

EXTENSIONS OF REMARKS

THE BEACHES OF THE UNITED STATES ARE THE PROPERTY OF THE PEOPLE: AN ESSENTIAL ELEMENT OF THEIR HERITAGE

HON. SAM GIBBONS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 5, 1970

Mr. GIBBONS. Mr. Speaker, anywhere on earth where the land meets the sea is engendered one of the most dramatic encounters of all nature.

The shorelines of this Nation offer opportunities for innumerable variations of recreational experience, whether it be sunning on the sandy beaches of a warm southern shore; riding the white combers rolling in from the great deeps; probing the shallows in scuba gear; exploring sea caves carved by millennia of wave action; observing the eerie flight of shorebirds in seasonal migration; seeking the elusive clam, abalone, shells, pebbles, or driftwood cast upon the shore; observing the myriad life forms; strolling along the beach; indulging in a refreshing dip in the water. All of these and many more are possible only in this restricted area, really only a narrow bit of land but thousands of miles long.

However, the enjoyment of these happy activities is becoming increasingly difficult. In many areas the beach cannot be reached by any but the owner of the shore property.

Despite the known and acknowledged fact that the State is the owner, holder in trust for the people, of all land from the water's edge to the high-water or vegetative line, it is a frustrating and anger-provoking experience to attempt to reach at least 90 percent of the shoreline and beaches of this Nation.

Since beaches are worthless for the traditional uses of land such as for agriculture, mining, and other activities it has been possible for private owners to develop their property which adjoins the beach in such a manner as to block access to the beaches themselves.

Since the 1920's, at an ever accelerating pace, as population grew, leisure time increased, and desire for recreational activities grew, the beaches have seen the coming of homes, structures of all kinds, even down to the water's edge. So concentrated has this development become in some areas that the property owners have succeeded in fencing off, posting, and closing entry or passage over their land. Access by the public to the beaches themselves has become seriously inhibited and in many cases completely foreclosed.

This condition should not be allowed to prevail. By custom, tradition, and common law, affirmed by the Submerged Land Act, the State is the owner of the beach area and people who after all are the State, are entitled to free access to their property and to all the benefits to be derived therefrom.

It is, therefore, the purpose of this pro-

posed legislation to set straight a condition brought about by neglect.

What concerns the people of this Nation is properly a Federal Government concern as this bill states. The full force of Federal power, and assistance is to be extended to the States in identifying, providing historical and geological data, planning for zoning and managing the coastal areas. Technical as well as financial assistance—up to 75 percent of the cost—will be provided to the States to assist them in acquisition of easements, rights-of-way and land required to insure free public access to the beaches as is the right of every American citizen, and the power of eminent domain will be exercised to this end. We must do whatever is needed to develop the beach areas properly to enable all Americans to enjoy the pleasures of beach experience which is an essential part of their heritage.

The need is immediate, costs are rising as a result of the ever-increasing pressure on all recreational opportunities, and public ownership of beaches and adjoining land areas will be of great assistance in coping with the ever-present problem of beach erosion. Protection and enhancement of beaches is a continuing responsibility of the Federal Government where the public interest is involved but is a program which has been handicapped by the situation that has been brought about by the encroachment of private ownership in the littoral area. Passage of this legislation will be of inestimable value in preserving this vital heritage of the American citizen.

MINNESOTANS BACK INFLATION CONTROLS

HON. ANCHER NELSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 5, 1970

Mr. NELSEN. Mr. Speaker, those of us who voted to sustain President Nixon's veto of the HEW-Labor-OEO appropriations bill for fiscal 1970 are ourselves sustained by the massive support that is evident for better controls on spending to inhibit runaway inflation. As evidence of this support in Minnesota, I include for the RECORD at this point editorials from the New Ulm Journal, the Waseca Journal, and the St. Paul Pioneer-Press: [From the New Ulm Journal, Jan. 28, 1970]

THE VETO

It is a new and different drama that we are seeing in Washington lately. We are seeing a President doing his best to cut spending below the appetite of the Congress, whereas we had been used to a Congress trying to hold back liberal Presidents under two Democrat administrations.

The last act of this play, which might be titled "Nixon Nicks at Inflation," may come today with Republican Congressmen and some Democrats of the solvency team voting to uphold the veto. They have the best of the deal, needing only one-third of

the votes, which is something like getting 6 downs to make 10 yards.

The vote likely will come before anyone gets a chance to influence his congressman, unless he did it Tuesday. But if our Representatives feel the pulse of their people, they must know that Americans want an easing of the inflation.

Nixon is not picking on education or health. He is making across the board economies, including a cut of 300,000 in the military services.

Education and health are not an easy issue on which to take a stand, but the President did ahead of the vote, and has followed through with his veto. For the good of the country, he should win this one.

[From the St. Paul Pioneer Press, Jan. 28, 1970]

A COURAGEOUS VETO

President Nixon didn't take the easy course when he vetoed the Health, Education and Welfare appropriations bill.

He might have profited politically by signing it and accepting the applause of the organized lobby working for the measure. Instead, he stuck to his principles of fiscal responsibility and took the action he felt would serve the national interest.

If members of the House of Representatives are equally concerned with stabilizing the economy and laying the foundation for solid future educational programs, they will vote to uphold the veto today.

Nixon's recognition of the political risk in his decision was no doubt responsible for his unusual televised veto performance. He explained the inflationary aspects of the bill and its other shortcomings and made it clear that in his view the disadvantages and dangers far outweigh any merits of the measure. This was an honest and responsible approach to a difficult situation.

The Democratic leadership of the House and Senate has played politics on this issue by exaggerating the educational benefits which might result from hurry-up spending of a billion dollars more between now and next June 30 than the Nixon budget allows. The bill is loaded with pork for wealthy areas which don't need it.

Keeping firm control of the federal budget right now is a necessity if our dangerously high inflation is to be checked. And if inflation is not brought under control, education, health services and every other important governmental program will suffer because tax dollars will buy less and less and tax bills will go up and up.

As the President pointed out, he has ordered cuts of \$7 billion in military expenditures for fiscal 1970. His 1971 budget will call for a smaller percentage of federal spending for the military than in any years since 1950. For the first time in 20 years the 1971 budget will provide more funds for human resources than for war related projects. The Nixon Administration is reordering national priorities at the same time it is battling to check the high cost of living.

The overall results for education and other domestic programs will be to strengthen them and increase their effectiveness.

[From the Waseca Journal, Jan. 23, 1970]

PORK BARREL

We have a pamphlet on our desk which says: "The American public, and the Congress, believe that a reasonable share of Federal expenditures should be devoted to education."

What is a reasonable share of the Federal expenditures? To the author of the pamphlet,

we are certain the \$1.3 billion more than President Nixon asked is "reasonable."

To the elderly people who are so hard hit by inflation it is not reasonable.

To the heavily burdened taxpayer it is not reasonable.

To those who have set the nation's priorities in this fashion: First, ending the war in Vietnam; and second, curbing inflation; to those people the Senate action is not reasonable.

About it all the Wall Street Journal has this to say:

"Now the Senate comes along with an extra billion-plus dollars in aid to education and health, and the lawmakers think maybe they can override the Presidential veto that might result from the spending's inflationary potential.

"The biggest single increase, the political grease that has helped move the bill, and the political stick that creates the possibility of overriding a veto, is an increase in Federal aid to "impacted" schools. Which is to say, more spending for schools near Federal installations in the districts of key Congressmen.

"Or in other words, pork barrel first, inflation control last, and then talk a lot about priorities. Some gall."

As a small town daily newspaper we put education ahead of other local spending. However, we do not put it ahead of the nation's welfare. Right now the United States is facing a crisis and knowing the waste involved in all federal projects we prefer to spend our own money, right here at home, for education rather than look for an even bigger handout from Washington than Washington can afford.

FREEDOM OF CHOICE IS THE LAW OF THE LAND

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 5, 1970

Mr. RARICK. Mr. Speaker, despite the plain words of the Constitution, the obvious prohibitions in the Civil Rights Act of 1964, and the spending restriction in the current HEW Appropriations Act, it seems that neither the judicial department, the executive department, nor the mass media have any understanding of what the law of the land is and what it is not.

Meanwhile, back home, public education has been dealt its deathblow, decent Americans are confused, unbelieving, and angry. They see their children in danger, and their Government on the side of lawlessness, and they do not understand what has happened to their freedom.

In the hope that it will be of value to other Members, North, South, East, and West, whose people are also asking what they can do to save their schools and their children, I include my regular talk to the people of the Sixth District of Louisiana in my remarks:

REPORT FROM WASHINGTON

As I talk to you today, the single most pressing problem which we have is our schools—our children.

We need to talk a little bit about—the law of the land. It is time someone told the American people what the law of the land really is.

We have heard "law of the land" from the press, the radio, the pulpit, and other propaganda agents until it is running out of our ears. Decent Americans have tried and tried to obey what they have been told is the law of the land.

So, let's talk about the law of the land—what it is, and what it is not.

Judges do not make law. Legislatures do. This is one of the fundamentals of free American government.

Long, long ago it was said that judges ought to remember that their office is to interpret law, not to make law.

The wise men who wrote our Constitution knew this truth, which was already old in their time. That is why they provided for the Congress to make the laws, and for the courts to decide cases and controversies.

For generations our judges were wise and honest men, who carefully avoided falling into the error of legislating—making laws. Today this is no longer so, chaos, has resulted, and our very liberties are endangered. When judges make their own law, freedom has ended.

A century and a half ago, Thomas Jefferson wrote, "... there is no danger I apprehend so much as the consolidation of our government by the noiseless, and therefore unalarming, instrumentality of the supreme court."

In *The Federalist*, Alexander Hamilton wrote that "... liberty can have nothing to fear from the judiciary alone, [as usurpers] but would have everything to fear from its union with either of the other departments..." [in usurping power].

Today we see just such a union of the judiciary (the Supreme Court) and the executive (HEW). We have cause to be alarmed, as would the founding fathers.

Within our lifetime we have seen what happens to liberty when judges do not follow law, but make their own. First Soviet Russia, then Nazi Germany, gave us examples.

The Bolsheviks abolished all laws, then created their "People's Courts" to try both civil and criminal cases—and their justice was measured by what they called "the proletarian conscience."

In 1935, Adolph Hitler amended the German laws to permit judges to decide cases, not according to law, but according to "the healthy sentiments of the German people."

Now, what is the law of the land? We start with the Constitution of the United States, where the law of the land is defined in no uncertain terms in what is called the Supremacy Clause, found in Article Six. Let me read it to you, word for word...

"This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby..."

Let me repeat this important provision of our Constitution:

"This Constitution, and the Laws of the United States which shall be made in pursuance thereof... shall be the supreme Law of the Land..."

Did you hear anything in those words about Supreme Court decision being the law of the land? Of course not. On the other hand, you heard that Judges shall be bound by Acts of Congress.

Now Congress has acted—Congress has actually passed laws, which are the law of the land. And one of these laws goes right to the point of our school problems today.

Let me read this one to you, word for word... from Title 42 of the United States Code...

"Nothing herein shall empower any official or court of the United States to issue any order seeking to achieve a racial balance

in any school by requiring the transportation of pupils or students from one school to another or one school district to another in order to achieve racial balance..."

"Desegregation means the assignment of students to public schools and within such schools without regard to their race... but desegregation shall not mean the assignment of students to public schools in order to overcome racial imbalance."

And then last year, to make sure that we were not misunderstood, when we appropriated money to operate the Department of Health, Education and Welfare, we wrote into that law—in English so plain no one can misunderstand—a provision forbidding HEW to do what it is now doing.

Let me read you this language from the very same Appropriation Act under which HEW is now operating, word for word:

"No part of the funds contained in this Act may be used to force busing of students, abolishment of any school, or to force any student attending any elementary or secondary school to attend a particular school against the choice of his or her parents or parent in order to overcome racial imbalance."

So there you have it. What you have been told time and again is the law of the land is not. You have been lied to repeatedly, for years.

Supreme Court decisions are not—I repeat not—the law of the land. All they are is the decision in a certain lawsuit between certain parties.

Of course, they may mean that the same judges, on the same facts, dealing with the same law, will decide a new case in the same way. But again, they may not.

The law of the land is the Constitution—and the laws enacted pursuant thereto.

And the Courts are in direct disobedience of this law—the very law which they are sworn to uphold. The Department of HEW—and the President—are also in direct disobedience of this law.

What can we do? We are not alone, although it sometimes seems as if we are. People across the nation are awakening. They are asking questions, and they are demanding answers.

We must be strong and patient. These are dark times for those of us who love our children. But we have had other dark times in our history, and the courage to face them and win out.

Valley Forge was dark—so was Reconstruction.

People will protect their children. It is up to all public officials to help them. I cannot tell you what to do with your children. They are your children, and the responsibility for them is yours—yours alone.

In Washington, I am doing everything in my power to call to the attention of the rest of the country what is happening to us here in Louisiana. You know that I am on your side, and with you all the way.

What can you do? I suggest three things.

First, decide for yourself what is the law and what is propaganda. You can read. Read the Constitution.

Second, write and wire President Nixon at the White House. Tell him your problem, and what you want. He has the key in his own hand.

All he need do is to pick up the telephone and tell Secretary Finch—and Attorney General Mitchell—to obey the law. It's that simple.

Third, and this one is important. All of us have friends, relatives, business acquaintances, people with whom we went to school, with whom we served in the Armed Forces—people who do not live in the South, who do not know the problems which we face, and who are not being told the truth about our situation.

Write to these people—phone these people—tell them what is happening to your children. Ask them to help. Ask them to call on their Congressmen and Senators for help.

Finally, we must all remember that we are right. That in the end, right will triumph, even though there may be a rough road ahead for a few months. Right and justice are on our side, and we shall prevail.

So let's all work together, confident that what we do to protect our children will succeed.

Freedom of choice is still the law of the land, and the law of the land is on our side.

ACDA, STATE, AND DOD REPLY ON U.S. GOALS AT SALT TALKS

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 5, 1970

Mr. HAMILTON. Mr. Speaker, I thought it would be of interest to my colleagues to read some recent correspondence between the Arms Control and Disarmament Agency, the State Department, the Defense Department and myself on the issue of our goal at the SALT talks. The letter to the ACDA is identical to those sent to the other two agencies. While I found part IV of Secretary Rogers' speech, included below, most informative, I am still rather disappointed at the minimal amount of information being given to the Congress on this most urgent topic. Our need to be adequately briefed on the issues must not be slighted.

The material referred to follows:

DECEMBER 8, 1969.

GERALD C. SMITH,
Director, Arms Control and Disarmament Agency, Washington, D.C.

DEAR MR. SMITH: I would like to know what our goal is at the SALT talks.

Are we seeking a formalized treaty arrangement, or a more informal agreement to pursue parallel strategic arms limitations? The distinction is an important one.

I look forward to hearing from you on this matter.

Sincerely,

LEE H. HAMILTON, M.C.

U.S. ARMS CONTROL
AND DISARMAMENT AGENCY,

Washington, D.C., December 11, 1969.

HON. LEE H. HAMILTON,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN HAMILTON: Thank you for your letter of December 8, 1969 inquiring about the arrangements that might emerge from SALT.

A most helpful statement regarding the goals of these talks was made by Secretary Rogers in his speech of November 13. I have enclosed a copy of that speech. Also enclosed is a copy of the President's message to Mr. Smith at the opening of the talks.

At this time I believe it is too early to forecast precisely what form the ultimate arrangements might take. Those arrangements would, of course, have to be consistent with the requirements of the Constitution and the relevant statutes.

I hope the attached material will be helpful, and we appreciate your interest in this most important subject.

Sincerely,

WILLIAM W. HANCOCK,
General Counsel.

ADDRESS BY HON. WILLIAM P. ROGERS, SECRETARY OF STATE, NOVEMBER 13, 1969

STRATEGIC ARMS LIMITATION TALKS

Next Monday in Helsinki the United States and the Soviet Union will open preliminary talks leading to what could be the most critical negotiations on disarmament ever undertaken. The two most powerful nations on earth will be seeking a way to curb what to date has been an unending competition in the strategic arms race.

The Government of the United States will enter these negotiations with serious purpose and with the hope that we can achieve balanced understandings that will benefit the cause of world peace and security. Yet we begin these negotiations knowing that they are likely to be long and complicated and with the full realization that they may not succeed.

While I will not be able to discuss specific proposals tonight, I thought it might be helpful to outline the general approach of our government in these talks.

I

Nearly a quarter of a century ago, when we alone possessed nuclear power, the United States proposed the formation of a United Nations Atomic Development Authority with a world monopoly over all dangerous aspects of nuclear energy. This proposal might well have eliminated for all nations the dangers and burdens of atomic weapons. Unhappily, as we all know, it was rejected.

The implications were obvious. Others intended to develop nuclear weapons on a national basis. The United States then would have to continue its own nuclear program. It would have to look to its own security in a nuclear-armed world. Thus we established a national policy of maintaining nuclear weapon strength adequate to deter nuclear war by any other nation or nations. It was our hope then, as it is now, to make certain that nuclear weapons would never again be used.

The intervening decades have seen enormous resources devoted to the development of nuclear weapons systems. As both sides expanded their force levels an action/reaction pattern was established. This pattern was fed by rapid progress in the technology of nuclear weapons and advanced delivery systems. The mere availability of such sophisticated technology made it difficult for either side by itself to refrain from translating that technology into offensive and defensive strategic armaments.

Meanwhile, strategic planners, operating in an atmosphere of secrecy, were obliged to make conservative assumptions, including calculations on what became known as the "worst case." The people responsible for planning our strategic security had to take account of the worst assumptions about the other's intentions, the maximum plausible estimate of the other's capabilities and performance of our own forces. The Soviets no doubt did the same.

Under these circumstances it was difficult during these many years for either side to conclude that it had sufficient levels of destructive power.

II

Yet that point in time has now clearly been reached. As absolute levels of nuclear power and delivery capability increased, a situation developed in which both the United States and the Soviet Union could effectively destroy the society of the other, regardless of which one struck first.

There are helpful mutual restraints in such a situation. Sane national leaders do not initiate strategic nuclear war and thus commit their people to national suicide. Also they must be careful not to precipitate a conflict that could easily escalate into nuclear war. They have to take elaborate precautions against accidental release of a nu-

clear weapon which might bring on a nuclear holocaust.

In brief the nuclear deterrent, dangerous though it is, has worked.

The present situation—in which both the United States and the Soviet Union could effectively destroy the other regardless of which struck first—radically weakens the rationale for continuing the arms race.

Competitive accumulation of more sophisticated weapons would not add to the basic security of either side. Militarily it probably would produce little or no net advantage. Economically it would divert resources needed elsewhere. Politically it would perpetuate the tensions and fears that are the social fallout of the nuclear arms race.

So a capacity for mutual destruction leads to a mutual interest in putting a stop to the strategic nuclear arms race.

Nonetheless technology advances remorselessly. It offers new opportunities to both sides to add to their offensive and defensive strategic systems. Both sides find it difficult to reject these opportunities in an atmosphere of rivalry and in the absence of a verifiable agreement. It raises temptations to seek strategic advantages. Yet now such advantages cannot be hidden for long, and both sides will certainly take whatever countermeasures are necessary to preserve their retaliatory capability.

This is the situation in which the two sides now find themselves. Where national security interests may have operated in the past to stimulate the strategic arms race, those same national security interests may now operate to stop or slow down the race. The question to be faced in the strategic arms talks is whether societies with the advanced intellect to develop these awesome weapons of mass destruction have the combined wisdom to control and curtail them.

III

In point of fact, we have already had some successes in preliminary limitations.

We have a treaty banning military activities in Antarctica.

We have a treaty banning the orbiting of weapons of mass destruction in outer space and prohibiting the establishment of military installations on the moon or other celestial bodies.

We have reached agreement with the Soviet Union on the text of a treaty forbidding the emplacement of weapons of mass destruction on the ocean floors, about to be considered at the United Nations General Assembly.

These are agreements not to arm environments previously inaccessible to weapons. Manifestly there are fewer obstacles to such agreements than there are to agreements controlling weapons already deployed or under development.

But even in already "contaminated" environments there have been two important control agreements:

We have negotiated and ratified a Test Ban Treaty prohibiting the testing of nuclear weapons in the atmosphere, under water, and in outer space.

We have negotiated and are prepared at any time to ratify simultaneously with the Soviet Union, a Nuclear Non-Proliferation Treaty.

It should be pointed out, though, that the main objective of a Nuclear Non-Proliferation Treaty is to prevent non-nuclear powers from acquiring atomic weapons. The treaty does not restrain any of the present nuclear powers from further development of their capabilities. The non-nuclear countries therefore tend to look upon the treaty essentially as a self-denying ordinance.

Accordingly, during the negotiations they insisted upon assurances that the nuclear powers would seriously pursue strategic arms negotiations. We concurred and incorporated a paragraph in the treaty which would require us to do so.

I mention this to underscore two points. First, that the disarmament agreements previously concluded have widely been regarded as confidence building, preliminary steps which hopefully might lead to more meaningful agreements on strategic arms. Second, when the United States and the Soviet Union ratify the NPT, they will agree to undertake negotiations in good faith for a cessation of the nuclear arms race.

IV

However, given the complexity of the strategic situation, the vital national interests involved, and the traditional impulses to seek protection in military strength it is easy to be cynical about the prospects for the talks into which we are about to enter.

Nonetheless some basis for hope exists. First is the fact that the talks are being held at all. The diplomatic exchanges leading up to these talks were responsible in nature. And the talks themselves will require discussion of military matters by both sides in which the veil of secrecy will have to be, if not lifted, at least refashioned. These factors lead us to the hope that the talks are being entered into seriously.

Second is the matter of timing. Previous disparity in nuclear strength has been succeeded by the situation of sufficiency of which I have already spoken. And because this condition will continue for the foreseeable future the time then seems to be propitious for considering how to curb the race in which neither side in all likelihood can gain meaningful advantage.

Third is a mutuality of interest. Under present circumstances an equitable limitation on strategic nuclear weapons would strengthen the national security of both sides. If this is mutually perceived—if both sides conduct these talks in the light of that perception—the talks may accomplish an historic breakthrough in the pattern of confrontation that has characterized the postwar world.

May I pause to point out again that I do not wish to predict that the talks will be easy or that progress is imminent or for that matter likely. Mutuality of interest for states accustomed to rivalry is difficult to perceive. Traditions are powerful. Temptations to seek advantage run strong. Developments in other areas are bound to have an impact on these discussions.

Both parties will approach the talks with great caution and pursue them with immaculate care. The United States and the Soviet Union are entirely capable of protecting their vital interests and can be counted upon to do so. So there is little chance that either side would accept an outcome that leads to its net national disadvantage. In our case also we would not agree to anything adversely affecting the national interests of our allies, who will continue to be consulted as the talks develop.

On the other hand we must also recognize that a prime technique of international politics—as of other politics—is talk. If these talks are serious they can lead to better understanding on both sides of the rationales behind strategic weapons decisions. This in itself might provide a climate in which to avoid compulsive decisions.

Talks need not necessarily call for an explicit agreement at any particular stage. Whether we can slow down, stop or eventually throw the arms race into reverse, remains to be seen. It also remains to be seen whether this be by a formal treaty or treaties, by a series of agreements, by parallel action, or by a convergence of viewpoints resulting from a better understanding of respective positions.

What counts at this point is that a dialogue is beginning about the management of the strategic relations of the two superpowers on a better, safer, cheaper basis than uncontrolled acquisition of still more weapons.

The United States approaches the talks as

an opportunity to rest our security on what I would call a balanced strategy.

In pursuit of this balanced strategy of security we will enter the Helsinki talks with three objectives:

To enhance international security by maintaining a stable US-Soviet strategic relationship through limitations on the deployment of strategic armaments.

To halt the upward spiral of strategic arms and avoid the tensions, uncertainties, and costs of an unrestrained continuation of the strategic arms race.

To reduce the risk of an outbreak of nuclear war through a dialogue about issues arising from the strategic situation.

Some say that there will be risks in such a process. But it is easy to focus too much on the risks that would accompany such a new environment and too little on the risks of the one in which we now live. Certainly, such risks are minimal compared to the benefits for mankind which would flow from success. I am confident that this country will not let down its guard, lose its alertness, or fail to maintain adequate programs to protect against a collapse or evasion of any strategic arms agreement. No delegation to any disarmament negotiation has ever been better prepared or better qualified than the United States delegation. The risks in seeking an agreement seem to be manageable, insurable, and reasonable ones to run. They seem less dangerous than the risks of open-ended arms competition—risks about which we perhaps have become somewhat callous.

V

I have mentioned the rewards of progress in terms of international security, world order, and improved opportunities for replacing a stalemated confrontation with a process of negotiations.

But there are also other stakes in these talks that come closer to home. On both sides of this strategic race there are urgent needs for resources to meet pressing domestic needs. Strategic weapons cannot solve the problems of how we live at home, or how we live in the world in this last third of the Twentieth Century. The Soviet Union, which devotes a much larger proportion of its national resources to armaments than do we, must see this as well.

Who knows the rewards if we succeed in diverting the energy, time and attention—the manpower and brainpower—devoted to ever more sophisticated weapons to other and more worthwhile purposes?

Speaking before the United Nations General Assembly two months ago, President Nixon said that he hoped the strategic arms talks would begin soon because "there is no more important task before us." And he added that we must "make a determined effort not only to limit the build-up of strategic arms, but to reverse it."

Just last week President Podgorny of the Soviet Union said: "A positive outcome of the talks would undoubtedly help improve Soviet-American relations and preserve and strengthen the peace." To that I say "Amen."

He added that: "The Soviet Union is striving to achieve precisely such results." Well, so are we; and in this we have the support of the military services, of the Congress, and of the American people.

To that end this Government approaches the Strategic Arms Limitations Talk in sober and serious determination to do our full part to bring a halt to this unproductive and costly competition in strategic nuclear armaments.

MESSAGE FROM THE PRESIDENT TO AMBASSADOR GERARD SMITH AT THE OPENING OF THE STRATEGIC ARMS LIMITATION TALKS AT HELSINKI, FINLAND

You are embarking upon one of the most momentous negotiations ever entrusted to an American delegation.

I do not mean to belittle the past. The

Antarctic Treaty, the Limited Test Ban Treaty, the Outer Space Treaty, and most recently the Non-Proliferation Treaty, which we hope will soon enter into force, were all important steps along the road to international security. Other tasks remain on the agenda of the United Nations and the Conference of the Committee on Disarmament. Today, however, you will begin what all of your fellow citizens in the United States and, I believe, all people throughout the world, profoundly hope will be a sustained effort not only to limit the build-up of strategic forces but to reverse it.

I do not underestimate the difficulty of your task, the nature of modern weapons makes their control an exceedingly complex endeavor. But this very fact increases the importance of your effort.

Nor do I underestimate the suspicion and distrust that must be dispelled if you are to succeed in your assignment.

I am also conscious of the historical fact that wars and crises between nations can arise not simply from the existence of arms but from clashing interests or the ambitious pursuit of unilateral interests. That is why we seek progress toward the solution of the dangerous political issues of our day.

I am nevertheless hopeful that your negotiations with representatives from the Soviet Union will serve to increase mutual security. Such a result is possible if we approach these negotiations recognizing the legitimate security interests on each side.

I have stated that for our part we will be guided by the concept of maintaining "sufficiency" in the forces required to protect ourselves and our allies. I recognize that the leaders of the Soviet Union bear similar defense responsibilities. I believe it is possible, however, that we can carry out our respective responsibilities under a mutually acceptable limitation and eventual reduction of our strategic arsenals.

We are prepared to discuss limitations on all offensive and defensive systems, and to reach agreements in which both sides can have confidence. As I stated in my address to the United Nations, we are prepared to deal with the issues seriously, carefully, and purposefully. We seek no unilateral advantage. Nor do we seek arrangements which could be prejudicial to the interests of third parties. We are prepared to engage in bona fide negotiations on concrete issues, avoiding polemics and extraneous matters.

No one can foresee what the outcome of your work will be. I believe your approach to these talks will demonstrate the seriousness of the United States in pursuing a path of equitable accommodation. I am convinced that the limitation of strategic arms is in the mutual interest of our country and the Soviet Union.

DEPARTMENT OF STATE,

Washington, D.C., December 17, 1969.

HON. LEE H. HAMILTON,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN HAMILTON: The Secretary has asked me to reply to your letter of December 8 concerning SALT.

I understand that Mr. William W. Hancock, the General Counsel of ACDA, has already written to you in response to an identical letter you sent to that Agency. As he pointed out, it is too early to forecast what form possible arrangements that might emerge from SALT would take. Whatever the arrangements, they would, of course, be designed to conform to Constitutional and statutory requirements.

Thank you for your interest in these negotiations. As the Secretary has indicated, progress thus far in the preliminary talks has been encouraging.

Sincerely yours,

H. G. TORBERT, JR.,

Acting Assistant Secretary for Congressional Relations.

ASSISTANT SECRETARY OF DEFENSE,
Washington, D.C., December 22, 1969.

HON. LEE H. HAMILTON,
House of Representatives,
Washington, D.C.

DEAR MR. HAMILTON: The Secretary of Defense has asked me to reply to your letter of December 8, 1969, concerning our goal at the SALT talks.

I agree with you that there is an important distinction between a formalized arms limitation treaty and an informal agreement. However, at this early stage of our contacts with the Soviet Union, it would be inappropriate for the Department of Defense to make any statement on the desired form of agreement. The results of the complex negotiations on the content of a possible agreement will certainly influence the President's decision with respect to its form.

I trust you will understand that we cannot supply a more explicit response to your question at this time.

Sincerely,

YUAN-LI WU,
Deputy Assistant Secretary.

A 16-YEAR-OLD'S MATURE REFLECTIONS ON THE CONSTITUTION

HON. VANCE HARTKE

OF INDIANA

IN THE SENATE OF THE UNITED STATES

Friday, February 6, 1970

Mr. HARTKE. Mr. President, on a recent trip to my native soil in southern Indiana my attention was called to a speech given not long ago by a 16-year-old student at Tell City High School, Mr. William Harry Hollander. Presented to Post No. 2113 of the American Legion, the speech stresses those dynamic and creative elements in our Constitution which help to keep it a vital and living document in a changing world.

I was so struck by the thoughtfulness and cogency of young Mr. Hollander's remarks that I wanted to share them with Senators. I, therefore, ask unanimous consent that Mr. Hollander's speech be printed in the RECORD.

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

THE CONSTITUTION IN A CHANGING WORLD

In 1787 one of the most important documents in the history of mankind was written. The United States Constitution, drafted at a critical point in our nation's history, was intended to bind the young nation together and it did that job well. The United States had suffered through a period of economic and political instability in the years immediately following the revolutionary war. The weak framework for the law of the land, The Articles of Confederation, was clearly not strong enough to hold the nation together for very long and so the states decided to strengthen the Articles by calling a convention to reform them in 1787. Fortunately, the men appointed to the convention were foresighted enough to see that the articles should be discarded and a new constitution written. "The whole human race will be affected by the proceedings of this convention", said Governor Morris, who headed the committee that eventually wrote the final draft. The delegates faced a tremendous challenge. The examples of the past suggested the seeming impossibility of a large-scale republic. But this revolutionary generation was not dis-

mayed and eventually that is what they called for. When the convention was finished Benjamin Franklin, who was one of the delegates, was asked by a lady, "Well, Doctor, what have we got a republic or a monarchy?" "A Republic," replied the sage, "If you can keep it."

Remarkably, America has kept it. The failure of others to do so points up the stability of our constitution. In the period of American history since the constitution was adopted France has gone through five constitutions and has switched from a republic to a monarchy and back to a republic. In 1789, again in 1848, and once again in 1871 France was hit with uprisings not planned and instigated by conspirators but rather spontaneous revolutions by the mass of the French people and in 1948 virtually the entire continent of Europe was hit as well. Russia may provide the best example of a revolutionary climate. Its rulers frankly proclaimed autocracy the first and best principle of government. In 1917 the autocrats fell and the communists took power. But these are not the only examples. History is filled with the stories of governments that failed to keep up with times and were overthrown.

Somehow, America has escaped violent revolution. Only once in our one hundred-ninety year history has the strength of the government been seriously jeopardized. It is not that America has not had its dark moments. Many foreign governments would have toppled during the depression of the 1930's but even at that time the American government remained stable, sustained by a new President elected in the midst of that depression. Political assassinations have toppled governments in other nations, yet the United States passed sadly but smoothly through the assassinations of four American Presidents in its relatively short history.

What is the key to America's stability? I feel that it lies in the Constitution, the backbone of our system. Certainly few nations can boast of a constitution that has not been rewritten in two centuries and fewer still can boast of a more stable government today.

Violent revolution is virtually impossible in a nation whose political system is, by definition, concerned with the rights and interests of every citizen. But, in a nation of 200 million it is easy for the system to become detached from the people and if a nation is to survive it must keep in touch with the people, and with the times. That is where the American system, as outlined in the Constitution excels.

History shows us how times change. The French monarchical system had worked for many years but by 1789, when it was overthrown, it was obviously not working. For years the Russian people lived under autocracy but finally in 1917 they grew tired. In both cases the times had changed but the governments had not. Here in the United States one could hardly expect a constitution written when only four million people lived in this country and the best roads were those of packed mud to effectively govern a nation of 200 million in the jet-age without changing drastically. And it is true: America's Constitution has changed. The ideas set forth in 1787 remain but the forms of these ideas are unrecognizable.

The United States Constitution has many built-in methods of change. Three are very obvious. The first one is perhaps the most exciting and the most dramatic example of democracy in action. That is, of course, the election. Through a national election every four years and periodic state and local elections, Americans can vote to in effect "overthrow" their government. Certainly the results of many past elections have made radical changes in government policy. But, it must be pointed out that these changes were

made peacefully and by the will of the majority of the people. The second method, making amendments to the constitution is used less frequently, but can make just as dramatic a change in the nation. The United States Constitution has been amended only fifteen times since the Bill of Rights was adopted in December of 1791. But some of our most important and controversial changes have come about by amendments.

The third method is probably used the most, yet recognized the least. That method lies in the awesome power of the courts to interpret the constitution. By changing interpretations to fit the times the federal court system is largely responsible for keeping the constitution one of the most important and respected documents in our changing world.

But, if this document is to help us solve the problems facing our nation today we must first resolve to live under it. Those who preach violent revolution, no matter how small a minority they are, are ignoring the basic idea of the constitution: peaceful change. They cannot be allowed to inflict their methods on the government, though if we, as a government, are to survive we must at least listen to the views of all people. We must learn from the histories of other governments that a group of people whose views are not listened to and heeded by the government are inclined to do away with or at least violently change that government. We have seen that America's Constitution provides for the peaceful change that can make violent change unnecessary. But, we must make sure at all times that our machinery for change is in good working order for if it falters for even a moment we will be in serious jeopardy. In these changing times the constitution is facing a serious challenge but it has been challenged before and it has always survived. The Constitution was not meant to be an old, musty document, spoken of only in history books but rather a live, changing guideline for a nation on the move. As "Time" magazine observed in its January 5th issue of this year, "Most middle Americans and most radicals share one blind spot: they tend to forget that both the form and the content of the United States government have undergone enormous changes over the years and that the Constitution will tolerate much more change without having the entire system collapse."

Defending the American Constitution alone is not enough. We must make sure that the Constitution is in fact keeping up with the times, is not alienating large groups of society, and thus is not in itself breeding revolution.

Abraham Lincoln said in 1861, "This country, with its institutions, belongs to the people who inhabit it. Whenever they shall grow weary of the existing government they can exercise their constitutional rights of amending it or their revolutionary right to dismember or overthrow it." To me those lines represent the most valuable section of the United States Constitution:—the section that provides for changing what is wrong.

Today, it may be that our political parties are growing too detached from the people, that too few people are choosing our candidates. It may be that younger people, with increased education, deserve the right to vote at an earlier age. Dozens of other possible problem areas in our government have been pointed out; certainly all do not need changing, but the least we can do is explore into them.

That is the challenge of the 1970's: to find what is wrong and change it while holding on to what is right. If the constitution will continue to change, and I think it can, America will gain from the experience.

As Benjamin Franklin told the lady after the Constitutional Convention, "you have a republic if you can keep it."

ADDRESS BY JAMES D. HITTLE

HON. CHARLES E. CHAMBERLAIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 5, 1970

Mr. CHAMBERLAIN. Mr. Speaker, recently I was privileged to introduce the Honorable James D. Hittle, Assistant Secretary of the Navy for Manpower and Reserve Affairs, to the Greater East Lansing Chamber of Commerce, East Lansing, Mich., who gave a most enlightening, provocative speech on the current situation in Vietnam. I commend it to the attention of my colleagues and include his remarks in the RECORD:

REMARKS BY HONORABLE JAMES D. HITTLE, ASSISTANT SECRETARY OF THE NAVY (MANPOWER AND RESERVE AFFAIRS), AT THE ANNUAL MEETING OF THE GREATER EAST LANSING CHAMBER OF COMMERCE, KELLOGG CENTER, MICHIGAN STATE UNIVERSITY, EAST LANSING, MICH., JANUARY 15, 1970

INTRODUCTORY REMARKS

It is a pleasure for me to be with you this evening. I'm glad to be here for the very simple but real reason that I can join with you in remembering the man who was your friend and my father.

For me to be present on the occasion of the first "Senator Harry F. Hittle Award" is an experience which I cherish and will long remember. It is not necessary to speak to you regarding my father's contributions to our State, his old-fashioned concept that public service is a normal duty of citizenship, and that our form of government is one of the finest achievements of man.

However, I do want to tell you that from the rare vantage point of a son observing his father, I was impressed early in life by his devotion to our principles of law, our form of government, and the essential common sense of our citizens. In his quiet and sincere way, he had a deep and abiding affection for all of you in this community. As many of you will recall, he was a man of great moral strength, and firmness of spirit, and had the determination to achieve that which needed to be done for the betterment of our community.

At the same time, along with such strength of character, he had, as many of you will also remember, deep compassion for his fellowman. He was a worthy antagonist in the courts and in the political forum. Yet, I well remember that he never had a personal enemy. He refused to personalize opposition. In a real sense he lived by the wise, but oft-forgotten proverb, that life is too short to engage in personal animosity.

And so tonight, on behalf of my mother, my sister, and for myself, I take this occasion to thank you for remembering my father with this first annual award which you have so generously established in his memory.

Tonight I would like to talk with you about what we all recognize as one of the most important issues of our time. I refer to the Vietnam War. I would like to pass on to you some of my thoughts as to those who are fighting there for freedom, and also, my opinions, based on repeated visits to Vietnam, as to the soundness of President Nixon's policies of Vietnamization.

Let me say right at this point that anyone today who has serious misgivings about the character and the patriotism of American youth should go to Vietnam—and those misgivings will be dispelled.

Officers and NCOs who have commanded in World War II, Korea, and now in Vietnam, are high in their praise of today's young American fighting man. They say without exception that the young serviceman

today is by far the best we've ever had in the Armed Forces.

Of course, the reference to the magnificent services being performed by young Americans serving in Vietnam brings us squarely face to face with probably the most important single issue facing our Nation.

It is the issue of supporting our Nation and our Commander-in-Chief—The President—in this difficult time.

It is the natural role of responsible and understanding American citizens to make it crystal clear, through a show of patriotic solidarity that the protesters, the dissenters, and the faint-hearted are not the majority of the American people.

During my recent visit to Vietnam, I was repeatedly told by our fighting men, many serving their second tours of duty there, that they hoped that the President would be supported fully in his Vietnamization policy and the resulting properly timed measured withdrawal of U.S. Forces. They said that if he gets this backing from the American people—as I am sure he will—their efforts in South Vietnam will come out successfully.

I know that I need not tell you of the danger of the proposals for a precipitant withdrawal of U.S. forces from South Vietnam.

The President of the United States clearly set forth the pitfalls of such a dangerous policy when he spoke in clear terms to the American people a few months ago.

As the President so well pointed out, such a precipitant withdrawal would allow the Communists to repeat the massacres which followed their takeover in North Vietnam 15 years ago. At that time the Communists murdered more than 50,000 people and hundreds of thousands more died a slow death in the slave labor camps.

And, of course, our precipitant withdrawal would endanger well over a million Roman Catholic refugees who fled to South Vietnam when the Communists took over in the north. These are people who value freedom of religion and the desire to worship God in their own way above all worldly possessions. They left their farms, their homes, their personal possessions and fled south, often with little more than their Bible.

On one of my visits to Vietnam I had the opportunity to talk with one of these Catholic refugees from the north. We sat in a quiet corner of a side street tea-room in Saigon. He has, today, a very modest job—but enough to provide food and some sort of roof for his family. And, he has, he said, freedom. I asked him what would happen if the Communists should take over South Vietnam. He thought for a moment and said, "The answer is simple. There would be nothing but torture and death for my family and myself."

Are those who are today advocating a precipitant pull-out willing to sacrifice a million people, such as this man and his family. Apparently, such sacrifice is acceptable to some.

Just because the bloodletting and torture would take place on the other side of the world doesn't make it any more acceptable from the moral standpoint.

There's one thing that Americans should well know: that freedom is indivisible, and that the destruction of freedom anywhere means the destruction of some freedom everywhere.

A precipitant withdrawal from South Vietnam would mean also, as the President so pointedly stated, that it would be the first defeat in our Nation's history and that it would end worldwide confidence in American leadership.

You and I know full well that no nation can survive and reach the fulfillment of its destiny by letting down its friends, breaking its word, and running scared before the oppressor.

If history teaches anything, it is that nations, like people, cannot with impunity break their pledge or shirk their responsibilities.

I am confident that we all shared a sense of reassurance and new confidence when the President told the Nation on November 3rd that he was not going to take the easy way out; he was not going to endanger the quest for peace by a precipitant withdrawal. That he would not, in effect, preside over a retreat that would trigger a disaster of immense magnitude.

By leading us in a policy of standing firm on our word, by our pledge, to our allies and friends, and being faithful to ourselves, the President also is moving toward the goal that Americans devotedly hope for. That goal is a firm and honorable peace.

We Americans treasure peace but we know that peace at any price is the easiest thing to get. All we have to do to get that kind of peace is to surrender. We also know that peace at any price is not really peace. It's the silent peace of the concentration camp—the blood splattered wall—the mass graves. But achieving an honorable peace is not a unilateral endeavor. After listening to the President's point-by-point account of the actions he has initiated in the quest for peace, one can only come to the simple but inescapable conclusion that failure to achieve peace in Vietnam rests firmly with Hanoi and not with the United States and our allies.

In his search for the end to the conflict, the President has adopted the policy of Vietnamization of the struggle in South Vietnam. It means to shift gradually the responsibilities of peace winning to the South Vietnamese.

Of course, those, including the faint-hearted, who criticize our stand in Vietnam against oppression say that the South Vietnamese won't carry their own load and that they won't fight. Well, let me say that this could very well be sheer falsehood and vicious propaganda.

Let me give you a few facts about the lie that the South Vietnamese won't fight.

Let's approach it this way: the number of battle casualties is a good indicator of the willingness of a people to fight. So, let's take the matter of South Vietnam's military combat dead. Since 1961, almost 100,000 South Vietnamese troops have been killed defending their country against Communist aggression. This by any count is a heavy toll. Yet, the real significance of war casualties is in relation to the proportion of total population.

If we project South Vietnam's casualties into our U.S. population, which is about 13 times that of Vietnam, we can better appreciate the impact of the war on the Vietnamese.

The South Vietnamese combat dead total is the equivalent of over one million combat dead for the United States.

This means, in turn, that on a percentage of population basis, the total of military war dead suffered so far by South Vietnam is: More than 13 times our total in World War I; over three times our total in World War II; about 36 times our total in the entire Korean War.

Therefore, when judged on a relative basis with what our own nation suffered in our great struggles against oppression, South Vietnam measures up extremely well.

South Vietnam has, by every measure, set forth a high example of opposition to communism, and of sacrifice, devotion to freedom and determination to keep it.

What South Vietnam has paid and is paying in blood to stay free deserves the commendation, not the condemnation, of freedom-loving people.

And still the South Vietnamese are fighting and dying to turn back Communist ag-

gression. And what is more, they are fighting better all the time. I can report this to you based upon comparisons I have personally made in repeated trips to Vietnam over the last five years. In these visits, I have been to every major combat area from the DMZ to the Delta.

Just about a year ago, I began to sense that something new and dramatic and encouraging was happening in South Vietnam. Time and again, U.S. fighting men, both officers and NCOs told me that the least understood development taking place then in South Vietnam was the tremendous improvement in the South Vietnamese forces. One battalion commander in the northwest highlands, who had been fighting alongside a South Vietnamese unit, told me indignantly that the improvement in the South Vietnamese Army was then the most important untold story of the war.

I was in South Vietnam again a few months ago. On that occasion, the improvement in the fighting ability of the South Vietnamese was increasingly evident. In the Delta for instance, the U.S. Navy has turned over a large portion of our river patrol craft to the South Vietnamese Navy. These are the boats that have been fighting the tough, close-quarters war in opening up the waterways that are the arteries of commerce and the pathways to security in the rich Delta area.

I can report to you that the South Vietnamese Navy has assumed this responsibility willingly. It is continuing the operation of the river patrol craft, and it is conducting operations skillfully.

You are all aware that the policy of shifting the burden to the South Vietnamese as they gain strength has resulted in the President's plan for the programed withdrawal of over 110,000 U.S. fighting men by mid-April of this year. These redeployments began last June and have been progressing smoothly ever since. But there are other hard, clear indicators which to me have been the measure of success of our efforts in South Vietnam. For instance, roads that 18 months to two years ago were virtually impassable due to enemy action are today opened for normal day-time traffic. Villages are being brought back to the mainstream of political and economic life. A big start, in terms of a war-torn nation, has been made in establishing a constitutional form of government. And this is no mean accomplishment for a nation fighting for its very survival against an enemy attacking from without and within.

Even the railroad running north along the coast from DaNang to Hue is now operating with amazing regularity. Two years ago, when I was in the northern part of South Vietnam, the railroad was not, from the practical standpoint, even functioning.

Probably one of the best summations of this whole farsighted policy of Vietnamization was expressed to me by a battle experienced lieutenant colonel who is on his second tour of duty in Vietnam. He said, "All of the investment in lives, blood, money, and material that the United States has made in the last five years is just now beginning to pay the big dividends in South Vietnam's increasing combat ability."

And so at this critical juncture of history when we have started to move across the threshold of success in this long, bitter conflict, it should be abundantly clear that the precipitant withdrawal which too many loud protesters are urging is nothing but a blue-print for surrender.

To pull out in the face of an aggressive and vicious enemy is an invitation to disaster. In Vietnam, an immediate withdrawal of all American forces would be a disaster for South Vietnam and for the United States. And it would be a disaster for the cause of peace. That kind of withdrawal is not the American way. And, as the President of the United States told us, it's not going to be his way.

I'd like to relate to you just a few of the remarks made to me by our fighting men in Vietnam.

Soon after the decision was made to openly enter the Vietnamese conflict, I visited Vietnam. The Marines had gone ashore from the Fleet at the strategic coastal location of Chu Lai. I arrived there while the Marine operations were still continuing against surrounding enemy units, and while the Seabees were still constructing the expeditionary aircraft runway. I wanted to know what our young men in Vietnam who were doing the fighting thought about the anti-war picketing and protesting back home. I asked one young Marine, about 20 years old, in embattled Chu Lai what he thought of those carrying placards "We won't fight in Vietnam."

He said: "I wish I had one of those smart protesters here. I'd like to take him with me on outpost duty tonight. There's a V.C. (Viet Cong) sniper who's been trying to get me for the last three nights. But I haven't been able to nail him yet." He paused and smiled. "I'd sure like to get him in my fox-hole when that sniper starts working on us. I want to see how much that protester will wave his placard then."

His speech finished, he trudged through the sand back to his platoon. In a few hours he'd be back on outpost duty, trying to "nail" the Communist Viet Cong sniper before the sniper could get him.

Recently, while flying to a conference at Pearl Harbor, I noted a young corporal a few rows back from me in the plane. During the flight, I walked back and sat down and told him that I had served in the Marine Corps and started chatting with him.

He was, he told me, on his way to Vietnam. I asked him, "Is this your first time out?" He said, "No, I'll be going in to my second extension." I said, "Why have you served one full year, extended for one six-month period, and now are extending for another six months?" He said, "Well, the first time I extended I did it because some of my close friends had been killed in action, and I wanted to get even. I did get even, but also, during that added six months, I realized how necessary and important our job is that we are doing in Vietnam, and I wanted to keep on doing more of it."

But probably the best and most memorable explanation of duty I have ever heard came from a young Negro Army sentry on a lonely observation post overlooking Cam Ranh Bay. I stopped in the course of a visit to talk with him. I asked him if he had a family. He said, "Yes, I'd just been married a few months before I came out here again." I asked, "What does your wife think of your coming to Vietnam a second time?" He said, "She agreed when I told her that I believed I should be back here. I volunteered for a second tour." I said to him, "Why did you volunteer in spite of the fact that you had been married only a few months?" He thought for a moment and said in very simple language, "I think that it's every American's duty to do what he can to help his country when it is in trouble."

But, if there's anybody who has earned the right to complain about fighting in Vietnam, it is the man who has been wounded in that fighting. He has paid for that right with the high price of his blood and, too often, his limbs.

I can report to you now on the basis of personal knowledge that if you want to hear gripings, complaints, and criticisms about our Nation standing against Communism in Vietnam, then don't go to the hospital wards and visit the wounded from the Vietnam Battlefield. Those who have borne the brunt of battle are not the ones who are beefing about it.

A few months ago in Pearl Harbor I visited the battle casualties who have been flown in for treatment in Tripler General Hospital.

Among the wounded I talked with was a young corporal. One leg was in traction, an arm was in a cast, and he had machinegun holes in his stomach.

I stopped and chatted with him. I asked him how long he had been in Vietnam before he was hit. He said he had been there almost two years. I asked him why almost two years, as the required tour was one year. He replied that he had twice voluntarily extended his duty. I asked him "why did you do that?"

He replied, "I was assigned to train and fight with a local village militia platoon in the northern hill country." He continued, "I found out how much these people wanted to be able to defend their villages and their families against Communism. I knew what I was doing was important, and I wanted to keep on doing my job." And then he added, "I believed that those village militia men would stand and die rather than let me be captured. I found out I was right. I would have been killed or captured if they hadn't stood by me. When we were hit by a big V.C. unit, two were killed in defending me when I was wounded."

A few months ago, I visited the Vietnam casualties at the Great Lakes Naval Hospital just outside Chicago. Above the bed of every Vietnam casualty was a United States flag. Each wounded fighting man, when he leaves the hospital can take the flag from over his bed with him. And, they do. And, when a new casualty comes in, he wants a flag over his bed without delay. This, again, is a reflection of the genuine patriotism, devotion, and inherent goodness of those who know what it means to defend their flag and what it stands for.

I strongly suspect that the attitude of some of these men would not get a very high grade from those who protest against our Vietnam policy. However, I for one stand in admiration and respect for the kind of spirit reflected in their statements. It reflects the kind of courage, toughness, and determination that helped carry our Nation from the Atlantic across the mountains, rivers, prairies, to the Pacific. It is the kind of spirit that made our Nation free and made it great. And we can be glad that this spirit still exists in our youth.

At a Naval hospital in the south, I was talking to a young Army corporal. He had been sent to a Naval hospital because it was near his home. I noted that he had lost a leg below his knee. I asked him about the action in which he was hit. He said he was on Hamburger Hill. That was just about the time the critics of our Vietnam policy were engaged in the "Monday morning quarterbacking" and saying that it was a battle that should not have been fought. I was curious about the corporal's reaction to such opinions. I said that since he had been on the Hill and wounded there, what was his reaction to those who were saying that he should not have been there in the first place. He thought for a few moments and said, "This war isn't going to be won by the protesters back in the U.S. It's going to be won by the guy with the rifle who takes the high ground."

And finally, there was the Marine corporal who had lost both legs. In the course of my chat with him, I asked him what he was going to do when he was discharged to civilian life. He said he was going to college. I asked him what he was going to take. He said he was going to be a teacher. I said that is certainly a most commendable objective, but I was curious as to why he wanted to be a teacher. He looked at me and said, "Well, I think I've earned the right to tell the youngsters what this country is all about."

So, I am sure that you will join with me in admiration of today's American fighting men who are demonstrating that courage, devotion, professionalism, soldierly virtues, and patriotism are still in abundant supply.

We can also be sure that America's destiny is not going to be decided by placard-carrying demonstrators in the streets who urge surrender, sacrifice of our friends, and disgrace for ourselves.

Thus, we can join this evening in the reassuring realization that we face our destiny under the leadership of a President who has taken the Nation into his confidence and in so doing has placed his faith in the courage and common sense of the American people;—a President who has chosen the right way rather than the easy way.

THE CRIME OF COMPETITION

HON. GEORGE P. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 5, 1970

Mr. MILLER of California. Mr. Speaker, unfortunately, I could not be on the floor, on February 5, when the Honorable L. MENDEL RIVERS, chairman of the Committee on Armed Services, made a speech in support of the supplemental air carriers and condemning the action of the Civil Aeronautics Board in making summary charges against them.

I would have liked to have been here to support the chairman's position.

I wish to insert in the RECORD, as part of these remarks, an editorial which appeared in the Wall Street Journal on February 4, 1970, pertaining to this case and I also want to include a news release issued by the president of World Airways, Edward J. Daly, in which he discusses this question in depth and at some length.

I have known Mr. Daly for many years. He is an outstanding citizen of the East Bay area and has made a great contribution to our economy. Among other things, he is head of the National Association of Businessmen and is actively engaged in trying to solve the vexatious problem of integration in our area.

I commend these articles to my colleagues:

THE CRIME OF COMPETITION

The Civil Aeronautics Board has charged five airlines, plus assorted individuals, with the crime of competing for air travel business. That's right, the crime of competition.

While price competition is viewed favorably most places, on the airlines it's illegal. With the full approval of governments, rates are carefully fixed, both at home and abroad, and woe to he who transgresses.

There is some leeway for the charter airlines, which arrange to transport groups of people on various tours. The groups, usually members of church, fraternal or other organizations, qualify for lower fares.

The CAB, however, alleges that five of the charter airlines have been a bit casual in assembling such groups, in effect offering the lower rates to members of the general public. Several of the lines quickly denied the charge.

This is by no means a minor matter. The CAB's enforcement bureau has recommended suspension of the operating authority of four of the airlines. Under the law, too, the lines could be subject to a \$1,000 fine for each violation of the price-fixing law, and the enforcement bureau claims violations by the five lines exceed 70,000.

It all may be a bit puzzling to ordinary citizens. They can see that the airlines complete every day, in the beauty of their hostesses, the quality of their booze, the size

of their seats and other matters. At least some of the public might prefer a little less of that sort of thing and a little more competition in the price of tickets.

There are entirely valid reasons for governmental regulation of all airlines. To cite only a couple, someone has to make sure that the planes are as safe as possible and that the airlines are responsible—and won't leave travelers stranded in out-of-the-way places.

In the airlines' infancy it may have been necessary to shield them from competition. At present, though, it's possible to wonder whether the public's interest actually demands that price competition in the air be branded a crime.

WORLD AIRWAYS CALLS CHARTER FLIGHT RULES OUT-OF-DATE—QUESTION OF ANTI-TRUST INVESTIGATION OF SCHEDULED AIRLINES RAISED

World Airways' president and chairman of the board, Edward J. Daly, asserted today that a complaint filed by the Civil Aeronautics Board staff against World last Friday arose from a highly technical interpretation of an outdated and ambiguous CAB regulation.

He labeled the complaint as unwarranted and strongly denied that the charter flights cited by the Bureau of Enforcement were in violation of the regulation.

"The rules and regulations governing charter flights are archaic, ambiguous and incomplete, leading to a variety of interpretations," Daly said. "World has proposed to the CAB new regulations that would more clearly define groups eligible for charter trips. The staff of the CAB has itself recognized the need for the changes and top priority should be given to revision of these regulations."

He pointed out that these recommended changes were submitted to the Civil Aeronautics Board seven months ago.

Daly said that the Bureau's action against the supplemental carriers had unfortunately played into the hands of the scheduled carriers, "which have on a number of occasions stated their intention to rid themselves of supplemental competition." He severely criticized the scheduled airline industry for blocking every move to clarify and liberalize the rules affecting charter flights.

"The scheduled lines have done everything they can to prevent people from taking advantage of low-cost charter flights in order to force them to use high-cost individually-ticketed service," Daly said. "It is only in retaliation that they have recently established low bulk fares and other group fares that would promptly disappear if they are successful in eliminating charter competition."

"The scheduled lines, both U.S. and foreign, are currently campaigning to block charter carriers from obtaining landing and uplift rights from foreign governments. Some of these activities of the scheduled lines appear to be the proper subject of antitrust investigation."

"The CAB should deal with foreign governments on a reciprocity basis. Unless landing and uplift rights are granted by these governments for the U.S. charter carriers, their airlines should be denied such privileges in the United States."

"It is ironic," Daly continued, "that the supplementals have been singled out for special attack even though the investigation that led to these complaints was instituted by the Board in 1963 against unauthorized ticket discounting and rebating practices by the scheduled carriers. Despite the lapse of seven years, no significant action has been taken as yet against the IATA airlines. Why have the scheduled lines who carried the same groups cited by the bureau not been subject to complaints similar to those leveled against the supplemental carriers?"

Daly also emphasized that World, in conjunction with the other supplementals and the National Air Carriers Association, submitted to the CAB for approval an industry-wide enforcement program. This program would permit cooperation among all carriers operating charters, to provide procedures to assure more effective compliance under present and future regulations.

He asserted that the charter rules adopted by the CAB in 1955 have the effect of inhibiting group travel rather than promoting it. The result, he charged, tended to protect the vested interest of the scheduled carriers rather than to provide for the public interest.

"Low cost travel, which World and the supplemental industry have pioneered, is completely in the interest of the traveling public," Daly said. "Such travel should be encouraged, not penalized, and ways should be sought to enlarge the number of people who can fly by charter rather than trying to restrict the market."

Daly urged the Civil Aeronautics Board to review on an expedited basis the existing rules with a view toward setting forth clear and unambiguous charter regulations.

"Thus, we can act in concert to make the benefits of low-cost air travel available to a greater segment of the public," he concluded.

World Airways is the world's largest charter airline. Based in Oakland, California it operates an all jet fleet of 15 aircraft. Three Boeing 747C's are on order for delivery in 1971.

ALABAMA VA HOSPITALS FACE SERIOUS PROBLEMS

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 5, 1970

Mr. TEAGUE of Texas. Mr. Speaker, I am more concerned about the Veterans' Administration medical program today than I have been in all the years I have been in Congress. There are serious fund and staff shortages throughout the 166 hospitals in the VA system. In many hospitals this situation is creating a serious morale problem because the staff is overworked resulting in many hospitalized veterans not receiving the quality of medical care which VA hospitals have been capable of delivering in the past. In many cases, there are large backlogs of applications and authorizations from Vietnam veterans who are in need of dental exams and treatments. A great many hospitals are having to use equipment and maintenance funds to avoid further staff cuts and to pay for increased costs of drugs, medical supplies, and other day to day hospital operating costs.

Mr. Speaker, I feel very strongly that most of the general medical and surgical hospitals in the VA system should have at least two employees for each patient and at least a 1-for-1 ratio in psychiatric hospitals. The present average ratio is about 1.5 staff for each patient. The 1971 budget request, which has just been submitted to Congress for the Veterans' Administration, calls for a slight increase to about 1.56 by the end of that fiscal year on June 30, 1972. It appears that some of this increase is the result of closing hospital beds and wards. By comparison, Mr. Speaker, in general medical community hospitals and State and local

government hospitals operate on an average ratio of 2.72 employees for each patient.

The Veterans' Affairs Committee investigation of four Alabama Veterans' Administration hospitals initially revealed funding deficiencies in fiscal year 1970 of over \$3,000,000 for the operation of about 2,800 beds serving approximately 400,000 Alabama veterans.

In Alabama, VA hospitals are located in Birmingham, Montgomery, Tuscaloosa, and Tuskegee.

The investigation being conducted by the House Veterans' Affairs Committee revealed that under the hospital staffing formula advocated by Teague, Ala., VA hospitals are approximately 1,300 positions short of needed staff. These extra positions would cost about \$9,100,000 annually. A few of these positions would be difficult to fill at current VA salary rates, but most are recruitable. Alabama hospital directors also reported that community nursing care programs at their hospitals were underfunded by more than \$180,000 and that more funds were needed in the amount of \$200,000 for dental care due to the increased workloads created by returning Vietnam veterans.

As of February 6, 1970, the Alabama Hospital Directors had advised the Veterans' Affairs Committee that supplemental funds had been received in January 1970, to apply toward the reported deficiencies. A total of \$18,640 was provided for the community nursing care program which reduced the unfunded deficiency from \$180,825 to \$162,185. An additional \$35,000 was allotted to apply against the \$200,000 deficiency report for fee basis dental care. The hospitals also received \$125,000 to alleviate shortages in personnel salary costs and other operations. The total supplemental allotment was \$178,640 for Alabama VA hospitals. Of course these modest allocations are welcome but they do little to alleviate the serious problems confronting these hospitals.

The 479-bed Birmingham VA Hospital reported the largest funding deficiency among Alabama hospitals—over \$1,300,000 for fiscal year 1970. Almost \$500,000 is needed to cover salaries for 130 on duty personnel.

Hospital Director C. G. Cox reported that diversion of \$68,000 in equipment funds may be diverted "to cover costs of drugs, beneficiary travel, X-ray films and other supplies and services."

The Birmingham hospital has been equipped to provide specialized medical care for Alabama veterans. However, Cox reported some programs are inadequate in scope because of lack of funding support. Recruitment for 33 nursing positions for the 28 intensive care unit beds have been deferred since July 1, 1969, because of lack of funding. They are short one physician in the cardiac catheterization unit and eight positions in the organ replacement program.

Additional shortages include \$26,400 for the chronic dialysis program and \$35,640 for the open heart surgery program. Cox reported that many patients are referred or transferred to the Birmingham VA Hospital "for special-

ized care that cannot be obtained in other hospitals in the area."

Director Cox also reported that funding was insufficient for the community nursing care program. At the beginning of the fiscal year, July 1, 1969, there were 31 patients in community nursing care facilities but funding support was received for an average daily community nursing care load of 19. He stated the program was underfunded by \$12,887.

The Birmingham hospital "has not been informed that we are to receive additional funds," Cox reported to the committee in January 1970.

Dr. J. W. Standeven, director of the 253-bed Montgomery VA Hospital, reported his funding deficiency was about \$370,000. Almost \$200,000 of this amount is required to process applications for dental care for returning Vietnam veterans. Unless additional funds are made available, authorizations for dental examinations and treatment will be delayed.

Standeven reported that the community nursing care program was underfunded by about \$45,000 to cover the cost of placing veterans in nursing homes who have received maximum hospital benefits. He said that an average daily community nursing home care load of 16 could have been maintained but that funding support allowed for only eight.

Other shortages at the Montgomery VA Hospital included \$17,500 for prosthetic appliances for an increased number of Vietnam amputees, \$15,000 for prescription drugs, \$7,200 for cobalt treatment fees and \$5,000 for patient travel expenses. Standeven said "it is planned to leave positions vacant for varying periods of time to accumulate funds to meet other expenses."

The Montgomery VA Hospital received a supplemental allotment of funds in January 1970, according to Dr. Standeven. He stated \$35,000 had been received to reduce the previously reported deficiency of approximately \$200,000 for the fee basis dental program; \$2,564 was included to apply toward the \$45,000 deficiency in the community care program. He said this would cover the cost of one outplacement for 6 months. Standeven said, "We consider this inadequate to sustain the program to any satisfactory degree."

An additional \$45,000 was provided to cover shortages for salaries. Dr. Standeven advised the committee—

Reduction in force will not be necessary as a result of increased funds. However, the eight positions already dropped by attrition can not be reestablished because of inadequate funds.

Dr. James C. Folsom, director of the 833-bed psychiatric hospital at Tuscaloosa reported a fund deficiency in fiscal year 1970 of over \$700,000. About \$304,000 is needed for 40 positions to support the workload anticipated in fiscal year 1970.

Folsom reported that fiscal year 1970 funding for the community nursing care program was based on experience for fiscal year 1969. He reports that an average of 24 patients could be placed in community nursing homes rather than

the average of four maintained during fiscal year 1969.

Folsom stated he was deferring filling 13 positions to accumulate funds and that he had diverted \$54,000 planned for equipment and maintenance and repairs of hospital facilities to cover shortages for drugs, utilities, medical supplies, and salaries for nursing employees, physicians, and psychologists.

To achieve the staffing ratio of one employee for each patient at the Tuscaloosa psychiatric hospital, 61 more employees at a cost of almost \$600,000 would be needed. Almost all of the positions are recruitable but Folsom said, "present salary scales are totally insufficient for Board certified Psychiatrists and above average qualified psychologists which we sorely need in this psychiatric hospital."

Dr. Folsom later advised the committee, in January 1970, that the Tuscaloosa hospital had received supplemental funds in the amount of \$7,630 for the community nursing care program. He reported the additional funding would enable the continued care of the service-connected veterans already outplaced without interrupting the continuity of care of other veterans in the program. However, there are 12 more patients that are ready for discharge from the hospital now, and 23 more who will be ready for outplacement during February and March. He predicted 32 could be discharged from the hospital to community nursing homes in April, May, and June. Folsom stated the cost for placement of these patients is \$87,428.

Dr. Robert S. Wilson, director of the 1,225-bed hospital at Tuskegee advised the Veterans' Affairs Committee that unless he received additional funding support he would divert approximately \$160,000 of much needed funds for equipment replacement and maintenance and repair of hospital facilities to support salaries for direct patient care personnel and to partially cover other fund deficiencies. These funds had been planned to replace obsolete equipment and to improve patient comfort. Listed among equipment items deferred were hospital beds, a surgical sterilizer, a dietetic oven, emergency lights and X-ray machines. Maintenance items to be deferred include replacement of two elevators, replacement of detention screens in psychiatric wards and other badly needed building maintenance.

Wilson said his total fiscal year 1970 deficiency was almost \$600,000 and "it is necessary to reduce the number of full-time positions on duty from 1,169 to an average of 1,120 for the last half of the year," a loss of 49 positions.

Wilson stated they "desperately need" the \$4 million modernization project for certain plant alterations and air conditioning which has been deferred in the current fiscal year. Plans have been completed at a cost of approximately \$225,000 and the 91st Congress appropriated \$4.6 million to fund the modernization plans even though the Nixon administration did not include the Tuskegee project in its revised budget submitted to Congress last April. The project has

been stalled in fiscal year 1970 because of a Nixon Executive order to all Federal departments and agencies to defer federally financed construction projects by 75 percent.

Dr. Wilson later advised the committee that following review of his budget plan and reported fund deficiencies, VA's Central Office had provided supplemental funds in the amount of \$88,440. He said \$80,000 of the amount "will enable us to retain an additional 18 personnel on duty." He said the remaining \$8,440 would be used to reduce the unfunded deficiency of \$23,436 in the community nursing care program.

Mr. Speaker, these Alabama hospitals are doing the best they can to take care of the sick and disabled veterans who are in need of care, but they cannot accomplish their mission promptly and properly unless they get more funding and staffing assistance. I hope my colleagues will keep this in mind as the Congress considers future appropriation bills relating to the Veterans' Administration.

CIA, ACDA, AND DOD REPLY ON
ISSUE OF ON-SITE MISSILE INSPECTION

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 5, 1970

Mr. HAMILTON. Mr. Speaker, I thought it would be of interest to my colleagues to read some recent correspondence between the CIA, the Arms Control and Disarmament Agency, the Defense Department and myself on the issue of on-site inspection of missile facilities. The letter to the CIA is identical to those sent to the other two agencies. I was struck by the uniformly sketchy responses, which I interpret as reflecting the administration's lack of interest in informing the Congress on this crucial topic.

The material referred to follows:

DECEMBER 2, 1969.

RICHARD HELMS,
Director, Central Intelligence Agency,
Washington, D.C.

DEAR MR. HELMS: Two key and related issues in the SALT talks are on-site inspection of missile facilities and the development of MIRVs. Lack of agreement on the former issue could lead to a continuation of the latter, with destabilizing results. The crucial questions are as follows:

(1) Is there any way to detect MIRV developments other than via on-site inspection?

(2) Would other means of detection provide sufficient intelligence?

I am most interested in your response to the above questions, and look forward to hearing from you.

Sincerely,

LEE H. HAMILTON, M.C.

CENTRAL INTELLIGENCE AGENCY,
Washington, D.C., December 21, 1969.

HON. LEE H. HAMILTON,
House of Representatives,
Washington, D.C.

MY DEAR MR. HAMILTON: I have received your letter of 2 December 1969 inquiring about the detection of MIRV developments. As I am sure you are aware this question

bears directly on our national policy in regard to the current SALT talks. For this reason, it lies primarily within the purview of the Arms Control and Disarmament Agency, and I believe they would be best qualified to respond to your inquiry.

Sincerely,

RICHARD HELMS,
Director.

U.S. ARMS CONTROL
AND DISARMAMENT AGENCY,
Washington, D.C., December 15, 1969.

HON. LEE H. HAMILTON,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN HAMILTON: This is in reply to your letter of December 2 inquiring about the verification of MIRV developments.

There are some means, other than on-site inspection, by which Soviet MIRV developments might be detected. For example, these could involve the monitoring of flight testing during the developmental phase. The reliability of such means as these under various conditions and circumstances is a complex question that is currently under study.

I hope you will find this information useful.

Sincerely,

WILLIAM W. HANCOCK,
General Counsel.

ASSISTANT SECRETARY OF DEFENSE,
Washington, D.C., December 22, 1969.

HON. LEE HAMILTON,
House of Representatives,
Washington, D.C.

DEAR MR. HAMILTON: The Secretary of Defense has asked me to reply to your letter of December 2 in which you asked:

"Is there any way to detect MIRV developments other than via on-site inspection?"

"Would other means of detection provide sufficient intelligence?"

The Department of Defense believes there are some means by which MIRV developments might be detected other than on-site inspection arrangements. The monitoring of flight testing during development is an example of how this might be accomplished. Whether such means could be monitored with the confidence required under all conditions is a complex problem that is under intensive study at this time. Therefore, it would be inappropriate to attempt to prejudge the outcome of these studies.

I hope this information proves helpful to you.

Sincerely,

YUAN-LI WU,
Deputy Assistant Secretary.

DIRECT ELECTIONS: AN INVITATION
TO NATIONAL CHAOS

HON. BARRY M. GOLDWATER, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 5, 1970

Mr. GOLDWATER. Mr. Speaker, there has been much discussion during recent months on the proposed constitutional amendment to provide for the direct election of the President. In a guest editorial in the January 30, 1970, issue of Life magazine, the noted political analyst and author, Mr. Theodore H. White, made some very thoughtful criticisms of these current proposals to elect the President by popular vote. These criticisms should be pondered by every Member of this House and I would like to include the article in the RECORD:

DIRECT ELECTIONS: AN INVITATION TO
NATIONAL CHAOS

(By Theodore H. White)

Last September, in a triumph of noble purpose over common sense, the House passed and has sent to the Senate a proposal to abolish the Federal System.

It is not called that, of course. Put forth as an amendment to the Constitution, the new scheme offers a supposedly better way of electing Presidents. Advanced with the delusive rhetoric of vox populi, vox Dei, it not only wipes out the obsolete Electoral College but abolishes the sovereign states as voting units. In the name of The People, it proposes that a giant plebiscite pour all 70,000,000 American votes into a single pool whose winner—whether by 5,000 or 5,000,000 is hailed as National Chief.

American elections are a naked transaction in power—a cruel, brawling year-long adventure swept by profound passion and prejudice. Quite naturally, therefore, Constitution and tradition have tried to limit the sweep of passions, packaging the raw votes within each state, weighting each state's electoral vote proportionately to population, letting each make its own rules and police its own polls.

The new theory holds that an instantaneous direct cascade of votes offers citizens a more responsible choice of leadership—and it is only when one tests high-minded theory against reality that it becomes nightmare.

Since the essence of the proposal is a change in the way votes are counted, the first test must be a hard look at vote-counting as it actually operates. Over most of the United States votes are cast and counted honestly. No one anymore can steal an election that is not close to begin with, and in the past generation vote fraud has diminished dramatically.

Still, anyone who trusts the precise count in Gary, Ind.; Cook County, Ill.; Duval County, Texas; Suffolk County, Mass.; or in half a dozen border and Southern states is out of touch with political reality. Under the present electoral system, however, crooks in such areas are limited to toying with the electoral vote of one state only; and then only when margins are exceptionally tight. Even then, when the dial riggers, ballot stuffers, late counters and recounters are stimulated to play election-night poker with the results, their art is balanced by crooks of the other party playing the same game.

John F. Kennedy won in 1960 by the tenuous margin of 118,550—less than 1/2 of one percent of the national total—in an election stained with outright fraud in at least three states. No one challenged his victory, however, because the big national decision had been made by electoral votes of honest-count states, sealed off from contamination by fraud elsewhere—and because scandal could as well be charged to Republicans as to Democrats. But if, henceforth, all the raw votes from Hawaii to Maine are funneled into one vast pool, and popular results are as close as 1960 and 1968, the pressure to cheat or call recounts must penetrate everywhere—for any vote stolen anywhere in the Union pressures politicians thousands of miles away to balance or protest it. Twice in the past decade, the new proposal would have brought America to chaos.

To enforce honest vote-counting in all the nation's 170,000 precincts, national policing becomes necessary. So, too, do uniform federal laws on voter qualifications. New laws, for example, will have to forbid any state from increasing its share of the total by enfranchising youngsters of 18 (as Kentucky and Georgia do now) while most others limit voting to those over 21. Residence requirements, too, must be made uniform in all states. The centralization required breaches all American tradition.

Reality forces candidates today to plan campaigns on many levels, choosing groups

and regions to which they must appeal, importantly educating themselves on local issues in states they seek to carry.

But if states are abolished as voting units, TV becomes absolutely dominant. Campaign strategy changes from delicately assembling a winning coalition of states and becomes a media effort to capture the largest share of the national "vote market." Instead of courting regional party leaders by compromise, candidates will rely on media masters. Issues will be shaped in national TV studios, and the heaviest swat will go to the candidate who raises the most money to buy the best time and most "creative" TV talent.

The most ominous domestic reality today is race confrontation. Black votes count today because blacks vote chiefly in big-city states where they make the margin of difference. No candidate seeking New York's 43 electoral votes, Pennsylvania's 29, Illinois' 26 can avoid courting the black vote that may swing those states. If states are abolished as voting units, the chief political leverage of Negroes is also abolished. Whenever a race issue has been settled by plebiscite—from California's Proposition 14 (on Open Housing) in 1964 to New York's Police Review Board in 1966—the plebiscite vote has put the blacks down. Yet a paradox of the new rhetoric is that Southern conservatives, who have most to gain by the new proposal, oppose it, while Northern liberals, who have most to lose, support it because it is hallowed in the name of The People.

What is wrong in the old system is not state-by-state voting. What is wrong is the anachronistic Electoral College and the mischief anonymous "electors" can perpetrate in the wake of a close election. Even more dangerous is the provision that lets the House, if no candidate has an electoral majority, choose the President by the undemocratic unit rule—one state, one vote. These dangers can be eliminated simply by an amendment which abolishes the Electoral College but retains the electoral vote by each state and which, next, provides that in an election where there is no electoral majority, senators and congressmen, individually voting in joint session and hearing the voices of the people in their districts, will elect a President.

What is right about the old system is the sense of identity it gives Americans. As they march to the polls, Bay Staters should feel Massachusetts is speaking; Hoosiers should feel Indiana is speaking; blacks and other minorities should feel their votes count; so, too, should Southerners from Tidewater to the Gulf. The Federal System has worked superbly for almost two centuries. It can and should be speedily improved. But to reduce Americans to faceless digits on an enormous tote board, in a plebiscite swept by demagoguery, manipulated by TV, at the mercy of crooked counters—this is an absurdity for which goodwill and noble theory are no justification.

EISENHOWER COMMEMORATIVE MEDAL

HON. JAMES A. McCLURE

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 5, 1970

Mr. McCLURE. Mr. Speaker, announcement has been made that an Eisenhower silver commemorative medal has been designed and is being offered for sale by the United States Coinage Corp. in Boston. This version is being minted in fine silver—0.999 fineness—at a price of \$15 each. The medal is dollar sized

and will contain somewhat less than 1 troy ounce of silver.

On one side the medal carries the legend "Thirty-fourth President of the United States, Born October 14, 1890, Died March 28, 1969." This surrounds a design showing the U.S. eagle. On the reverse side is a bas relief bust of General Eisenhower with his name and the date 1969.

Let this dispel any doubts that there is a demand for a commemorative coin honoring Dwight D. Eisenhower. The American people want a coin honoring Ike, and they want it composed of silver.

DECENCY BACKLASH IN CALIFORNIA

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 5, 1970

Mr. RARICK. Mr. Speaker, it appears from a wire service story last week that the people of Anaheim, Calif., have regained control of their school board and thus of the education of their children. This success will encourage other decent parents elsewhere in the country to continue the struggle for the minds and morals of their children.

The modern manipulators seem to have trouble understanding a very simple thing about the American people. They love their children and intend to protect them from manipulation so that they, too, can grow up to become decent Americans.

For this reason, with God now barred from classes, morality sneered at in schools, and sex taught simply as a hedonistic technique, they have had enough.

The results of immorality—indeed, amorality—as it is made to look attractive to our youngsters were pointed up in the recent New York City requirement for emergency delivery tables and trained personnel to deliver babies in all of the city schools. Two other stories, one from Washington, and one from the City of Brotherly Love, point out the end of the road down which the sexologists seek to lead our youth.

I include the pertinent clippings in the RECORD:

[From the Fort Myers (Fla.) News-Press
Jan. 25, 1970]

SEX EDUCATOR OUT IN SCHOOL BATTLE

ANAHEIM, CALIF.—Six years ago a small-town educator launched the nation's most controversial sex-in-the-classroom program. Now the program is temporarily out and the educator is permanently out.

"Officially, I resigned," says Paul W. Cook, 60, superintendent of the 35,000-student Anaheim Union High School District. "Actually, I was forced out by a school board which yielded to a deliberate campaign by a noisy minority."

Cook is the central figure in a controversy which has focused national attention on the mores of this city of 165,000, heretofore best known as the home of Disneyland and the California Angels baseball team.

The district's family life and sex education courses, voluntary but attended by 95 per cent of students in grades 7 through 12,

have been accused by some of ruining the lives of thousands of children by exposing them to sex too early, and praised by others as a source of truth for confused adolescents.

Parental permission was required before students could take the courses. The response at first was generally enthusiastic, Cook says, but some parents who originally favored the program have turned against it, fearful of creating an unwanted image for their city.

ELECTION ISSUE

Sex education was the major issue in a recent school trustee election and two men who opposed Cook's policies won posts on the five-man board. Shortly afterward the sex education program was suspended and Cook was, as he phrases it, "stripped of administrative duties."

His \$30,000-a-year contract had two years to run but a settlement was reached under which he remains as consultant until the end of the school year.

Cook, superintendent since 1957, put his career on the line a year ago when he rejected demands by some townsmen that he modify or drop the program, which he says was "about 15 per cent concerned with sex and the rest with human relations in the family."

"Eighty per cent of the parents and virtually all of the students liked the program and wanted it continued," he says, "so I decided to stay with it. I could not turn my back on the youngsters' need to mature normally, to find honest and scientific answers to the questions raised by the deviate and pornographic movies, magazines and books to which they are constantly exposed."

BIRCH SOCIETY

Cook believes the attack on sex education in Anaheim is a part of a national campaign started by the Christian Crusade of Tulsa, Okla., headed by Fundamentalist Preacher Billy James Hargis, and later taken up by the John Birch Society, a power in the politics of Anaheim, Santa Ana and other areas of Southern California's rich and conservative Orange County.

"They concentrated on us because our program was successful," he said. "We sold more than 1,600 copies of our course outline at \$10 each, mostly to other school districts."

Whatever the reason, Rex Westerfield, western director of public relations for the Birch Society, said in his headquarters at San Marino, Calif.: "We do feel responsible to some extent for Mr. Cook being out of work. It appears our campaign against sex education in the schools has been effective in Anaheim."

[From the Miami (Fla.) Herald,
Jan. 19, 1970]

LET PREGNANT GIRLS STAY IN SCHOOL, HEW RESEARCHER URGES

WASHINGTON.—Most of the estimated 200,000 teenaged girls who get pregnant this year will be ordered out of school at least until their children are born.

School officials have justified this action for years in various ways. "It's for the girl's own good . . . she might get bumped in the hall or the other girls will laugh at her," is one common argument.

Others take a "moral" stand, insisting that to let a pregnant girl continue to attend classes regularly would be "to condone sin."

Still others fear the pregnancy might be contagious, both figuratively and literally. "Would you allow a typhoid carrier in the classroom?" asked one school attorney during a recent legal test of such policies.

Marion Howard, a maternal and child health researcher at the Health, Education and Welfare Department, is out to stop this practice—mainly because many of the girls ordered to leave school will never return and thus lose the education needed later in life to be understanding and helpful mothers.

"They are mothers at 14 or 15 whether we like it or not," Miss Howard noted in an interview. "What we are trying to do is to improve their mothering ability and help them become complete girls."

This reasoning has led Miss Howard to organize the first national conference on school-aged pregnancies. It will be held here Thursday through Saturday under the auspices of Yale University, the University of Pittsburgh and HEW.

The idea is to exchange information about the problems involved in a teen-aged pregnancy, whether the mother is married or not, and among those participating in the conference will be 12 girls—some pregnant, the rest young mothers—from Baltimore, the District of Columbia, Syracuse, N.Y., and Dayton, Ohio.

Miss Howard said the number of pregnant teenagers is increasing by about 3,000 each year. About 60 per cent of the girls will be married when their child is born, she said, but most of them still will be considered medical and social "risks."

The basis for such attitudes lies in sta-

tistics, Miss Howard said. In New York City, for example, 55 per cent of all women on welfare had their first child when they were 18 or younger.

[From the Miami (Fla.) Herald, Jan. 19, 1970]

MATERNITY BENEFITS FOR UNWED MOMS

PHILADELPHIA.—Unmarried women who work for three supermarket chains in a tri-state area can collect maternity benefits under a new contract. A union official said it was included "to keep our hippies and flower children happy."

The contract took effect following ratification by members of seven locals of the Retail Clerks Union at Food Fair, A & P and Acme Markets in eastern Pennsylvania, Delaware and southern New Jersey.

Wendell W. Young, president of Local 1357 here, said the maternity benefits for 14,000 part and full-time employes were included "because we have to keep our hippies and flower children happy."

Management balked at first, Young said, "but we're not questioning morality here.

Someone in those circumstances needs the money just as well as the next person."

Young said the girls themselves asked the union to seek the benefits.

MAN'S INHUMANITY TO MAN—HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 5, 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?