR ENERGY

HON. RICHARD D. McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 4, 1970

Mr. McCARTHY. Mr. Speaker, one of the most important steps taken in controlling the hazards of nuclear energy was adoption of the limited Nuclear Test Ban Treaty. This treaty was adopted by most of the nations of the world so that present and future generations would not be harmed by radioactive fallout. This was a useful step in restoring nuclear sanity.

I am, therefore, deeply disturbed to learn that the United States refuses to determine whether our underground nuclear testing program has resulted in violation of the 1963 Nuclear Test Ban Treaty. The United States became a party to this treaty on October 10, 1963.

Article I, section B of this treaty explicitly prohibits signatories from conducting tests "if such explosion causes radioactive debris to be present outside the territorial limits of the state under whose jurisdiction or control such test is conducted."

On December 8, 1968, the Atomic Energy Commission conducted an underground test at a site in Nevada as part of its plowshare program. This nuclear explosion, called Project Schooner, was monitored by the U.S. Public Health Service to determine levels of radioactivity. As the debris flowed northward, the level rose sharply. Forewarned of the changes in atmospheric conditions, Canadian health officials also noted a sharp rise in radioactivity levels in Montreal and Ottawa; from one-tenth picocurie per cubic meter to 2 picocurie per cubic meter.

What this means is that the level of radioactive disintegration of atmospheric particles was 20 times the normal rate in Canada. While not at a point to be dangerous to public health, it constitutes a clear infraction of the treaty. It can also be noted that the levels at various points in the United States were several hundred times the normal rate.

Although it was determined that the rise was not dangerous, the fact remains that nuclear debris crossed an international frontier, as a result of the Schooner test conducted by the U.S. Atomic Energy Commission.

In view of the questions that have arisen surrounding this incident, it would seem logical that the responsible Federal agencies would have conducted a thorough investigation to determine if a violation had indeed taken place. I wrote to Secretary of State William P. Rogers asking whether the Test Ban

Treaty had been violated. In my letter of January 7, 1970, I asked what steps had been taken to investigate the results of the test. I assumed that his response would either substantiate the charges, or show proof that no violation had occurred.

Much to my surprise, I received a response on January 21, 1970, which in essence, fails to answer my questions. I was merely told that former Atomic Energy Commission Chairman Glenn Seaborg told the Foreign Relations Committee on February 18, 1969, that in his view, there had been no violation. There was no indication as to whether the State Department believed the treaty had been violated.

I had hoped to receive a more conclusive response; not one which contributes to the confusion. Either the executive branch should admit that a violation did occur, or proof should be given to refute the charges. I am deeply disturbed that a violation may have occurred in the past, but I am even more concerned that steps be taken to assure that the possibility does not arise in the future. I have received no assurances that this is being done.

This is not a matter to be taken lightly. It involves the integrity of the United States. It involves our commitment to protect future generations from the dangers of nuclear fallout and it involves our willingness to abide by our international obligations.

In addition, the possible treaty violation raises questions about the whole plowshare program. I am no longer confident that the Atomic Energy Commission can use nuclear explosions for peaceful purposes in a way which will not violate international obligations or otherwise harm the environment.

The refusal of the Atomic Energy Commission and the State Department to be candid about Public Health Service facts prompts me to suggest that a thorough examination of the whole plowshare program be undertaken.

President Nixon in his state of the Union message placed the highest importance on the protection of our environment. Central to that concern is the question of protection from radioactive fallout. There is no room for mistakes or complacency about accidental nuclear discharges. I have, therefore, again asked Secretary Rogers whether he considers the accidental discharge following the Schooner explosion a treaty violation or not.

I have also written to Senator WILLIAM FULBRIGHT, chairman of the Senate Foreign Relations Committee, asking that the committee hold hearings on the United States' obligations under the Test Ban Treaty. If the treaty lacks sufficient clarity then perhaps the United States may wish to initiate steps to modify the treaty, as provided by article II.

Ratification of the Nuclear Test Ban Treaty was one of the first steps in restoring sanity to our use of nuclear energy. Now today a number of scientists believe that we have sufficient skill to detect any significant violations of such a ban. I believe that we should move in this

direction as rapidly as possible. Violations of the partial Test Ban Treaty pose a serious threat to future progress in this field.

Mr. Speaker, the recent budget message allocates \$8 million to the Atomic Energy Commission for civilian applications of nuclear explosives. A large part of this is proposed for further field testing for natural gas production stimulation. This is a sharp drop from the \$14.5 million spent in fiscal 1970, and reflects a suspension of cratering shots. Underground excavation test will continue.

To date, two underground explosions have been carried out in order to stimulate natural gas deposits.

"Gasbuggy" was conducted by the El Paso Natural Gas Co. in cooperation with the Department of Interior and the AEC on December 10, 1967. "Rulison" was carried out by the Austral Oil Co. in September 1969, in central Colorado.

The results of "Gasbuggy" indicate that it might be economically feasible to tap gas sources by nuclear explosion. However, almost nothing is known about the ecological effects this 26 kiloton detonation will have in the long term.

The "Rulison" cavity is capped, and will not be opened at least until a lawsuit regarding its legality is resolved.

The El Paso Gas Co. is now negotiating with the AEC for an underground test in the Pinedale field of Wyoming. Of higher magnitude than the previous two, this explosion to be called "Wagon-wheel," is the kind which is causing concern among scientists who fear they will have adverse effects on our environment.

Dr. Kenneth Pitzer, former research director of the Atomic Energy Commission, has stated:

Although the possibility that underground nuclear tests might initiate one or more earthquakes has been suggested in the past, new and significant evidence demonstrates that small earthquakes do actually occur both immediately after a large-yield test explosion and in the following weeks. The largest of the observed associated aftershocks have been between one and two magnitudes less than the explosion itself. However, there does not now appear to be a basis for eliminating the possibility that a large test explosion might induce, either immediately or after a period of time, a severe earthquake of sufficiently large magnitude to cause serious damage well beyond the limits of the test site.

The Joint Committee on Atomic Energy has been considering proposed legislation which would permit the Atomic Energy Commission to provide detonation services to private companies for commercial use. Those who have testified, including AEC officials, readily admit that technology is still in the research and development stage; commercial exploitation is simply not feasible at the present time. It seems clear that such authorization is premature.

I, therefore, urge that all further test explosions be suspended until the long-term results of the previous two are fully analyzed. The joint committee should likewise postpone acting on legislation authorizing commercial nuclear shots until ecological factors are resolved.

I insert the letters and table in the RECORD at this point:

JANUARY 7, 1970.

HON. WILLIAM P. ROGERS,
Secretary, Department of State,
Washington, D.C.

DEAR MR. SECRETARY: On the NBC "First Tuesday" show of January 6, 1970, reference was made to a Project Schooner test by the Atomic Energy Commission in December 1968.

According to the television report, nuclear material from this test drifted northward from the Nevada site and fell into Canada, in violation of the 1963 Nuclear Test Ban Treaty.

I would be grateful if you would inform me whether this allegation is true. If so, what steps were taken by the governments of Canada and the United States to investigate the incident? Could you also tell me whether the Senate Committee on Foreign Relations was informed of the incident?

I appreciate your attention to this matter.

Sincerely,

RICHARD D. MCCARTHY,
Member of Congress.

JANUARY 21, 1970.

HON. RICHARD D. MCCARTHY,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN MCCARTHY: The Secretary has asked me to reply to your letter of January 7, 1970 concerning the accuracy of the statement made on a recent television show that nuclear material from Project Schooner, a test by the Atomic Energy Commission in December 1968, drifted into Canada in violation of the Limited Test Ban Treaty.

The Executive Branch wishes, of course, to preserve the full integrity and effectiveness of the Limited Test Ban Treaty. As you are probably aware, the Treaty, as well as its history, is subject to some variance in interpretations. Concerning Project Schooner, Chairman Seaborg of the Atomic Energy Commission in a joint appearance with Secretary Rogers before the Senate Foreign Relations Committee on February 18, 1969, in response to a question from Senator Fulbright, stated his view that there was no violation of that treaty.

If we can be of assistance to you at any time, please do not hesitate to let me know.

Sincerely yours,

H. G. TORBERT, JR.,
Acting Assistant Secretary for Congressional Relations.

JANUARY 28, 1970.

HON. WILLIAM P. ROGERS,
Secretary, Department of State,
Washington, D.C.

DEAR MR. SECRETARY: Thank you for the response of January 21 from Acting Assistant Secretary Torbert regarding my inquiry about a possible violation of the 1963 Nuclear Test Ban Treaty.

I regret that his answer did not respond to my question. I am aware that former Atomic Energy Commission Chairman Glenn Seaborg was of the opinion that no violation occurred as a result of the December 8, 1968 Project Schooner shot.

However, information obtained by the Public Health Service between December 8 and 14, 1968 indicates that radioactive debris drifted into Canada from the United States following the Schooner shot. Since the Department of State has the responsibility to interpret U.S. treaty obligations, I would appreciate knowing whether you, as Secretary of State, are of the opinion that an infraction of article III(b) of the treaty occurred at this time.

Sincerely,

RICHARD D. MCCARTHY,
Member of Congress.

RADIATION LEVELS FROM U.S. PUBLIC HEALTH SERVICE
SAMPLE RADIATION LEVELS FROM SCHOONER (1100 EST,
DEC. 8, 1968)

Station	Sample date	pCi/m ³	Normal background ²
Salt Lake	Dec. 10 a.m.	166.2	0.6
Denver	Dec. 10 a.m.	159.1	1.7
	p.m.	172.2	
Boise	Dec. 10 a.m.	409.0	1.3
	p.m.	458.0	
Helena	Dec. 11 a.m.	98.0	
	Dec. 10 a.m.	180.0	.65
	p.m.	151.0	
	Dec. 11 a.m.	85.0	
Pierre	Dec. 10 a.m.	44.0	1.8
	Dec. 11	65.0	
Cheyenne	Dec. 10	171.0	1.4
	Dec. 11	14.0	
Phoenix	Dec. 12	41.0	8.7
	Dec. 13	27.0	
Spokane	Dec. 10	44.0	.9
Gastonia	Dec. 12	37.0	42.5
Montreal	Dec. 13-14	2.0	.1
Ottawa	Dec. 13-14	2.0	.1

¹ The unit by which radioactive disintegration is measured.
² January 1968 figure.
³ Wide fluctuations, probably not reliable.
⁴ With typically wide fluctuations.

YALE AND TREES

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 4, 1970

Mr. ROSENTHAL. Mr. Speaker, we all recall during the first 6 months of 1969, when the price of lumber went sky high. In many cases, the price paid for logs from our public forests by various lumber manufacturing firms was nearly twice what it had been before. There were many causes for this temporary "shortage," including such things as a long fire season, heavy winter snows which restricted normal cutting operations, a boxcar shortage, and a long-shoremen's strike, which prevented the unloading of lumber when it was needed.

During this crisis, 1 year ago, we were told by representatives of the timber industry that the only way to ease the supply problem and to insure a steady supply of lumber for housing purposes would be to pass the so-called timber supply legislation, which was designed to vastly increase the amount of timber cut from our virgin forests on public lands. We were also told that one of the major reasons for the housing shortage was the high cost of lumber which was driving the cost of houses beyond reach.

Mr. Speaker, last summer and fall, lumber prices took a tremendous drop, and are now down to well below the levels of a year ago. The market has greatly normalized. And yet our housing crisis continues. To me it is plain that the housing crisis has nothing to do with the availability of a supply of lumber. This is only a small component of the overall price of a total house. The main factors which are causing the housing crisis right now are tight money, the rising price of land, and the rising cost of labor. The price of materials, and lumber is only one of these, while important, is a relatively small component of the price of a house.

Therefore, I would urge my colleagues to take a close look at the timber sup-

ply legislation, and the arguments that we need it in order to improve the housing situation.

I commend to my colleagues the following analysis of the bill by Yale University Legislative Service:

YALE LEGISLATIVE SERVICE REPORT

(Analysis of H.R. 12025—National Forest Timber Conservation and Management Act of 1969)

I. Summary:

The bill should be rejected because it is a serious threat to the management of the National Forest and the public interest. It threatens to sacrifice the public recreation, wildlife, watershed, and range management in order to increase the cash sales of timber from the National Forest, contrary to the Multiple Use Sustained Yield Act of 1960. It is a piecemeal attack on lumber shortages which are not now pressing, and which should rather be met by a comprehensive program now under preparation.

II. What the bill is:

1. *The High Yield Fund*—the bill would require all receipts from the sale of timber, and the National Forest to be deposited in a special fund, the proceeds of which may be used for a single purpose only: to increase the timber sales from the National Forests.

2. *Intensive Forestry*. Several provisions of the bill, taken together, have the effect of requiring the Forest Service to emphasize maximum timber production in the management of the National Forest, similar to the practices employed in the management of the forest of private timber companies.

III. Reasons given for the bill:

The reason urged for passing this bill is that there is or will be a serious shortage of lumber in the nation, and that it is necessary to increase the supply of lumber by greatly increasing sales of timber from the National Forest. There were two principal facts used to support the existence of the shortage.

1. Lumber prices rose considerably in early 1969;

2. Long-term projections of new housing starts and of economic growth mean that the demand for lumber will increase.

IV. Why the bill should not pass in its present form:

1. *Multiple Uses*—the bill in its present form is destructive of the principle expressed in the Multiple Use Sustained Yield Act; namely, that the National Forest should be so managed as to promote equally five public uses: public recreation, protection of wildlife and watershed, range and timber sales. The bill does refer to the necessity of conformity with the act. Yet if it were to pass, it is estimated by supporters that it would earmark approximately \$229 million in 1970 for the single purpose of increasing timber sales, out of a total budget for the National Forest of only \$372 million. As the Secretary of Agriculture said in a letter to the Agriculture Committee, if the bill should pass "there could be a difficulty financing the other parts of the National Forest Development Program. This would effect the output of other multiple products and services . . . such as outdoor recreation opportunities, wildlife, forage, and water production."

Not only would the bill allocate an estimated 62% of the budget for the National Forest to the single purpose of timber sales, but it would give that purpose special favoritism in the financing method and a special claim to forest service attention.

Some supporters of the bill seem to think that earmarking these funds would not hurt the other program because additional funds would be found for them. If that were true, there would be no need to resort to this particular funding method because the appropriations process could provide the additional money necessary for the programs contemplated by this bill.

2. *Wilderness, Conservation, Ecology*—Several of the bill's provisions threaten principles of conservation which lately have received increasing support from the public. First, there are certain wilderness areas not under formal protection which the Secretary of Agriculture is commanded by this bill to "develop into optimum timber productivity as soon as possible." Second, the bill requires the adoption of intensive forestry practices, some of which were criticized by witnesses before the hearings. For example, the bill requires fertilization of trees, although fertilizer run-offs have been known to cause serious water pollution.

2. *The Budget*—The Bureau of the Budget has expressed reservations about the financial rigidities caused by earmarking funds in this manner.

V. Why possible lumber shortages do not require the passage of this bill:

The short term problem of high timber prices has abated, principally because its causes were certain temporary dislocations. Prices have fallen recently as fast and as far as they rose earlier, and supplies of lumber appear adequate for the time being. In the long term, the National Forest alone cannot supply the predicted increase in demands. The greatest possibilities for increased timber production are under the 60% of the nation's forest lands held by small farmers and other owners.

The Agriculture Department is making a study to develop ways to increase production on all lands, including these small tracts, and any action on this bill should await the presentation of a coherent plan to the Congress.

Therefore, only that part of the bill which requires such a study to be made should be approved. The effort to meet the nation's future timber need solely from the National Forest which have the most other competing claims upon them should be resisted.

NEGROES RIOT—OPPOSE FORCED INTEGRATION

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 4, 1970

Mr. RARICK. Mr. Speaker, current news stories from Washington, from Maryland, and from Florida continue to support the view that forced race-mixing just will not work in a democratic society.

Those who have hitched themselves politically to the integration wagon are having a rude and rather embarrassing awakening. The Negroes do not want to mix any more than do the whites.

The NAACP, which has never yet had a black president, is in the position of having to ask a U.S. district court in Florida to enforce against Negroes the mixing order which it gave the NAACP when it claimed to represent the Negroes as a class.

In Washington, Negroes boycott the only two public schools in the District which have a semblance of integration—40-percent white—because Bach and other great musicians did not write "soul" music.

And the Maryland Human Relations Commission finds it necessary to probe even the elementary schools because of "student unrest" and "lack of under-

standing of black students' problems" which are said to present real problems, even in primary schools.

I include the following pertinent newsclippings in my remarks:

[From the Washington Post, Feb. 1, 1970]

BIAS UNIT TO PROBE SCHOOLS

The Maryland Human Relations Commission is initiating the first official statewide study of student unrest in high schools, with particular emphasis on schools in Prince Georges County and elsewhere that have had racial incidents.

Commission Chairman William H. Adkins II said yesterday that the study could even extend to the primary school level in certain instances. Adkins said he hoped the study could be completed by the end of the current school year, so that recommendations could be implemented by the start of the school term next fall.

Adkins said that commission staff members will interview teachers, administrators, students and parents in the study. He said the study would give priority to such Prince George's County high schools as Bladensburg and DuVal, which had racial difficulties this school year.

"We do feel that student unrest at high schools and perhaps at the primary school level is a real problem."

Adkins said that student unrest "is not just an urban or suburban problem." He pointed to a recent incident in Aberdeen High School in Harford County as an example of a similar problem in rural areas.

In that case, the commission said in a report last week, three black girls were expelled. The commission recommended they be reinstated. The commission reported that, based on interviews with students, it found, "There is a lack of adequate counseling, guidance or even understanding of black students' problems in this school."

[From the Washington Post, Jan. 30, 1970]
BLACKS RIOT IN FLORIDA SCHOOL TRANSITION

GAINESVILLE, Fla.—Several hundred black students ran screaming into the street from Lincoln High School today, stoning cars and attacking passersby in apparent frustration over the closing of their school. Police quelled them with tear gas.

At least two persons were reported injured in the outburst of violence at the school due to be closed after Friday under the Supreme Court's desegregation orders.

Several cars were damaged and school windows were smashed. One man, identified as Charles Tanner, was injured by a brick that smashed his windshield. A woman was reported dragged from her car and beaten.

After the crowd dispersed, police roped off the area and authorities cancelled Friday's classes.

Lincoln is part of a school district ordered by the Supreme Court to begin operating totally desegregated schools by Feb. 1. Under school board plans, Lincoln will be closed and its students integrated with those at Gainesville High.

The black students of Lincoln and their parents have bitterly protested the closing. In December, many of them boycotted the school to protest the closing and returned only after a judge threatened to cite them for truancy.

[From the Evening Star, Jan. 31, 1970]

BLACK STUDENTS BOYCOTT AT TWO D.C. HIGH SCHOOLS

Black students at the District's only two substantially integrated high schools—Western and Wilson—boycotted some regular activities yesterday to protest various school policies.

At Western, 35th Street and Reservoir Road NW, about 200 students attended an "unauthorized assembly" shortly after 9 a.m.

after breaking locks on auditorium doors, authorities reported. The assembly was followed by a sit-in in the cafeteria, which ended when large numbers of the students began leaving around noon.

Students said they planned the assembly Thursday after school officials refused to recognize a "Student Coalition Against Racism" as a chartered activity. During the meeting, black students also complained about the transfer of a teacher who has added the Black Student Union and about suspension policies.

Asst. Supt. George Rhodes said officials were reluctant to charter the group until they were certain it would not exclude white students.

The Western students later agreed at a meeting with Asst. Principal Harvey Broyn to present a list of grievances on Monday. About 60 percent of Western's 1,200 students are black.

At Wilson, about 60 black students walked out of a music assembly in the morning to protest what they termed the lack of black cultural programs at the school, at Nebraska Avenue and Chesapeake Street NW.

About 400 black students later returned to the auditorium to discuss grievances with school officials. Interim Principal Sherman Rees said the second assembly ended shortly before noon and students returned to classes.

Wilson, the only predominantly white high school in the District, has about 500 black students out of a school population of 1,500, Rees said.

Students said they walked out of the assembly because it featured only "European" composers and did not reflect the influence of black musicians.

At their meeting with school officials, students objected to programs at past cultural assemblies and demanded the inclusion of black studies in a wide range of courses. They also asked that black students be allowed to plan future assemblies, including one to mark the birthday of Malcolm X on May 19.

SENATE—Thursday, February 5, 1970

The Senate met at 12 o'clock meridian and was called to order by the President pro tempore (Mr. RUSSELL).

The PRESIDENT pro tempore. It is the pleasure of the Chair to present to the Senate as guest chaplain today the Reverend James P. Wesberry, D.D., pastor of the Morningside Baptist Church in Atlanta, Ga.

The Reverend James P. Wesberry, D.D., offered the following prayer:

Gladden our lives, O God, our Father, with the light of Thy redemptive purpose. Cleanse us, we pray, from all evil. Open our hearts to Thy love which satisfies our deepest need and to Thy strength which matches our heaviest burdens. Grant that we may move in the performance of our duties as the unhurried stars in the orbit of eternity, without haste or confusion, but always with shining steadfastness. When faced with obstacles bigger than we can handle, may we find within us a spiritual power that breaks through, and when worldwide responsibilities mount upon us, may we go forward with the sureness of the mighty river that runs its destined channel to the sea.

Through Jesus Christ our Lord. Amen.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting

nominations were communicated to the Senate by Mr. Geisler, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session, the President pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on Armed Services.

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

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Wednesday, February 4, 1970, be dispensed with.

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

LIMITATION ON STATEMENTS DURING TRANSACTION OF MORNING BUSINESS

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

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

TEXTILE IMPORT CURBS

Mr. PASTORE. Mr. President, I note in the Journal of Commerce of Thursday, February 5, 1970, in New York, that the Honorable Maurice Stans, Secretary of Commerce, made a speech before foreign newsmen. He is quoted as having said:

It is not possible for the United States to make an adjustment necessary to absorb the flood of textile imports.

Mr. President, I find this statement both alarming and confirming the fears of the American textile industry, yet encouraging in the administration's awareness. We who come from textile States know what has been happening to the textile industry, specifically the tremendous decline in the industry at a time when we have experienced an astronomical boom in the gross national product. So we realize just what Secretary Stans' statement means.

My experience is this, Mr. President, that American production has been declining because of the tight-money policy and because there has been a general slowdown in the economy. Nevertheless, while our production in the textile industry was sliding downward, textile imports were moving upward.

My contention is that unless we do something rather quickly to slow down this influx of textile imports, we will