

Mr. HALPERN, Mr. MORSE, Mr. RIEGLE, and Mr. ROBISON):

H. Con. Res. 715. Concurrent resolution to establish a Joint Committee on Intelligence, and for other purposes; to the Committee on Rules.

By Mr. FASCELL (for himself, Mr. BLATNIK, Mr. DON H. CLAUSEN, Mr. FLOOD, Mr. HOWARD, and Mr. UDALL):

H. Con. Res. 716. Concurrent resolution expressing the sense of the Congress with respect to the pollution of waters all over the world and the necessity for coordinated international action to prevent such pollution; to the Committee on Foreign Affairs.

By Mr. SPRINGER:

H. Res. 1199. Resolution to amend the Rules of the House of Representatives; to the Committee on Rules.

By Mr. STAFFORD:

H.R. 19026. A bill to provide for the advancement in grade of a certain officer in the U.S. Naval Reserve; to the Committee on Armed Services.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. MATHIAS:

H.R. 19025. A bill for the relief of Miguel Maria Irtigoyen; to the Committee on the Judiciary.

#### PETITIONS, ETC.

Under clause 1 of rule XXII,

569. The SPEAKER presented a petition of the General Assembly and General Board of the Christian Church (Disciples of Christ), relative to conscription, which was referred to the Committee on Armed Services.

## EXTENSIONS OF REMARKS

PETER LISAGOR

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 12, 1970

Mr. PUCINSKI. Mr. Speaker, Time magazine in its current edition has paid a well deserved tribute to Chicago Daily News, Washington Bureau Chief Peter Lisagor.

It has been my privilege to know Peter Lisagor for almost three decades and I concur in the tribute paid him by Time.

Since he is not one for flowery compliments, I shall confine my remarks today to a simple request to place the Time article in the RECORD.

The article follows:

#### HORIZONTAL IN WASHINGTON

Washington, D.C., is a city of hustlers and manipulators, full of pitfalls for the journalist, and covered by some of the most experienced reporters in the U.S. It stands to reason that the newspaper correspondent conceded by his colleagues to be Washington's all-round best would be cynical and a big smug. He isn't. The Chicago Daily News' Peter Lisagor, 55, has made his mark by 20 years of hard work and humor, and if he has scooped every competitor and pulled every beard in the capital, he remains the most popular newsman in town.

Laughter is Lisagor's calling card. He has stepped on Khrushchev's foot, fallen asleep in the Taj Mahal and walked head-on into a lamppost (with bloody consequences) while recording the words of Lyndon Johnson. He tells terrible jokes and laughs so hard at them that everyone laughs with him. Still, no member of the press corps makes the mistake of writing off "Old Pete" as a buffoon. They all laughed when he felled security by slipping his rented car, crudely lettered State Department 1-A into a key position in Khrushchev's 1959 motorcade through Des Moines, but the joke was on them. It usually is.

#### WHISPERS WITH J.F.K.

The lighthearted Lisagor is admired as a great generalist in a field where specialists are taking over. As chief of the News's five-member bureau, he practices what he calls "horizontal" journalism—he and his reporters follow their stories wherever they lead rather than sticking to narrow beats, as they might at a large "vertical" bureau. Pete himself covers the White House, foreign policy, Washington politics and whatever captures his fancy. He is reputed to have the widest range of true friends in the Government's employ of any correspondent in D.C. L.B.J. has called him "brilliant." To the consternation of Lisagor's colleagues, John Kennedy used to call him aside for lengthy whispered consultations. J.F.K., a fellow sufferer, was

actually asking about Pete's bad back. "I always told the other reporters it was a privileged conversation about Berlin or Cuba or the cold war," Lisagor recalls gleefully, "and that I couldn't divulge any part of it."

Lisagor modestly attributes his popularity to the fact that he works for a provincial paper. None of his sources, he claims, ever see what he writes. But being a "busher" in the balliwick of the Eastern press giants has had its drawbacks. Lippmann or Reston could get a Cabinet member by phone, but Lisagor once waited weeks trying to see John Foster Dulles. He got an interview immediately when, on the strength of a New York Times Sunday Magazine assignment, he identified himself as Mr. Lisagor for the Times.

On another occasion, the wire services entirely ignored one of his scoops—the discovery that President Syngman Rhee had refused the offer of Indian troops at the height of the Korean War—until he leaked it to the New York Herald Tribune. By 1966, when he beat everyone with the first authentic account of the Jackie Kennedy-William Manchester squabble, A.P. and U.P.I. were finally paying attention.

#### RON'S BAD NEWS

Outside the profession, much of Lisagor's recognition and prestige is due to his appearances on television, which he pretends to disparage. "I belong to the dirty-fingernail set," he boasts. "Those who work with pencil and notebook, as opposed to the folk heroes on T.V. I'm a working stiff, a shoe-leather man." He is embarrassed when little girls recognize him and ask for his autograph. Nevertheless, he does a weekly report for NET and is the most frequent guest journalist on NBC's *Meet the Press*, a program that displays Lisagor's most conspicuous talent: he is far and away the most skillful interrogator in the business. On TV, at press conferences, and at the now-famous breakfasts run by Godfrey Sperling of the *Christian Science Monitor*, he breaks through the reserve of official after official with the wit, insight and irreverence of his questions.

"After a year," he asked an evasive Daniel P. Moynihan, "how does it feel to be the house liberal?" Lisagor had used the approach before. "If you were Secretary of State," he asked Johnson Adviser McGeorge Bundy several years ago, "would you want a McGeorge Bundy in the White House?" And when Nixon Press Secretary Ron Ziegler began a song and dance about how General Lewis Hershey had not actually been named as Selective Service director but promoted to a higher advisory post, Lisagor stopped the nonsense and broke up the house by asking quietly: "How did he take the bad news, Ron?"

#### SHORN OF BRITCHES

Those fortunate enough to catch Lisagor in print (his features and weekend columns are syndicated in 90 cities but seldom appear in D.C. or New York) find Pete hanging on no ideological peg. An apolitical anomaly in

a highly partisan town, he is praised by Bill Buckley's *National Review* and quoted by the liberal *New Republic*. "An old editor once told me to walk down the middle of the street and shoot windows out on both sides," he says. "I guess that's about what I try to do." He will agonize for hours over his lead. One colorful effort dramatized L.B.J.'s technique of silencing the G.O.P. by stealing its issues: "There is no other word for it—the Republicans have been held up in broad daylight by a daring political desperado from Texas. Lyndon B. Johnson has shorn them of their britches, in the patois of the Feder-nales."

Pete Lisagor's "plain folks" pose is an honest one. He was a 14-year-old orphan when he went to Chicago from the West Virginia coal fields in 1930. He played pro baseball "for \$65 a month and hamburgers" in Iowa, until he saved enough money to go to the University of Michigan. With time out for the Army and a Nieman Fellowship at Harvard, he has worked for the *News* almost continually since 1939. In Washington, Old Pete never flaunts his unique eminence, but he obviously enjoys it. When a friend called to ask if a big story had been leaked to him—he had a 24-hour beat on it—he chuckled comfortably and replied: "They don't leak stories to me. I'm just a barefoot boy from over the mountains."

#### THE IMPACT OF CRIME ON SMALL BUSINESS

HON. JOHN C. CULVER

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 12, 1970

Mr. CULVER. Mr. Speaker, one of the most far-reaching problems facing the businessman today is that of theft of materials in transit. These thefts result in disruption of business schedules, as essential parts do not arrive on time. Ultimately, of course, it is a problem which affects every American consumer, because it causes higher prices through increased insurance costs.

I am encouraged to note that the Senate Small Business Committee, chaired by Senator ALAN BBLE, has undertaken an extensive investigation of this situation and has held a number of hearings on this subject recently.

Late last year the committee issued a report detailing the problem as it pertains to shipment by air. This report is particularly informative, and I insert the introduction, conclusion and other relevant passages at this point in the RECORD:

THE IMPACT OF CRIME ON SMALL BUSINESS—  
PART II

## I. INTRODUCTION

The purpose of this report is to summarize the findings of the Senate Select Committee on Small Business concerning theft and pilferage losses in air cargo shipments.

Briefly, your committee found that present efforts to arrest the mounting toll of this kind of crime were ineffective. The most notable weakness was the absence of provision for systematic collection of data to afford guidance in the design of preventive measures.

Another weakness was that crimes committed at airports are subject to many overlapping jurisdictions of law enforcement agencies. Accordingly, what is everybody's business is nobody's: there is no one in charge.

A third weakness is the passive role of the air carriers themselves, despite their ultimate responsibility for the safety of the goods they transport. There is no present way to tell at what point the losses occur, and efforts to keep goods safe are not impressive. There is also evidence of some division of authority as among shippers, carriers, terminals, and truckers.

These are among the most significant findings of your committee, but there are a number of others. The report identifies these, and proposes an action program to correct a situation that is rapidly getting out of hand. We have no good way of knowing exactly how much the loss is, because the obligation of the carriers to report these losses is not firmly established. However, in the case of a single airport, we know the figure exceeds several millions of dollars annually. Nationally, the toll would be many times that figure.

## II. THE PROBLEM REVEALED BY THE HEARINGS

This report describes the findings in the first in a projected series of investigations by your committee to explore the full impact of crime against the small businessman. The focus of the study is the vulnerability of goods and cargo to theft and pilferage, from the point of shipment from the factory or importation, as they enter the transportation network on their way to the wholesale distributor, retailer, and consumer. In this report your committee has centered its attention on the effects on the business community of the vulnerability of air-shipped cargoes to theft and pilferage.

In order to have first-hand, accurate information on the physical security at many air cargo terminals across the Nation, your committee sent staff personnel to conduct onsite surveys of airports at New York (J. F. Kennedy), Baltimore (Friendship), Los Angeles (International), San Francisco (International), Chicago (O'Hare), and Washington, D.C. (National). At many of these facilities, the staff found important deficiencies in security arrangements and physical security of facilities for handling air cargo.

Among the more glaring deficiencies found were: inadequate fencing of cargo areas, and in some cases, no fences at all; unlimited access to cargo terminals and warehouses; and general employee parking directly adjacent to cargo terminals and warehouses. None of the airports visited during this investigation had employee identification systems to prevent entry into cargo handling areas by unauthorized personnel. A considerable number of the air cargo terminals visited did not have special strong-room facilities for high-value cargo.

The committee's review of air cargo theft and pilferage entered the stage of open hearings on May 21, 1969, with the statement by your chairman that "The thievery plague at our major airports, especially at international ports of entry, is a major part of the biggest multibillion dollar racket—stealing from business."

Perspective on the impact of this type of crime on small business was provided by the testimony of Mr. Walter G. Perry, of the American Institute of Marine Underwriters, New York City. First, he spoke of the rapid growth of the air freight industry—

"Although the carriage of freight by air is still at an early stage of development, in the world context, air freight is at present growing at an amazing increase of over 20 percent a year."

Mr. Perry ascribed this growth to the fact that for goods needing fast delivery, fragile goods, and goods having high value-to-weight ratio, cost of air shipment and handling was often less than for surface shipment. Hence, he said:

"\* \* \* Promotional efforts of the air carriers are capitalizing on the benefits and economy of air transportation and have thus attracted high valued and sensitive goods." The concentration of the air cargo carriers on this kind of freight, easy and rewarding to steal, he pointed out, had not been accompanied by commensurate efforts by the carriers to secure these cargoes against loss. Accordingly—

"As airlines have considered this development of air freight merely as an adjunct to passenger service, with this rapid growth and with inadequate terminal facilities and because of the lack of a sufficient pool of skilled cargo handlers and experienced terminal supervisors, it was inevitable that security measures would be taxed beyond all tolerance and larceny was beckoned into the field of air transportation."

Because of the generally defective level of reporting of thefts, hard information about the magnitude of the problem is hard to come by.

Though the magnitude of the problem may not be known, the effect it poses to the businessman was graphically illustrated by testimony received by the committee. The following extracts confirm this:

"Because of the extensive losses, the insurance rates quoted us for 1969 are 'astronomical.'"

"\* \* \* Systematic pilferage and theft of comparatively small quantities from almost every shipment. \* \* \* Losses from [truck] hijacking and other causes, have increased greatly."

"Of recent alarming concern to those American underwriters who undertake to insure goods and merchandise in transit has been the sharp increase in preventable types of aircargo losses."

An excellent description of the impact of losses due to aircargo theft was provided by representatives of the watch industry in their testimony during the committee's hearings. They described their losses of \$2.5 million since January 1967 as having an extremely serious impact on their business. The direct financial losses are only the most obvious consequence. Insurance rates have been increased. Some policies have been canceled.

But even more important is the fact that business and profit opportunities have been lost, sometimes forever. Promotions scheduled by customers have had to be canceled. There have been instances in which catalogs had been circulated featuring merchandise which failed to arrive and which was essentially irreplaceable. \* \* \* customers do not take kindly to extended delays in delivery of goods, particularly when a check has accompanied the order.

In an industry like ours, which does a very substantial share of its total business in the Christmas season and on other gift-giving occasions such as June graduations, once you have disappointed a jeweler or a department store on promised deliveries, once the chance for a sale is gone, replacing the stolen goods is no answer at all. That is why, for the com-

panies principally affected, the \$2.5 million in merchandise lost since January 1967 has been [disastrous].

[Also] It may add some perspective to this matter to note that in a good year, profits for the entire watch importing industry probably amount to only about \$15 million. So you can see that losses of the magnitude I have been describing are of the utmost seriousness to our industry. On a comparable basis, it would be something like the automobile industry's losing \$300 to \$400 million in stolen cars over a 2½-year period.<sup>5</sup>

The projected growth of air cargo in the next decade with the advent of the new generation aircraft, such as the Boeing 747 and the Lockheed L500, which is capable of carrying 320,000 pounds of cargo or the equivalent of 100 Volkswagen automobiles in addition to spare parts and accessories in one load, will more than quadruple the rate of tonnage in air commerce. It is virtually impossible to project growth beyond that, but it is generally agreed by experts in the transportation field that with the development of the new generation of aircraft, air commerce may become the dominant means by which goods are moved in transit in the United States and in a great deal of the export-import traffic. This, naturally, will result in even greater security problems than those now being experienced.

Thus, your committee is compelled to the conclusion that a serious problem exists at the present, which will be compounded many times with the advent of aircraft with a payload capacity 10 times that of the present generation aircraft, but that no one—the carriers, the Air Transport Association, nor the Civil Aeronautics Board (the regulatory agency charged with fostering the growth of air commerce for the good of the public)—has seen fit to develop a records system to document the rate and extent of such losses.

Your committee further concludes that all parties mentioned above have been negligent at the worst, or inattentive at best, in this regard. It strongly urges the CAB to take immediate action to require air carriers to file with the Board a quarterly report on all losses of air cargo, and classification of such losses to indicate which types of cause (i.e., theft, damage, mysterious disappearance, etc.) were responsible. This is an essential first step in finding a solution to the problem.

## VIII. CONCLUSIONS AND RECOMMENDATIONS

In the hearings on which this report was based, your committee has been concerned only with aspects of preventing theft and pilferage of air cargo. Your committee intends to continue its investigation into thefts from other modes of transportation. It is possible that some general conclusions and recommendations may result from the completion of the total projected program of investigations, in the form of findings and recommendations for action with respect to transportation as a whole. However, at this time, your committee offers the following findings and recommendations:

*Findings derived from investigation of air cargo theft and pilferage*

Your committee finds that law-enforcement agencies, such as the FBI, State, and local police having jurisdiction, are doing a good job in the apprehension of criminals involved in the theft of air cargo. The number of thefts, however, is rising at such a rate that these forces are having a very difficult time coping with the problem. Witnesses were outspoken in their criticism of lax and careless practices and the dearth of data on which to mount effective strategies of either prevention or apprehension.

Your committee feels that an effort directed explicitly at crime prevention, rather than an enlarging of these police forces, is necessary to stem the rising tide of cargo theft.

Footnotes at end of article.

Your committee sees no need for increased criminal penalties. These are adequately provided in the United States Code, dealing with the theft of goods in interstate commerce.

It is also the belief of your committee that the new Federal Magistrates Act<sup>6</sup> will have a salutary effect on the growing judicial caseload resulting from this criminal activity; no further recommendations with respect to the Judiciary are offered at this time.

This does not preclude continued diligence on the part of the Judiciary to render swift and firm justice, meting out sentences consistent with the criminal act. Additional personnel and funds for the judiciary are needed in order to enable it to handle the increased caseload being experienced as a result of the rising rate of crime in the United States.

Deficiencies in crime prevention practice have been identified by your committee in the generation and management of data about crimes, in the procedures and practices of the airlines and terminals to make theft hard to carry out undetected, in the stimulation of more vigorous cooperation by the responsible parties, and in the secure, unobtrusive packaging of valuable goods for shipment by air.

#### Recommendations

Based on information developed in hearings on the economic impact of aircargo theft, your committee accordingly recommends the following:

**Recommendation 1.**—That the Civil Aeronautics Board, based on its statutory authority provided by the Federal Aviation Act of 1958, should compel all U.S. air carriers, air freight forwarders and agents thereof, engaged in the carrying of goods and cargo by air, to report on a quarterly basis all cargo damaged, lost, missing, stolen, or presumed stolen, the value of such cargo, the amount paid, and the number of claims against the carrier for such damage, loss, stolen, or presumed stolen, cargo. The CAB should prescribe formally the standards under which such reports are to be prepared and submitted, in order to maximize the utility of the data collected for purposes of systematic analysis in the preparation of crime prevention programs and activities.

Should the Board fail to act to require these most essential data, it is the recommendation of your committee that legislation be offered to amend section 407 of the Federal Aviation Act of 1958 (49 U.S.C. 177).<sup>7</sup>

**Recommendation 2.**—That under its statutory authority, the CAB should initiate a formal Board investigation into the rate of liability of the carrier to determine if such liability is too low, and if there is justification to change the applicable tariff and amend this present rate.

Should the Board not act in this most important area, legislation should be introduced to establish a select commission charged with examining such rates of liability to determine if there is a justifiable basis for changing the present tariffs relating to the maximum rate of liability of air carriers.

**Recommendation 3.**—The CAB under its statutory authority should require all carriers to affirmatively disclose to the shipper the rate and limit of liability of the carrier, and the fact that the shipper can, by making appropriate declaration, obtain increased liability for his shipment. The carrier should have the shipper sign a document acknowledging receipt of this information and indicating acceptance or rejection of increased liability.

**Recommendation 4.**—That the Federal Aviation Act of 1958 be amended by inserting after section 417 a new section recommending that the Civil Aeronautics Board, after consultation with the Secretary of Commerce, shall prescribe regulations establishing packaging requirements with respect to

property transported in air commerce, which will insure maximum safety against theft or damage. Further, the Secretary of Commerce should make an investigation and study of packaging design and requirements as per this act, for the purpose of making recommendations which the Civil Aeronautics Board is to consider pursuant to the requirements of this amendment.

**Recommendation 5.**—The Secretary of Transportation should immediately begin a study to determine the need for minimal physical standards of aircargo facilities at all U.S. airports engaged in interstate and international air commerce; this study should determine the best method by which to promulgate these standards, for example, (1) by means of CAB certification procedure of air carrier, (2) by regulations developed and issued by the Administration of the Federal Aviation Administration, or (3) by the establishment of a Select Commission by the U.S. Congress charged with proposing such standards as might be necessary to effect maximum security of all cargo facilities at U.S. airports. These standards would then be proposed as amendments to the Federal Aviation Act of 1958.

**Recommendation 6.**—That the efforts of the private sector, such as the Air Transport Association Security Council and the John F. Kennedy Airport Security Council, should be encouraged and promoted. Appropriate assistance and cooperation in such efforts on the part of appropriate Government agencies are urged and recommended.

**Recommendation 7.**—That in the event that any actions recommended in the above enumerations are found to require additional legislative authority, the agencies in question advise appropriate committees of Congress of the fact, and submit their recommendations for appropriate enlargement in their statutory authorities.

**Recommendation 8.**—That in view of the primary responsibility of the aircargo carriers for the safety of goods in transit, that their efforts to combat theft and pilferage, and reduce the vulnerability of aircargo to theft, be recognized as a matter of high public interest and concern.

#### FOOTNOTES

<sup>1</sup> Hearings before the Senate Select Committee on Small Business, on The Impact of Crime on Small Business, part 1, May 21-July 22, 1969, pp. 220-221.

<sup>2</sup> *Ibid.*, p. 160.

<sup>3</sup> *Ibid.*, p. 165.

<sup>4</sup> *Ibid.*, p. 220.

<sup>5</sup> *Ibid.*, p. 228.

<sup>6</sup> Public Law 90-578, Oct. 17, 1968.

<sup>7</sup> Senator Bible introduced S. 2787 on August 6, 1969. (See appendix, page 17, for floor statement at time of introduction of the bill, and comments of the Comptroller General of the United States relating to the act.)

## MARIHUANA BY THE WAYSIDE

### HON. WILLIAM L. SPRINGER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 12, 1970

Mr. SPRINGER. Mr. Speaker, not a day passes that every Member of Congress does not receive anxious letters from parents concerned with drug abuses and especially how it is affecting the young people in junior and senior high schools as well as those of college age.

Even to Members of Congress who are somewhat hardened to this situation, we are surprised to find that marihuana will

grow almost anyplace where there is warm weather and a reasonable amount of water.

I will have to say that I was surprised to discover, within the last 12 months, the amount of marihuana growing in my own home county—Champaign County, Ill.

Mr. Ed Borman, News-Gazette news editor, is writing a series of four articles not only on the overall comprehensive problem of marihuana and the young, but also how much of it has been growing within my own congressional district.

The chairman of the Committee on Interstate and Foreign Commerce recently sent an investigator, Mr. Robert Rebein, a former FBI agent and now an investigator on the Special Subcommittee on Investigations of the Interstate and Foreign Commerce Committee, to Champaign County to check into the prevalence of marihuana there. I append herewith for the benefit of my colleagues the first two articles by Mr. Borman which I know all of my colleagues will want to read.

It is barely possible that within your own congressional district you may find marihuana growing wild and that nine-tenths of the people living in your congressional district are unaware of that fact.

The House Committee on Interstate and Foreign Commerce is getting ready to report a bill to the floor of the House within the next few days on drug abuse. It is probable that it will be on the floor of the House soon after the August recess. We are trying to give, in this bill, to the Attorney General the right to get at this very important problem of the indiscriminate wild growth of marihuana.

The first two articles follow:

#### CONGRESSIONAL INVESTIGATOR AMAZED BY POT IN COUNTY

(By Ed Borman)

A congressional investigator, with 11 years experience in the FBI, pulled his car off U.S. Route 45, six miles north of Urbana.

Motorists whizzing by probably thought he was admiring fine crops of corn and soybeans.

However, the investigator's attention was focused along a fence that divided the corn and soybeans. Along the fence for at least a quarter of a mile there was a lush growth of marihuana—taller than the investigator and ready for harvest.

In today's flourishing drug traffic the marihuana along the fence row can be sold for much more money than the corn and soybeans it separates. There is the possibility of thousands of dollars in this one spot—illegal but there for anyone who wants to take the chance.

For a dime the U.S. Government Printing Office sells a pamphlet that says:

"Wild hemp (*Cannabis sativa* L.) is a weed which contains powerful hallucinogenic compounds called tetrahydro-cannabinols. Although hemp may not be lawfully cultivated without special license, it grows wild in many parts of the United States. It is from this plant that the drug marihuana is prepared for illegal distribution and sale.

"Marihuana abuse has increased and is now a major menace. It is the most common form of drug abuse, and it frequently leads to dangerous forms of addiction and dependence. Its sale provides profit to criminals at the expense of society."

For quantity sales, the Government Printing Office will knock down the price

of the pamphlets to \$5.50 per 100, but that's about all the federal government has done to eradicate marijuana that grows freely over Champaign County and much of the Midwest.

Millions of dollars in taxpayers funds are being spent to try to shut off the flow of marijuana from Mexico to the United States, but law enforcement officers say that success at the border has improved the market and raised the price of the "grass" that is being harvested in Champaign County.

The congressional investigator, Robert Rebein, came here because Rep. William L. Springer asked him to determine for the Interstate and Foreign Commerce Committee of the House of Representatives whether there is a marijuana problem—and a federal government responsibility—in Champaign County as well as along the Mexican border.

Rebein is a staff attorney for the Permanent Investigating Subcommittee of the House Interstate and Foreign Commerce Committee. Springer is the ranking Republican on the full committee, which now has before it a comprehensive bill aimed at drug abuse.

"It astounds me to learn marijuana is so prevalent," Rebein said as he looked down the fence row along U.S. Route 45.

Chief Sheriff's Investigator Joe Brown told him that this was only his first stop on a tour of Champaign County. Rebein will take back to Washington pictures of marijuana growing along fence rows and ditch banks over much of Champaign County.

As just one example, Brown took him to a privately-operated fishing lake near Rantoul. It costs money to fish there, but marijuana can be picked there for free. And it's growing all over the property.

Do many people pick, process, use and sell the illegal weed?

Brown gave the congressional investigator typical case histories of dozens of local youths who were caught when they couldn't resist temptation and found themselves facing felony charges in court.

Even as Brown and the investigator toured the county, they came upon three Champaign-Urbana youths, 19 and 20 years old, who were busy with long knives along the creek bank near Mahomet.

Rebein stood by while Brown arrested the trio. Soon three families received calls that their sons were in the county jail.

These three were local talent. Brown took the Congressional investigator through fertile fields near Flatville and pointed out where people from California had picked enough to operate a "factory" that was set up in a rented Rantoul house.

Brown told Rebein that Champaign County deputy sheriffs have arrested marijuana pickers from 14 states.

Is there big money in Champaign County marijuana?

Brown told Rebein the Californians had \$7,000 in cash when the Rantoul "factory" was raided.

An agent of the U.S. Bureau of Narcotics came here to meet the congressional investigator. The agent agreed with Brown's estimate that a kilo of dried and processed Champaign County marijuana (2.2 pounds) will bring \$250 to \$275 on today's market. The price is going up as the Mexican supply is shut off.

These are wholesale prices. Brown estimated that the marijuana confiscated from captured pickers in Champaign County last year would bring a million dollars at retail.

And Brown emphasized to the Congressional investigator that local authorities are catching only a small number of the pickers who flock to the fields at this time of year.

Rebein conferred with Wesley Schwengel, chairman of the Champaign County Board of Supervisors, who told him about local efforts to eradicate the narcotic weed, but Schwengel

readily conceded that the local efforts have been ineffective.

The congressional investigator was here to consider whether there is a federal responsibility for eradication. He was reminded that marijuana is wild hemp and that hemp is grown commercially for fiber.

During both World War I and World War II, Illinois farmers were encouraged to cultivate hemp as a part of the war effort.

Rebein was handed a publication by the Division of Plan Industry of the Illinois Department of Agriculture, which says:

"During World War II, hemp was raised in Illinois when the supply of rope from the Philippines was stopped. About 44,000 acres of hemp were grown in the state in 1943, and 11 processing plants were located in Central and Northern Illinois."

The hardy plant is still around, despite efforts by farmers and local governments to get rid of it.

Today's "turned on" generation knows it as "pot," "grass," "Mary Jane," and other names.

And "fast buck boys" know how to cash in on the "green" of Illinois fields.

#### CONGRESS PROBES LOCAL POT—FEDERAL ACTION TO ERADICATE POT PONDERED

(By Ed Borman)

Is Champaign County's profusely growing marijuana a problem for farmers and the U.S. Department of Agriculture?

Or is it a police problem that deserves some of the federal money that is being sewn in all directions these days for law enforcement assistance?

Robert Rebein, an investigator for the Interstate and Foreign Commerce Committee of the U.S. House of Representatives, has been in Champaign County this week to consider the questions.

He saw for himself:

—There is marijuana all over Champaign County.

—Farmers aren't doing very well in eradicating it.

—Local government's efforts to force eradication are ineffective.

—Police and court records show strange characters are coming from all over the country to harvest marijuana for the national narcotics market.

Local law enforcement officers urged Rebein to recommend to Rep. William L. Springer and other members of his committee that something be done to eliminate the ready source of supply for a growing illicit market.

Chief Sheriff's Investigator Joe Brown told the congressional investigator that enough raw marijuana to fill a dozen or more railroad cars could be harvested in Champaign County.

About 100 pounds of marijuana leaves can be processed into 10 pounds of "pot" ready for sale. The 10 pounds will bring about \$1,250 on the wholesale market, and the retailers than can start adding their own "markup" for street sales.

An ounce can be sold "on the street" for \$10, according to narcotics agents. A \$5 bag contains enough for about a dozen cigarettes.

Marijuana is narcotic under both U.S. and Illinois laws. With narcotics so readily available, local lawmen can only play "cat and mouse" with persons who take to the fields to capitalize on it.

Brown reported to Rebein that the Champaign County sheriff's department has arrested marijuana pickers from 14 states, as well as dozens of local persons and University of Illinois students.

Brown said that during the harvest season (this time of year) the sheriff's office receives an average of five reports of pickers each day, but he added that many farmers have said "to hell with it" and stopped calling the sheriff when they see the strange characters in the countryside.

Rebein was an FBI agent for 11 years. Brown asked him to imagine how many pickers can go undetected at night.

What kind of people come to pick?

Brown suggested that Rebein take back to the congressional committee the records on Donald Persinger, 37, and three companions, arrested while they were picking in Champaign County.

One of the companions, David Gulich, 22, of Chicago, was wearing only an undershirt on his upper body when he appeared in court. He also wore a large beard. On his left arm there was a tattoo, "Outlaws of Chicago," centered around a skull and crossbones.

Companion Eva McGee, 25, of Chicago, was a husky young woman, dressed in skin-tight cycle pants and an even tighter short sleeve sweater.

In the car driven by Persinger police found two loaded handguns, along with marijuana. The car bore Louisiana license plates, but in the car were other plates from Missouri and Illinois.

And also in the car was a hand-drawn map showing the location of choice marijuana in Champaign County.

A pamphlet published by the U.S. Government Printing Office for benefit of farmers says:

"Marijuana abuse has increased and is now a major menace. It is the most common form of drug abuse, and it frequently leads to dangerous forms of addiction and dependence. Its sale provides profits to criminals at the expense of society.

"One way to reduce this illegal traffic is to eliminate wild hemp. Eliminating the plant will reduce trespassing by lawless persons in search of sources and will serve the public interest."

About all the federal government has done thus far to carry out its own advice is to allocate \$25,000 in funds from the U.S. Bureau of Narcotics for a "pilot program" of marijuana eradication, in two counties in each of 11 states.

This necessitated a meeting in St. Louis of 33 people from 11 states, plus Washington officials. The meeting ate up most of the \$25,000, but there was some money left to print up some pamphlets, importuning farmers to do something about it. In Illinois, the two "pilot" counties are Cook and Henderson, on the west side of the state.

Marijuana grows along fence rows, on ditch banks, and in other uncultivated areas, so it is difficult to get at for spraying.

Moreover, marijuana does no economic harm to the farmer. Farmers are being asked to take time out from tilling their crops to destroy a social menace and help law enforcement officials.

While he was here, the congressional investigator met Dr. Ellery Louis Knake, professor of weed science at the University of Illinois, who told him there is a simple method of eradicating marijuana if it can be done at the right time on a broad basis rather than by hit-and-miss voluntary efforts.

That is why Rebein agreed to report to the congressional committee whether Midwest marijuana deserves federal law enforcement funds.

#### LIBERALS BACKED INTO RHETORICAL CORNER

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 12, 1970

Mr. ASHBROOK. Mr. Speaker, the August 6 issue of the CONGRESSIONAL RECORD carried an extensive statement on the Black Panther Party in which I illustrated the violent and revolutionary

nature of the BPP. It was pointed out that despite the violent record which the BPP has compiled since its beginning in 1966 some members of the liberal camp had apologized for, explained away, or contributed to BPP activities. Time and time again we have seen the liberal defenders of the BPP condone their vicious statements against law-enforcement officials as merely a matter of rhetoric. It has been charged that the Panthers in reality have been sinned against, with the police conspiring to eliminate them through harassment tactics.

If newspaper accounts of circumstances surrounding the brutal slaying of Judge Harold Haley last Friday in Marin County, Calif., prove correct, liberal apologists for the BPP are indeed going to be hard pressed to ignore BPP violence.

A UPI story appearing in the Washington Post this morning cites the San Francisco Examiner as stating that two of the guns used in the abduction and shooting were purchased by Angela Davis, the UCLA philosophy instructor who had been ousted from that institution. An admitted member of the Communist Party, Miss Davis was quoted by reporter Ed Montgomery in the June 12, 1970, issue of the Examiner as saying:

The press has tried to create the impression that I have left the Black Panther Party. This is not so.

The UPI account also stated that Huey P. Newton, one of the founders of the BPP and recently released from jail, hailed the men involved in the shootout as "true revolutionaries." He further stated that Jonathan Jackson, one of the kidnapers slain in the shootout, "would have been my successor" if he had not died.

Another UPI release appearing in today's Washington Daily News reported that Jonathan Jackson was a companion-bodyguard for Miss Davis.

If news accounts of Angela Davis' involvement with BPP activities are correct, a survey of Miss Davis' defenders in her fight with the University of California Board of Regents should prove amusing. The above quote attributed to her by Mr. Montgomery as to her BPP membership was actually made on October 8, 1969, in a radio interview in Los Angeles over KPFF-FM, and presumably there was no secret of her BPP relationship long before the UCLA controversy. Despite her membership in the CPUSA and the BPP, both of which she openly admitted, some evidently could find no objection to exposing impressionable students to her revolutionary philosophy.

Indications are that the Black Panthers are deeply involved in the death of Judge Haley, and perhaps at long last liberal defenders of the BPP will take the time and effort to learn about the philosophy, program, and violent record of this treacherous group. Perhaps the next time the BPP's chief rhetorician, Huey Newton, talks of revolution and violence, he will be taken seriously. Perhaps our liberal leaning friends will finally come to realize that if the Black Panther Party

succeeds in its ultimate aims, the necks supporting taped shotguns may well be their own.

I include at this point in the RECORD the three items mentioned above:

[From the Washington (D.C.) Post, Aug. 12, 1970]

#### ANGELA DAVIS LINKED TO SHOOTOUT GUNS

SAN FRANCISCO, August 11.—The San Francisco Examiner said today two of the guns used in a Marin County kidnaping and shooting in which four persons were killed were purchased by ousted UCLA philosophy instructor Angela Davis.

The newspaper, in a copyrighted story, said a 30-caliber carbine wielded by one of the kidnapers of Judge Harold Haley was purchased by Miss Davis in Los Angeles April 7, 1969.

A Browning 380 semiautomatic pistol, also used in the shootout, was bought by the former instructor Jan. 12, 1968, the Examiner said.

Assistant Attorney General Al Harris refused to confirm or deny the report. "I think the report is a little premature," Harris said.

Miss Davis, an avowed Communist, was recently dismissed by the UC board of regents. Jonathan Jackson, 17, one of the four kidnapers of Judge Haley and three others Friday at the Marin County Civic Center, had been a "bodyguard-companion" to Miss Davis recently, the Examiner said.

"The 30-caliber carbine wielded by Jackson when he took command of Judge Haley's court was purchased by Miss Davis on April 7, 1969, at Western Surplus, 8505 S. Western Ave., Los Angeles," the newspaper said.

The newspaper said the Browning pistol was purchased by Miss Davis on Jan. 12, 1968, at the Brass Rail, 711 N. LaBrea Ave., Los Angeles.

In Los Angeles, police said weapons similar to that description and belonging to Miss Davis had been seized in a raid on a Black Panther headquarters in Los Angeles about two months ago.

In Berkeley, meanwhile, Black Panther Party co-founder, Huey P. Newton, hailed the men involved in the shootout as "true revolutionaries." He said Jackson "would have been my successor" if he had not died.

The university regents recently refused to renew Miss Davis' contract. An earlier attempt to fire her outright was overturned by the courts.

#### FRIDAY SHOOTOUT: CON'S GUNS ARE TRACED

SAN FRANCISCO.—Two guns used Friday in a fatal attempt to help three black convicts escape from a San Rafael courtroom were reported purchased by Angela Davis, the black communist fired from her UCLA teaching job by the California regents.

The San Francisco Examiner said in a copyrighted story a .38 caliber Browning automatic pistol was purchased in January, 1968, and a .30 caliber carbine also used in the shootout was bought in April, 1969, both by Miss Davis.

John Plimpton, a salesman in a Los Angeles gunshop, told UPI he sold the pistol to Miss Davis and produced a sales slip dated Jan. 12, 1968, signed by a Miss Angela Davis. He also identified a photograph of the ousted philosophy instructor.

Miss Davis has said she is a communist.

#### NEWTON'S SUCCESSOR

The Examiner also said Jonathan Jackson, 17, an accomplice killed in the escape try, was a companion-bodyguard for Miss Davis. Black Panther defense minister Huey Newton had declared Mr. Jackson to be his successor.

In Berkeley, Newton hailed four Negroes involved in the bloody and unsuccessful attempt to flee the courtroom as "true revolutionaries."

Newton asserted the "fascist police" were responsible for the courtroom deaths.

"Everyone is aware the revolutionaries did not fire the first shot," he said. "It shows the oppressors are more interested in apprehending revolutionaries than in preserving human life."

Assistant State Attorney General Al Harris refused to confirm or deny the newspaper's report, deferring to local authorities. Marin County inspector Ronald Retana, the only person authorized to speak for the local sheriff's office, was not available.

Mr. Jackson, who smuggled the fatal guns into Superior Court, reportedly had accompanied Miss Davis to Glide Memorial Church in San Francisco where she spoke for the "Soledad brothers," three Negro convicts charged with murdering a white prison guard.

#### BROTHERS

One of the accused Soledad prisoners, George Jackson, 28, is a brother of Jonathan Jackson, the youth slain Friday.

Miss Davis had pleaded unsuccessfully to interview the Soledad group as an investigator for their defense. Judges ruled she was not qualified as an investigator.

Marin County Judge Harold Haley, Mr. Jackson and San Quentin convicts John D. McClain, 37, and William Christmas, 27, all were killed in the shootout at Marin County Community Center as the result of the smuggled guns. All but the 65-year-old judge were Negroes.

[From the San Francisco (Calif.) Examiner, June 10, 1970]

#### MISS DAVIS AND PANTHER GUN BUYS

(By Ed Montgomery)

The Black Panther affiliation of Angela Davis, controversial UCLA philosophy teacher, will be taken into consideration by the University of California Board of Regents in reaching a final decision on her proposed firing.

Miss Davis, an acknowledged Communist, has spoken freely of her Black Panther Party membership.

In a KPFF-FM radio interview in Los Angeles on Oct. 8, Miss Davis declared:

"The press has tried to create the impression that I have left the Black Panther Party. This is not so."

#### GUN SALES

Los Angeles Police Chief Edward M. Davis said today his department was aware of her Black Panther affiliation and activities but declined to elaborate.

"I do not want to infringe on the Constitutional rights of the several Black Panthers now awaiting trial in Los Angeles County Superior Court by openly discussing at this time our knowledge of Miss Davis' activities," he said.

One police report states that on Jan. 2, 1968, Miss Davis purchased a Browning .380 semi-automatic pistol, serial number 595071, at the Brass Rail, 711 North LaBrea Ave., Los Angeles, using her Alabama driver's license as identification.

#### PANTHER DISTURBANCE

On June 28, 1968, police responded to a peace disturbance complaint at 2837 South Bronson St., Apartment 7, Los Angeles, encountering three members of the Black Panthers.

Police found the Browning handgun and took it in for identification. Subsequently it was claimed by Black Panther Franklin D. Alexander, an identified member of the Communist Party.

On April 7, 1969, just prior to her being hired by Prof. Donald Kalish of the UCLA Philosophy Department, Miss Davis purchased a Llama .45 caliber automatic pistol, serial number 457457, and a Plainfield .30 caliber rifle, serial number 18514, at West-

ern Surplus, 8505 South Western Ave., Los Angeles.

Miss Davis, who has maintained a weekend retreat on Newport Ave. in Cardiff by the Sea, north of San Diego, gave as her address 1107½ West 87th St., Los Angeles, in purchasing the weapons.

She offered as identification her passport, No. Z 7221179.

## CONGRESS AND THE INFORMATION EXPLOSION

### HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 12, 1970

Mr. STEIGER of Wisconsin. Mr. Speaker, each of us has only to look around our own offices and our committee offices to be staggered by the amount of information that crosses our desks each day. We are painfully aware of the staff time involved in reviewing, filing, and gathering material on the many topics we are required to deal with in our official duties. This deluge of information is both our lifeblood here in Congress, as well as our nemesis—at times threatening to bury us under it and bog down the whole system.

There has been a strong interest among my colleagues to come to grips with the problem and make information work for us, rather than becoming its slaves.

A prime mover in this effort to help Congress has been Robert L. Chartrand, specialist in information sciences at the Library of Congress. His tireless work in this field has proved invaluable to each of us. Bob has written an excellent article which appeared in the spring 1970 issue of the Rutgers Journal of Computers and the Law detailing the implications the information explosion has for Congress and most importantly what is being done to harness these resources.

It is an excellent article and I commend it to all of my colleagues;

CONGRESS: THE THREE-DIMENSIONAL CHESSBOARD—THE ROLE OF INFORMATION TECHNOLOGY

(By Robert L. Chartrand \*)

Imagine Congress as a three-dimensional chessboard. The three levels represent realms of member activity: the chamber, the committee, and the individual office. The role of the Congressman—or the power of the chess piece—will often vary between strata. Certain determinants affecting the power, both overt and covert, of the member can be identified. These include his seniority, committee and subcommittee assignments, personal character and persuasiveness, party affiliation, and orientation within his party. Another critical factor is the effectiveness of his decision making, which is contingent in large part upon the information at his command.

Much as in the "royal game," there are many stratagems for achieving congressional objectives. In some situations, a powerful frontal assault may be most expedient; in others, an oblique approach may be desirable. All too often, the member may feel that he is a "pawn" of the system. Seldom, and usually only in a transient sense, is any individual all-powerful. The moves and coun-

termoves within the Federal legislature are numerous, varying, and motivated by a richness of complexity. Every move or deployment, whether seemingly spontaneous or fully calculated, is made on the basis of information in hand. This information is weighed in light of the experience of the "player," his position on the "board" at the moment, a "gut feel" for consequences, and a willingness to take a risk if the stakes warrant it.

Information then might well be viewed as the unifying element which transcends strategy, tactics, and other considerations. Certain data, which may be in the form of laws, standards, regulations, or statistics will be of value to the members of Congress. In particular, a continuing requirement has evolved for legislative and legal information.

What are the conditions which cause Congressmen to place such a high priority on information? A Congressman actually fulfills three distinct roles: a legislator charged with acting on issues of international, national, or regional significance; the prime representative of his district or state; and an official contact for any constituent with a problem. To carry out these duties, he must have a good staff and access to a wide range of information. Every day Congressmen seek various forms of legal advice, historical and comparative data, special analysis, and supporting information of a kind often impossible to anticipate, locate, and obtain.

Experience has shown that when a given issue is "hot," the demand for facts and interpretations is often overwhelming. Such questions as tax reform, pollution control, and military involvements may cause thousands of letters to pour into the office of each Congressman. These requests for information or action cannot be ignored, and may be answered through personal letters, news releases, constituent opinion surveys, statements in the *Congressional Record*, or the introduction of a bill or resolution designed to correct the situation.

With increasing frequency, the traditional mechanisms for handling information within the legislative framework are bogging down. Legislators at all levels of government are joining practicing lawyers, judges, and law schools in a search for new tools and techniques which will allow them to cope with the information explosion. During the past decade the focus has been upon the development of Automatic Data Processing (ADP).

#### LEGAL INFORMATION REQUIREMENTS AND RESOURCES

The member of Congress now finds himself in a dilemma. His constituency is growing—the average size district in 1970 is about 475,000. There is also a growing desire on the part of his constituents to increase their participation in the legislative process. This situation overly burdens outmoded congressional machinery for gathering information. The Congress cannot afford to ignore the danger signals of frustration caused by such information inadequacies; nor may Congress move precipitously forward without carefully judging the ramifications of departure from established practice.

Indicative of the pressures upon the members and committees is the large number of issues to be considered. To stay abreast of even the most major developments requires a well managed staff and the optimal utilization of information resources. In addition to the member's personal staff, he can turn for information to any of the Executive branch agencies and departments, lobbyist organizations, university and foundation resources, and the Legislative Reference Service (LRS) of the Library of Congress. In many cases he will be well served, but in others the information may be incomplete, irrelevant, or delivered too late for meaningful utilization.

An illustration of the type of issue-related information might be of value at this juncture. Most certainly the problem of environmental pollution control is high on everyone's priority list, and while there is a plethora of information on this complicated topic, very little has been done to systematize this data. A suggested file of essential information elements which could be readily placed in machine readable form might include:

1. *Delineation of the problem*—statements by the President, key Congressmen, involved Executive Department officials, state and local officials, and private sector spokesmen.

2. *Summaries of existing programs*—descriptions of pertinent Department of Health, Education and Welfare (and other agency) programs, statements of congressional committees on the programs, and a concise index to the major programs.

3. *Related written commentary*—selected news and editorial items from leading newspapers and magazines, *Congressional Record* articles, and special reports containing findings and recommendations.

4. *Listing of legislation*—passed and pending legislation, including a synopsis of content and current status.

Each year the American Law Division of the Legislative Reference Service, a non-partisan research functionary, receives thousands of inquiries for information from the Congress. Legal information is often at a premium, and the specialists of the Division are asked to prepare general studies, a few of which have been:

- "Federal Witness Immunity Statutes"
- "Conflict of Interest Provisions (Including Dual Office Holding) in State Constitutions and Statutes; a State-by-State Survey"
- "Provisions in the United States Constitution, Federal Statutes and Rules of the House Governing the Conduct of Activities of Members of Congress"
- "State and Federal Laws on Riot"
- "Election Laws of the Fifty States and the District of Columbia"

In preparing such studies, the researcher normally pursues the time-honored patterns of ferreting out sources, analyzing the findings, and preparing his report. The potential of the computer in conducting such a search should not be overlooked nor misunderstood. Services now exist under the aegis of the United States Government, as well as within the private sector, which feature information retrieval from massive, full text data bases.

For example, both Project LITE (Legal Information Through Electronics),<sup>4</sup> which is now operated by the Office of the Judge Advocate General, Department of the Air Force, and the Aspen Systems Corporation<sup>5</sup> have the U.S. Code in their computer data bank. A request directed to either system, transmitted in writing or by telephone, can produce a search of every word in the entire Code, and a listing of those sections where the relevant information appears. A typical inquiry, which was made of the LITE system, asked for "All references to the Architect of the Capitol in the U.S. Code." A formatted search statement then took the key words "architect" and "capitol" and converted them by machine into a retrieval command. The subsequent listing showed those Code section elements where the desired terms appeared. The power of this kind of system is self evident, and the applications are far-ranging.

Presently Executive branch agencies and departments are commencing to develop limited holdings of machine-readable information. Regulatory agencies such as the Federal Aviation Agency and the Federal Communications Commission have undertaken the computerization of selected decisions and reports, with special indexes created to expedite retrieval.

Footnotes at end of article.

Aside from the operational systems such as those already described, there is continuing experimentation by the private sector and government groups to determine the best devices, computer programs, and machine techniques for facilitating use by the legal community.<sup>6</sup> Encouragement and funding have been forthcoming from such legal professional organizations as the American Bar Association, which recently published its second edition of *Computers and the Law*,<sup>7</sup> the Federal Bar Association, Association of American Law Schools, and the Association of American Law Libraries.

#### Current activities on Capitol Hill

The period from 1966 to the present has witnessed a burgeoning interest on the part of Congress in what computers can do. Bipartisan support for the creation of a congressional computer facility has taken the form of individual bills<sup>8</sup> introduced (but not acted upon), speeches and news releases by members of both chambers, and participation by Congressmen in seminars and symposia stressing the role to be played by systems analysis and ADP in the legislative process. One advocate of modernizing the legislative process, Representative William S. Moorhead of Pennsylvania, pointed out that:

"Computerization of legislative data is an absolute necessity if any legislative body is to continue to make a meaningful contribution to the governmental process in today's complex world. Without the technological advantages of automated research, our prime

purpose as a law-making body could very well come to a standstill."<sup>9</sup>

Initiative for creating ADP support capability for some aspect of congressional activity has taken place in three areas: the Office of the Clerk of the House of Representatives, the Office of the Sergeant-at-Arms of the Senate, and the Legislative Reference Service at the Library of Congress. In each instance, a computer facility has been established, staffed, programs for priority applications purchased or specially written, and an operational capability achieved.

While the Senate installation performs only an automated mailing service, the House facility has expanded from merely handling the payroll to certain inventory and related functions. The Clerk of the House has vigorously advocated the inception of new services, including a computerized addressing system and a system by which members would have rapid access to information on the status of legislation, budgets, committees, and Federal agencies.

#### LEGISLATIVE REFERENCE SERVICE ACTIVITIES

The Legislative Reference Service began supporting congressional members and committees in the information sciences in 1966. Several major studies were prepared in response to specific requests such as the following: "Systems Technology Applied to Social and Community Problems," "Applications of Automatic Data Processing and the American Political Campaign," and "Automatic Data Processing and the Small Businessman."<sup>10</sup> Member requests for consulta-

tion and support have continued to rise, and at the end of 1969 this involved more than 250 member offices and 55 committees and subcommittees.<sup>11</sup>

Information about the status of pending legislation is not always easy to obtain, and for this reason the *Digest of Public General Bills*<sup>12</sup> has been a regular product of the Legislative Reference Service. Late in 1967 synoptic and status information on each piece of legislation began to be placed in computer storage via an Administrative Terminal System (ATS) unit. Key identifying information, i.e., name of sponsor(s), date introduced, bill number, and committee to which assigned, accompanies the synopsis. Six computer terminals are used for inserting, recalling, and editing the bill digest information, which then is published through a photo-composition process at the Government Printing Office.

Another regular report prepared monthly by the LRS for Congress is the *Legislative Status Report*,<sup>13</sup> a handbook on 250 major bills and resolutions. In addition to a "legislative check list" (see illustration #1 for an example), there is a "narrative section" (see illustration #2 for a typical entry) which identifies the bill or bills, the general content, and current status information, which is updated on a weekly basis. The network of computer terminals within LRS, numbering more than 25, allows changes to this report to be made from any of the subject-oriented divisions (e.g., Environmental Policy, Foreign Affairs, Science Policy Research).

ILLUSTRATION NO. 1.—SAMPLE LEGISLATIVE CHECK LIST OF LEGISLATIVE STATUS REPORT

Status report page number	Bill title and number	House			Senate			Conference	Public Law Number
		Hearings	Reported	Passed	Hearings	Reported	Passed		
AGRICULTURE									
1	Food and Agriculture Act, H.R. 12430.....	×			×				
1	Rural Telephone Bank, S. 1684, H.R. 7.....		×						
1	Agricultural Stabilization Act, H.R. 14014.....				×				
2	Agricultural Adjustment Act, S. 2524.....								
CIVIL RIGHTS									
3	Omnibus Civil Rights Act of 1969, S. 2029.....				×				
3	Amendments to Voting Rights Act of 1965, S. 2507.....				×				
4	Voting Rights Act of 1965, Amendments, S. 818, H.R. 4249.....	×	×	×	×				
4	Equal Employment Opportunity, S. 2453.....								

Illustration No. 2.—Sample narrative section of legislative status report

#### DRUG ABUSE EDUCATION ACT OF 1969

H.R. 14252:

To authorize the Secretary of Health, Education, and Welfare to make grants to conduct special educational programs and activities concerning the use of drugs and for other related educational purposes. To authorize for these purposes \$7 million for fiscal year 1971, \$10 million for fiscal year 1972, and \$12 million for fiscal year 1973. (Related bills: S. 1687, S. 1895, S. 2608, S. 2637 (See "Law Enforcement and Criminal Procedure"), H.R. 9312, HR 11701 (See "Health and Health Insurance"), HR. 12882.)

Status: H.R. 9312 referred to House Committee on Education and Labor, March 20, 1969. Hearings held by Select Subcommittee on Education, July 9, 10, 11, 14, 21 and 25, 1969. H.R. 14252, a clean bill in lieu of H.R. 9312, reported October 27, 1969 (H. Rept. 91-599). Passed House, amended, October 31, 1969. Referred to Senate Committee on Labor and Public Welfare, November 4, 1969.

Early in 1969, a step-by-step development of a "Current Awareness Program"<sup>14</sup> was started with an emphasis on reviewing new acquisitions—government publications, mag-

azines, journals, selected books—and preparing a computer-generated set of subject and author indexes. In order to more directly assist the individual researchers, "profiles" of each specialist's interests were created through a keyword list, and tailored printouts were delivered to each researcher weekly. This service of selective dissemination of information is now earmarked for use by congressional committees.

A full text retrieval capability is already contracted for, and will allow information retrieval from a varied data base either through the present typewriter terminals or advanced videorecorder units. Congressional users can then formulate their inquiries to the system. For example: "Which bills and resolutions are concerned with the war on poverty?" or "Provide a listing of all current legislation and recent (last year) articles on solid waste disposal."

Direct support of congressional committees has presently been initiated in a modest way by providing computer facilities for the preparation of legislative calendars. Representative Wright Patman of Texas, chairman of the House Committee on Banking and Currency, directed his staff to work with the LRS in the establishment of procedures which would result in a better calendar. The format and contents of this calendar, just as that of the House Committee on Judiciary, have been revised and improved, with a measurable cost saving.

#### PLANNING FOR THE FUTURE

There has been progress in developing modern services for the Congress through the use of ADP although it was not until 1969 that a formal mechanism within Congress was given the responsibility to develop an ADP capability.<sup>15</sup> As the result of a resolution prepared by Representative John Brademas of Indiana the following was endorsed by the Democratic Caucus:

"Resolved, That the Committee on House Administration be fully supported by Democratic members in efforts to improve the efficiency of operations of the House of Representatives, and we urge that these efforts include, but not be limited to, the use of computers and of a centralized mail processing system."<sup>16</sup>

The Committee on House Administration has assigned the responsibility for determining member requirements and developing such a system to the Special Subcommittee on Electrical and Mechanical Office Equipment. A working group comprised of key staff personnel from the Office of the Clerk, LRS, and the General Accounting Office (GAO) has prepared its First Progress Report,<sup>17</sup> which reviews past and current suggestions and recommendations for congressional use of computers, and sets forth possible approaches to developing an operational system. A compilation of possible uses of ADP in Congress appears in Appendix II, and

Footnotes at end of article.

shows a significant number of applications involving legal and legislative information. This checklist of applications includes politically-oriented information, some of which perhaps would not be handled in a legislative information handling center, but which cannot be ignored as the needs of the Congress are scrutinized.

There is a widely recognized need for further orientation<sup>18</sup> of "Hill" personnel in the use of computers. A few seminars and symposia have been held, such as the evening session for a score of House members at the Brookings Institution and the recurring seminars held for staffers by LRS.

CONCLUSION

It would seem as if the members of Congress have been the recipients of the ancient Chinese curse, "May you live in the most interesting of times." Indeed this is the case, and an analogy with a gigantic game of chess is more than tangentially appropriate. If one were to reconstruct the preliminary ruminations, the weighing of optional strategies, the gambits both proven and untested, and the ebb and flow of fortunes which accompany any legislative endeavor, the parallel is unmistakable. The player is seldom fortunate, as almost two hundred years of congressional functioning

has shown, to enjoy a posture of uncompromised strength for long. Even the most powerful committee chairman has to rejoin the crowd when it comes to a battle over a key issue outside his direct control.

In the years to come, the role of information technology will increase dramatically. The mastery of new, creative, challenging devices and techniques is an absolute prerequisite for those who will lead our Nation. It is gratifying to observe that the Congress does not intend to place itself in "check," but has moved to establish a position of strength by examining its own needs and taking that action which will insure its continued effectiveness.

APPENDIX I

BILLS INTRODUCED TO DATE ARE

Number and title	Introduced by	Date	Number and title	Introduced by	Date
H.R. 21: A bill to authorize the Legislative Reference Service to make use of automatic data processing techniques and equipment in the performance of its functions.	Robert McClory.....	Jan. 10, 1967	H.R. 404: A bill to amend the Budget and Accounting Act, 1921, to direct the Comptroller General to establish information and data processing systems, and for other purposes.	Jack Brooks.....	Jan. 3, 1969
H.R. 7874: A bill to provide that the Joint Committee on the Library shall make an annual report on the use of ADP by LRS.	John G. Dow.....	Apr. 3, 1967	H.R. 5522: A bill to amend the Budget and Accounting Act, 1921, to direct the Comptroller General to establish information and data processing systems and for other purposes.	Dante B. Fascell.....	Jan. 30, 1969
H.R. 10493: Amendment to Legislative Reorganization Act of 1946.	Jerry L. Pettis.....	June 1, 1967	H.R. 7102: A bill to establish a Legislative Data Processing Center.	William S. Moorhead.....	Feb. 18, 1969
H.R. 20422: A bill to establish a Legislative Data Processing Center.	William S. Moorhead.....	Oct. 10, 1968			
H.R. 518: Amendment to Legislative Reorganization Act of 1946.	Jerry L. Pettis.....	Jan. 3, 1969			

APPENDIX II.—Possible uses of ADP in Congress suggested in prior studies, articles, and speeches.<sup>19</sup>

For Congress as a Whole:

1. Legislative and legal information:
  - (a) Status of bills.
  - (b) Content of bills.
  - (c) Information concerning major bills.
  - (d) Access to the United States Code and other legal information.
  - (e) Legislative calendars.
  - (f) Summarization of daily congressional action.
  - (g) Index of congressional documents.

2. Other information:
  - (a) Description of information stored on computer files in the executive branch.
  - (b) Budgetary, appropriation, authorization information.
  - (c) Federal contract award information.
  - (d) Current information on issues up for vote or debate.
  - (e) Topical research information and statistical data.

3. Administrative functions:
  - (a) Information on lobbyists.
  - (b) Payrolls.
  - (c) Maintenance of current telephone directories.

For Each Chamber of the Congress:

1. Automated voting and post-voting analytical information.

For Congressional Committees:

1. Committee calendar details.
2. Status of legislation pending in the committee.
3. Information and analysis on subjects under committee jurisdiction.
4. Exclusive files for the committee.
5. Compilation of histories of committee action.

For individual Congressman [sic]:

1. Information to assist in deciding how to vote.
2. Maintaining relations with constituency.
3. Reading and analyzing written material.
4. Exclusive file for each Congressman.
5. Constituent interest file.
6. Constituent correspondence file.
7. Reelection information.

- For Political Parties:
1. Information on objectives and policy.
  2. Information by States or areas of the country.
  3. Information by subject categories (space, air pollution, etc.).
  4. Opposition parties' policies and objectives and arguments against same.
  5. Voting information:
    - (a) Campaign planning and funding.
    - (b) Names and addresses of State and local leaders.
    - (c) Opposition parties' strong and weak areas.
    - (d) Policies and backgrounds of voting blocks divided by economic strata, ethnic groups, and/or geographic areas.

FOOTNOTES

<sup>1</sup>The views expressed in this paper are those of the author and are not necessarily those of the Legislative Reference Service nor the Library of Congress.

<sup>2</sup>Specialist in Information Sciences, Legislative Reference Service, Library of Congress, Washington, D.C. Mr. Chartrand received an M.A. degree from the University of Missouri. The recipient of a Fulbright-Hays Lectureship in 1968, Mr. Chartrand consulted with Italian Chamber of Deputies regarding the establishment of a computer-supported legislative information handling system. He is on the editorial board of *Law and Computer Technology* and has authored numerous articles mostly in the area of information retrieval systems.

<sup>3</sup>These studies were actually prepared by specialists of the American Law Division of the Legislative Reference Service, Library of Congress. They are on file at the LRS but are of a type not generally available to the public.

<sup>4</sup>Among the holdings of the LITE system are several items of paramount interest to potential congressional users: the complete United States Code; the Comptroller General's Decisions complete to the last published volume, and the unpublished decisions from 1955 to the present; the Armed Service Procurement Regulations; international agreements of interest to the Department of Defense (DOD); Fiscal Year 1966-67 Appro-

priations Acts, and assorted DOD regulations, directives, and instructions.

<sup>5</sup>An outgrowth of the University of Pittsburgh Health Law Center team which pioneered the full text retrieval techniques still in use. The Aspen Systems Corporation has prepared a unique data base which includes the U.S. Code, the statutes of all fifty states, decisions of the United States Supreme Court (since 1950), Circuit Courts of Appeals, and other Federal, State, and municipal legal decisions. Maintained in disc storage for rapid access, this 200 million word corpus allows a lawyer or legislator to request, for example, all references to the "animal bites human" question. The search was framed into several lists, in order to insure comprehensive coverage:

List 1 Dog, dogs, pet, pets, cat, cats, animal, animals.

List 2 bite, bites, bitten, dog-bite.

List 3 rabies, rabid.

List 4 human, humans, person, persons, people, individual, individuals, anyone, whoever, child. Later added were: child, child-stealing, child-welfare, childbirth, children, childrens, childs.

List 5 List 1 & List 2 & List 4.

List 6 List 3 & List 5.

Selected sections then were printed out by the computer which displayed germane references to the statutes of Ohio, Georgia, New York, Rhode Island, Connecticut, California, Wisconsin, and Florida.

<sup>6</sup>The following are among the categories of legal data which might be amenable to ADP technology:

- \*1. statutes
- \*2. court decisions
- \*3. administrative decisions
- \*4. administrative decisions and orders
5. title records
6. mortgages, liens, and similar recorded instruments
- \*7. cases and judgments in courts of record
- \*8. patents
- \*9. trademarks
- \*10. legislative history
- \*11. legal periodicals and other literature
- \*12. files, records, and evidence in significant cases



The asterisked items would probably be of value to the Congress.

<sup>7</sup> R. Bigelow, ed., *Computers and the Law* (1st ed., 1966; 2d ed., 1969). Available from Commerce Clearing House.

<sup>8</sup> See Appendix 1.

<sup>9</sup> Comments made at the Seminar held Jan. 22, 1968, at the Brookings Institution (Computer Applications to the Legislative Process).

<sup>10</sup> These studies were prepared by Robert Chartrand in his capacity as Specialist in Information Sciences for the L.R.S. "Systems Technology Applied to Social and Community Problems," which appeared previously as a Senate Committee Print, is presently being published by Spartan Books and will be available in June, 1970. "Applications of Automatic Data Processing and the American Political Campaign" appeared as an extension of Rep. Richard Bolling's remarks in the daily Congressional Record, pp. A3829-A3834, July 27, 1967. "Automatic Data Processing and the Small Businessman" appeared as Senate Document 82, 90th Cong., 2nd Sess., "A Report to the Select Committee on Small Business."

<sup>11</sup> These figures are the result of a survey recently conducted by the staff of the L.R.S.

<sup>12</sup> The *Digest of Public General Bills* is a continuing series, available to the public, from the U.S. Government Printing Office.

<sup>13</sup> The *Legislative Status Report* is a special product prepared monthly by the LRS for congressional use and supplemented weekly by ADP devices.

<sup>14</sup> This Program was developed by the LRS and is presently being expanded. It will be available for use during 1970.

<sup>15</sup> This "mechanism" is the House Special Subcommittee on Electrical and Mechanical Office Equipment which is chaired by the Hon. Joe D. Waggoner, Jr. of Louisiana.

<sup>16</sup> Congressional Quarterly, April 11, 1969, at 525.

<sup>17</sup> House Committee on Administration, First Progress Report, Automatic Data Processing for the House of Representatives, Subcommittee on Electrical and Mechanical Office Equipment (October, 1969).

<sup>18</sup> Only a few books as yet have addressed the subject: Dr. J. Saloma III, *Congress and the New Politics*, Little, Brown & Co., 1969; and R. Chartrand, K. Janda and Mr. Hugo, eds., *Information Support, Program Budgeting, and the Congress*, Spartan Books, 1968. These two works provide a good insight into the problems.

<sup>19</sup> House Committee on Administration, First Progress Report, Automatic Data Processing for the House of Representatives, Subcommittee on Electrical and Mechanical Office Equipment, at 5 and 6 (October, 1969).

## FINANCIAL CRISIS FOR STUDENTS

HON. JOHN C. CULVER

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 12, 1970

Mr. CULVER. Mr. Speaker, the new school year is rapidly approaching, and with each passing day it is becoming more and more apparent that the problem of finding the money to send our sons and daughters to college will be particularly difficult.

The present economic condition of the United States affects the ability of families to finance college education in several different ways. Rising unemployment forces more and more families to live on unemployment insurance, usually at levels so low that it is difficult to feed

and clothe all the children, much less send one to college.

Inflation and rising tuition costs reduce the value of a family's savings, so painstakingly built up over the years, and disappoint the expectations that they would cover college expenses.

The tight money situation has severely limited the ability of banks to make the loans upon which many students have depended. Many banks report that they simply do not have enough money to lend to all the students who apply.

The impact of this situation would be compounded by the President's recommendation to restrict the eligibility limits of the Federal guaranteed loan program. Its effect is well described in a recent article by Sylvia Porter, which I insert in the RECORD at this time:

[From the Washington Star, July 8, 1970]

### FINANCIAL CRISIS FOR STUDENTS

(By Sylvia Porter)

The American Bankers Association is querying banks across the nation on how many low-cost federal-state guaranteed student loans they will make for the next school year. No details are as yet available, but it is certain that on a large scale banks will be reporting big cutbacks, and in many cases complete abandoning of this college loan program.

Meanwhile, spokesmen for college and state student financial aid officers are reporting a financial crisis for students from coast to coast.

July is the month in which banks and other lending institutions begin to accept applications for student loans under the successful federal-state guaranteed loan program. And this year, the outlook is grim, particularly for the student of a family in the \$7,500 to \$15,000 income bracket.

The middle income parents already are in a bitter squeeze of inflation and soaring taxes.

Teenage children already have been re-buffed in large numbers in this year's tight summer job market. The value of savings carefully accumulated to help put youngsters through college already has diminished.

Today, if a college-age child is an A student, he almost surely will qualify for a scholarship or low-cost loan. If family income totals less than \$7,500 a year, the child's chances of getting college financial help also are excellent.

But, if a child is only average and if family income is in the \$7,500 to \$15,000 bracket, his chances of getting a meaningful scholarship or loan are meagre. Specifically:

Two of three low-cost federally-subsidized college loans under the National Defense Education Act of 1958 are going to students from families earning less than \$7,500 a year.

Three of four federally-backed work-study jobs are going to students whose families are in this income bracket.

85 percent of Federal Equal Opportunity Scholarship grants are going to students in the under-\$7,500 group.

Even in the federally-backed guaranteed student loan program—designed to help the middle-income family—only 29 percent of the loan funds are going to students in families earning over \$9,000 and only 10 percent to students in families earning over \$15,000.

Now, to make it even worse, President Nixon has recommended the elimination of any federal college loan interest subsidies for a student in an over-\$10,000 family—although others in his administration have been urging Congress to ease this cutoff point. While Nixon's plan to rechannel funds to lower-income students has a laudable goal, it utterly ignores the equally desperate plight of the middle-income family trying to send more than one child through college.

What is the prospect, then? If parents and students needing this superb college loan assistance put on the pressure, the probability is Congress will extend the loan program and will continue to include middle income families.

The likelihood also is that Congress will vote the establishment of a National Student Loan Association, which should raise money by selling government-guaranteed obligations at competitive interest rates in the open market. "Sallie Mae" would then use these funds to buy student loans from private lenders and thereby would provide the lenders with more money to make more loans.

## POLLUTION PRICE TAG: \$71 BILLION

HON. BARRY M. GOLDWATER, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 12, 1970

Mr. GOLDWATER. Mr. Speaker, I know all of my colleagues are concerned about the future of our environment. However, there is presently much rhetoric regarding this subject and I think it is very important to face this all-important question in a responsible and accurate manner.

The great question facing us, as usual, is the price tag. The following article is the best I have seen concerning this aspect of the pollution question. The article, "Pollution Price Tag: \$71 Billion," is published in the August 17 edition of U.S. News & World Report. It was written by Marshall Hoffman and Ellis Haller. I wish to present the content of this excellent article to my colleagues:

### POLLUTION PRICE TAG: \$71 BILLION

Controversy is boiling up anew over what to do about polluted air, water and land in the U.S.—and how much the cleanup job is going to cost.

Now an authoritative study puts a price tag on the task: 71 billion dollars of new spending in the next five years.

Of that total, about 54 billions is required to clean up waterways, 13 billions to combat dirty air and 4 billions to improve methods for disposing of solid wastes.

The study, just completed by the Economic Unit of "U.S. News & World Report," notes that even 71 billions may not be enough to do the job. And it makes this additional point: Ultimately, consumers everywhere are the ones who will foot the bill, whatever it turns out to be.

Spending to save. The outlays, large as they loom, will not be money down the drain, the study points out.

Cleansing the environment actually will save the country vast sums, in addition to enhancing the quality of day-to-day living.

Polluted air costs 13.5 billions a year in property damage from soiling, corrosion and abrasion of materials. Nobody knows how many more billions should be added for health-care bills and the loss of farm crops.

Similarly, polluted water costs the nation 12 billion dollars a year. The five-year economic loss of 60 billion is more than the estimated tab for making waterways cleaner. And improving the disposal of solid wastes, authorities say, would contribute to better public health, save money on trash collection, incineration and dumping.

### "A NATIONAL OBSESSION"

Regardless of cost, it seems clear that Americans suddenly have decided it is time to tackle the environmental crisis head on.

In the words of one expert: "What for years was the concern of only a handful of scientists and conservationists suddenly has become a national obsession."

A raft of menacing developments has spurred demands for action. For example—

Major cities along the East Coast were smothered in choking smog in late July and early August.

Streams and lakes in seven States have been closed to commercial fishermen because of evidence of mercury poisoning of fish.

An oil spill, described as the worst in New England's history, smeared beaches on Cape Cod as the summer vacation season moved toward its peak.

Autos and trucks, the single biggest source of contaminated air, are coming in for heightened criticism. Fifteen States filed suit in the Supreme Court on August 5 seeking to force auto makers to produce pollution-free cars "at the earliest possible date."

If the fight against polluted air, water and solid waste is to be won, officials say, it must be waged simultaneously on all three fronts. Here, from the Economic Unit study, is a detailed look at each aspect of the problem.

*Estimates of pollution-control costs over the next 5 years*

[In billions of dollars]

Sewer systems, new and improved.....	30.0
Municipal waste-treatment plants.....	10.0
Controlling sediment .....	6.8
Industrial waste-treatment equipment..	4.4
Cooling power-plant water.....	2.1
Waste treatment on ships.....	0.7

Cleaning up the water.....	54.0
Auto-pollution control .....	5.9
Controlling smoke, fumes, dust from industry .....	5.3
Government research, other programs..	1.6
Controlling incinerators, open burning..	0.3

Cleaning up the air.....	13.1
Updating collection systems.....	2.8
Eliminating open dumps.....	1.2
Increasing incinerator capacity.....	0.2

Disposing of solid wastes.....	4.2
<b>Total cost .....</b>	<b>71.3</b>

Source: Estimates by USN&WR Economic Unit, based on data from U.S. Depts. of the Interior and Health, Education and Welfare; Bureau of the Budget, and industry sources.

**WHERE POLLUTION COMES FROM**

Every year, billions of tons of pollutants are poured into the air and water, and scattered over the U.S. landscape. Among the sources:

**Autos:** Exhaust fumes and crankcase gases totaling 91 million tons foul the air.

**Industry:** Factories and power plants belch smoke, fumes and solid particles, adding 29 million tons to the atmosphere. Industrial processes dump 31 trillion gallons of waste into waterways, generate millions of tons of rubbish.

**Homes:** Trash, garbage, smoke from household furnaces and incinerators add to environmental problems. Every American creates 6 pounds of trash a day.

**Farms:** Crop refuse, animal manure account for 2 billion tons of solid pollutants annually. In addition, there's widespread river and stream pollution from fertilizers and pesticides draining into waterways.

**Government:** Overloaded sewage-treatment plants foul rivers in thousands of communities with 14 trillion gallons of waste each year. Burning at incinerators and dumps releases fumes and ash, spreading 11 million tons of pollutants in the atmosphere.

**Mines:** Residues from mining total 1 billion tons annually. Acid runoff from abandoned mines poisons rivers. Some mining processes generate dust and grime that contaminate the air.

(Basic data: National Air Pollution Control Administration; Federal Water Quality Administration; Bureau of Solid Waste Management.)

**AIR POLLUTION**

Just coming to light is the fact that cleaner air can save the U.S. economy about 11 billion dollars a year. That is because the expense of freshening the atmosphere is figured at 2.6 billion annually, compared with damage estimated at 13.5 billion a year.

Says John T. Middleton, Commissioner of the National Air Pollution Control Administration:

"Government and industry together are spending only millions annually to fight air pollution.

"When we consider the priceless benefits of clean air to our health, adequate control of pollution is a bargain."

Air pollution corrodes steel 200 to 400 per cent faster in urban, industrial areas than in the countryside. Cleopatra's Needle, an ancient Egyptian obelisk, has been more deeply eroded since coming to New York City 89 years ago than it was in the 3,000 years it spent in Egypt.

Farm losses caused directly by air pollution are put at 500 million dollars annually, not to mention indirect costs that have never been reckoned. For example, growth of cattle has been stunted in areas where pollution is bad.

California farmers and ranchers suffer the most from dirty air. Their losses last year alone were put at 132 millions. Half of the citrus crop was lost.

Property values are depressed in residential areas where air is dirty. A new analysis by air-pollution-control authorities compares selling prices of homes in various neighborhoods in Washington, D.C., Kansas City, and St. Louis. Homes in areas of greatest air pollution generally bring \$300 to \$500 less than comparable dwellings in cleaner communities.

Widespread medical surveys confirm the health hazards of polluted air. A recent study by the Albert Einstein College of Medicine in New York shows that daily mortality rises in New York City when the level of air pollution goes up. Another report, on elementary-school children living in the most heavily polluted areas of London, shows a higher incidence of respiratory disease than for children in less-polluted areas of the same city.

What causes air pollution in this country? Sources of contamination include 103 million motor vehicles, as well as factories, power plants, municipal dumps and incinerators. Toxic pollutants from all these are released into the atmosphere at a rate of 214 million tons a year—more than a ton for every American.

The National Air Pollution Control Administration lists the five worst air contaminants this way:

**Carbon monoxide:** 100 million tons a year. This tasteless, odorless lethal gas comes largely from autos, trucks and buses. Even in small doses it affects reflexes and judgment.

**Particulates:** 28 million tons. These are tiny bits of solid matter, some of which are dangerous irritants. They come mainly from smokestacks.

**Sulphur oxide:** 33 million tons. An irritating gas, it comes mostly from the burning of coal and oil. It affects the lungs and throat and aggravates respiratory ailments.

**Hydrocarbons:** 32 million tons. Half originates in discharges from trucks and autos. These chemicals are a key ingredient in smog. Some hydrocarbons are suspected as cancer-producing agents in cigarettes.

**Nitrogen oxide:** 21 million tons. Another smog ingredient, this gas pours out of motor-vehicle tailpipes and also comes from fuel burned at stationary sources.

Says a public-health official: "Air pollution costs each American \$65 a year. For those who live in the most highly polluted areas, the cost per person, includ-

ing higher medical bills, household maintenance and other expenses, can be more than \$200 yearly."

Autos spew some 91 million tons of toxic gases annually into the atmosphere. The fight against this source of contamination is gaining momentum as control standards become more stringent year by year. Proposed 1975 standards call for a cut of 97 per cent in hydrocarbons and 91 per cent in carbon monoxide below the levels in 1963, when cars had no pollution-control devices.

Motorists already are beginning to shoulder the expense of cleanup of the internal-combustion engine. Pollution-control devices to meet standards through 1974 will cost the driving public an additional \$48 per unit, or a total of 2.6 billion dollars. Maintenance bills for these devices will total an additional 300 million over the same period.

By 1975, when stricter standards for auto emissions are expected to become effective, the cost per unit is estimated by industry sources at \$200—a total of 2 billion dollars. Motorists will pick up another 1-billion-dollar tab in higher prices for nonleaded gasoline.

Apart from autos, the next-largest amount of air pollution comes from fuels—coal, oil, gas—burned in the nation's 60 million residential heating units, 100,000 commercial and institutional heating plants, 307,000 industrial boilers and 410 power plants producing steam and electricity. All told, these sources annually pour 46 million tons of pollutants into the air. Estimated cost of control over the next five years: 4 billion dollars.

**FRESHENING THE AIR—THE COST IN 50 URBAN AREAS**

Official estimates of the cost, in next five years, of ending air pollution caused by industry, government facilities and private households in major metropolitan areas—

[In dollars]

Albany/Schenectady/Troy, N.Y.	11,900,000
Allentown/Bethlehem/Easton, Pa.	42,800,000
Atlanta, Ga.	35,300,000
Baltimore, Md.	84,200,000
Birmingham, Ala.	94,800,000
Boston, Mass.	45,800,000
Buffalo, N.Y.	129,300,000
Charleston, W. Va.	26,200,000
Chicago, Ill.	801,300,000
Cincinnati, Ohio.	162,800,000
Cleveland, Ohio.	209,600,000
Dallas/Fort Worth, Tex.	15,700,000
Dayton, Ohio.	42,200,000
Denver, Colo.	67,100,000
Detroit, Mich.	263,700,000
Grand Rapids, Mich.	41,000,000
Harrisburg, Pa.	16,800,000
Hartford, Conn.	43,700,000
Houston/Galveston, Tex.	38,500,000
Indianapolis, Ind.	46,000,000
Kansas City, Mo.	29,200,000
Knoxville, Tenn.	13,800,000
Los Angeles, Calif.	42,200,000
Louisville, Ky.	114,800,000
Milwaukee/Kenosha/Racine, Wis.	109,600,000
Minneapolis/St. Paul, Minn.	57,800,000
Mobile, Ala.	15,000,000
New Orleans, La.	22,600,000
New York, N.Y.	338,300,000
Omaha, Nebr.	16,200,000
Peoria, Ill.	25,000,000
Philadelphia, Pa.	199,300,000
Pittsburgh, Pa.	287,900,000
Portland, Ore.	23,100,000
Providence/Pawtucket, R.I./Fall River, Mass.	16,800,000
Rochester, N.Y.	17,000,000
St. Louis, Mo.	257,500,000
Saginaw/Bay City, Mich.	42,400,000
San Francisco, Calif.	17,700,000
Scranton/Wilkes-Barre, Pa.	30,900,000
Seattle/Everett/Tacoma, Wash.	17,300,000
South Bend, Ind.	17,500,000

Salt Lake City, Utah.....	17,000,000
Steubenville, Ohio/Weirton/ Wheeling, W. Va.....	166,600,000
Tampa, Fla.....	27,800,000
Toledo, Ohio.....	45,500,000
Tulsa, Okla.....	8,900,000
York, Pa.....	13,700,000
Youngstown/Warren, Ohio.....	46,000,000
Washington, D.C.....	98,900,000

Source: U.S. Dept. of Health, Education, and Welfare.

Cost of air cleanup in these 50 areas will be 4.4 billion dollars in the next five years . . . and removing pollutants from auto exhausts in cities will add huge sums to that bill.

Industrial plants put some 29 million tons of toxic pollutants into the air each year. Seventeen industries, ranging from iron and steel to cement and fertilizers, are classified as "major air polluters." For some businesses, cost of upgrading facilities to cut air contamination will be substantial.

For example, in terms of cost per \$100 of sales at the factory, pollution control will cost \$1.94, on average, for iron and steel mills; \$2.89 for iron foundries; \$3.92 for nonferrous-metal plants; 1 cent for petroleum refineries; 21 cents for grain mills and 95 cents for cement plants. Over the long run, customers probably will pay in the form of higher prices. The total bill for five years: 1.3 billion.

**WATER POLLUTION**

Cleaning up waterways will be a monumental and expensive task, the Economic Unit study notes. Money alone will not be enough to accomplish it. More research is needed to uncover sources of pollutants in rivers, bays and lakes.

Laments one Government official:

"Few people thought thermal water pollution, resulting from discharge of heated water from power plants, would be a problem until five or 10 years from now. All of a sudden, the issue has become urgent because of an increase in present and projected nuclear power-plant construction."

Mercury pollution is another example of a new danger just coming to public attention. Only recently have abnormal concentrations of mercury been found in major waterways.

Problems of maintaining water quality are complex. More than 500 new chemicals are developed each year. Many enter and contaminate both surface and ground water. Warns Dr. Harold Wolf of the U.S. Bureau of Water Hygiene: "For most of these new chemicals, we simply do not know what the health effects will be."

The two chief sources of water pollution are municipal sewers and industrial plants. Together they pour more than 45 trillion gallons of waste each year into U.S. waterways.

Consider the problem of inadequate sanitary sewers: About 68 per cent of the population lives in communities with sewers, but almost half the plants serving those places already are overloaded. Some 1,000 communities a year are outgrowing their treatment systems. Seven per cent of all U.S. communities provide no sewage treatment at all.

Raw municipal wastes increase the concentration of bacteria in water, decrease oxygen—this kills fish and creates odors—and promote growth of algae. Fighting the municipal-waste problem will be a continuing struggle, since loads are expected to increase by 400 per cent in the next 50 years.

Industry discharges a huge volume of toxic substances into rivers and streams. More than half comes from four major industries—papermaking, petroleum refining, organic-chemical manufacturing, and iron and steelmaking.

Sediments—washed from croplands, overgrazed pastures, highway construction and bulldozed urban developments—are the most extensive pollutants of surface waters. Cost of controlling such erosion is figured at

about \$1,000 per mile of new highway, and anywhere from \$100 to \$1,000 for a single-family home site. All told, erosion control will cost 6.8 billion dollars in the next five years.

Other major water-pollution threats include oil spills, mine drainage, runoff of fertilizers and pesticides from farms, and rubbish and sewage from ships.

**SOLID WASTES**

Fifty years ago, the typical American generated a bit less than 3 pounds of trash per day. The figure now is about 6 pounds, and by 1980 will rise to an estimated 8 pounds. All told, the country accounts for 3.5 billion tons of rubbish annually. Demand for throwaway containers and other hard-to-destroy convenience products is accelerating the trend.

Richard D. Vaughan, director of the Bureau of Solid Waste Management, comments: "Current disposal practices are unsatisfactory, and upgrading the present system alone will not provide a long-range solution."

The Bureau estimates that a minimum of 4.2 billion dollars in new money is needed between now and 1975 to modernize trash-collection systems, eliminate open dumps and improve incinerator capacity.

At present, solid-waste disposal follows this pattern: 46 per cent is handled by open burning, 16 per cent by incineration and 38 per cent by landfill or dumping in the sea.

These disposal methods have two major drawbacks. They contribute more than 11 million tons of pollutants to the air each year, and most of the practices are unsanitary.

Cost of cleaning up air pollution from solid-waste disposal is estimated at 325 million dollars in the five-year period covered by the Economic Unit study—or 39 cents per ton of refuse. That is relatively small in relation to the cost of the air and water-cleanup bills. It is likely to be reduced even further, because industry is finding profitable ways to reuse many products formerly discarded. Programs are under way to reclaim aluminum from cans, to salvage "one way" glass bottles, to make fertilizer from garbage and trash.

The Nixon Administration is committed to provide leadership and "seed money" to help cope with the environmental crisis. One official notes, however, that the Government is limited in how far it can go. Says this authority:

"Industries that are releasing waste products into the air or water cannot escape the responsibility for cleaning up their own pollutants. State and local governments, too, must do their share, because most programs for curbing pollution are outside the jurisdiction of federal agencies."

All in all, the effort to provide a better environment is shaping up as a job of mammoth proportions. Latest developments point to costly programs involving individuals, business and Government alike.

*A look at water pollution across the United States—Percent of stream miles polluted in regions of the United States*

	Percent
Northern Plains.....	42
Northeast.....	40
Lake States.....	35
Southern Plains.....	29
Pacific States.....	25
Southeast.....	8

*Official ratings on some major waterways [Percentage of miles polluted]*

Kansas River.....	90
Lower Missouri River.....	90
Calumet River (Illinois, Indiana).....	90
James River (North Dakota, South Dakota).....	80
Illinois River.....	80
Grand River (Michigan).....	80
Kennebec River (Maine).....	70
Red River of the North (Minnesota,	

North Dakota).....	70
Lower Platte River (Nebraska).....	70
Lake Michigan, western shore.....	70
Washita River (Oklahoma).....	70
Upper Snake River (Idaho).....	65
Narragansett Bay.....	65
Monongahela River (Pennsylvania, West Virginia).....	65
Lake Erie, western shore.....	60
Housatonic River (Connecticut, Massachusetts).....	55
Fox River (Wisconsin).....	50
San Francisco Bay.....	50
North Canadian River (Oklahoma).....	50
Des Moines/Skunk Rivers.....	50
Lower Hudson River.....	50
Savannah River.....	50
Lower Colorado River.....	50
Red River from Denison, Texas, to Mississippi River.....	40
Mohawk River (New York).....	40
Rock River (Illinois, Wisconsin).....	40
Allegheny River (Pennsylvania).....	40
Ohio River.....	40
Central Snake River.....	35
Connecticut River.....	35
Lake Ontario.....	30
Genesee River (New York).....	30
Wabash River (Indiana, Illinois).....	30
Rio Grande.....	30
North Platte River (Nebraska).....	30
San Joaquin River (California).....	25
Upper Colorado River.....	25
Lake Huron, western shore.....	25
Lake Ontario.....	25
Yellowstone River.....	20
Susquehanna River (Pennsylvania, Maryland).....	20
Middle Hudson River.....	20
Lake Huron, northern shore.....	20
Lower Columbia River.....	20
Kentucky River.....	20
Upper Missouri River.....	15
Potomac River.....	15
Cumberland River (Tennessee, Kentucky).....	15
Sacramento River.....	15
Upper Mississippi, Rock Island to Cairo, Ill.....	10
Arkansas River.....	10
Lower Tombigbee River (Alabama, Mississippi).....	10
Pee Dee River (North Carolina, South Carolina).....	10
Upper Chesapeake Bay.....	10
Lake Michigan, northern shore.....	10
Mobile Bay.....	10
Lake Superior.....	8
St. Croix River (Minnesota, Wisconsin).....	5
Little Colorado River (Arizona).....	2
White River (Arkansas).....	2
Middle Mississippi River, Cairo, Ill., to Helena, Ark.....	2
Lower Mississippi, Helena, Ark., to Natchez.....	1
Ouachita River (Louisiana, Arkansas).....	0
St. Johns River (Florida).....	0
Tampa Bay.....	0

Note: Waters are considered polluted when they contain more man-made wastes than minimum Government standards specify. Percentages shown above do not indicate degree of pollution, but only the mileage that falls to meet standards. Degree of pollution often is greater near large cities.

Source: Federal Water Quality Administration.

**LETTER TO THE PRESIDENT FROM 40 YOUNG ARMY OFFICERS**

**HON. PAUL N. McCLOSKEY, JR.**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 12, 1970

Mr. McCLOSKEY. Mr. Speaker, I place in the RECORD today a letter sent to the President of the United States on July

26, 1970. The letter is unique in that it was written by 40 young Army combat officers scheduled for early service in Vietnam. Most of the signers of the letter are infantrymen and most are second lieutenants. Their life expectancy is not great and they represent the very cutting edge of our entire national policy in Southeast Asia. Their letter expresses the anguish and patriotism of the very finest Americans this country can produce. Both their letter and their willingness to quietly lead troops in combat represent the highest courage and idealism an American can offer his country, in my judgment.

I hope my colleagues will read this letter with an appreciation of the tremendous sacrifice we are asking of a relatively few individuals in order to achieve the dubious goal of "peace with honor." No one wants to be killed on the last day of the war, or during a withdrawal from a cause conceded to be lost. No one wants to be killed during a "transition to a peacetime economy." Our colleagues who have recently been to Vietnam have returned with a near-unanimous view that our troop withdrawal should be accelerated. This letter would certainly seem to provide a conclusive argument for acceptance of that view and the recent suggestion of the gentleman from New York (Mr. ROBISON) that all combat troops be withdrawn from Vietnam by next May and that all combat support troops be withdrawn by May of the following year.

The letter follows:

FORT SHERMAN, C.Z.,

July 26, 1970.

HON. RICHARD M. NIXON,  
President,  
United States of America.

DEAR PRESIDENT NIXON: We the undersigned are all officers in combat branches of the United States Army, and are all on orders to Vietnam. Currently we are at Ft. Sherman undergoing training at the Army's Jungle Warfare School in preparation for our duties as junior officers in Vietnam. First of all, we want to make it clear that we have accepted our orders, and that we are going to Vietnam; most of us will be there by the middle of August. Nevertheless, we have some serious reservations about the war and about the roles that we are being asked to play in it. We think that you as our commander-in-chief should be made fully aware of these reservations, because they are shared by a very large number of young men—officers and non-commissioned personnel—throughout the military services.

At this point in the Vietnam War, it is obvious that America is not willing to go all out to win the war. The country is reluctant to send over the large numbers of troops that the generals still say will be necessary to win. At the urging of your military advisors you ordered the attack on the Cambodian sanctuaries, but public opinion forced you to declare limits on the duration and the penetration of the invasion. The country has been shocked and outraged by the My Lai and Colonel Rheaht incidents—incidents of mass killing and assassination which are and have always been characteristic of warfare. The American people do not want to pay the terrible prices of war—they don't want to see their own young men killed and they don't want to face the brutal acts which these young men must perform on people of another country. In short, America has not been sufficiently convinced that the things we have been told that we are fighting for—i.e., democracy for the people of

South Viet Nam, and protecting America from spreading communism—justify the methods necessary to obtain those ends.

We, too, find the continuation of the war difficult to justify, and we are being asked to lead others who are unconvinced into a war in which few of us really believe. This leaves us with nothing but survival—"kill or be killed"—as a motivation to perform our missions. But if this is the only thing we have to keep us going, then those who force us into this position—the military, the leadership of the country—are perceived by many soldiers to be almost as much our enemies as the Viet Cong and the NVA. There is a great amount of bitterness both towards the military and towards America building up within the military forces.

We find it hard to believe that you could not be aware of the extent of disaffection among the American troops; it is equally hard to believe that knowing about this disaffection you could hope to continue much longer to force young Americans to go to this war against their wills. As the war drags on, the troops will become increasingly opposed to the war and increasingly bitter about going. It seems very possible that if the war is allowed to continue much longer, young Americans in the military will simply refuse en masse to cooperate, thus causing a crisis similar to the current difficulties of the draft bureau. This day is coming quickly—you must have us out of Vietnam by then.

In your speeches and news conferences you often contrast the disaffection of the American student protesters with the devotion and patriotism of our soldiers in Vietnam. We want you to know that in many cases those "protesters and troublemakers" are our younger brothers and friends and girlfriends and wives. We share many common causes with them. Please get this country out of Vietnam before we, too, become completely disaffected.

The purpose of this letter is not to publicly embarrass you or the military—we are not sending copies to the press. We only want you as commander-in-chief to know that a large number of officers and soldiers in Vietnam and on their way to the war have serious misgivings about the war and their participation in it. To this date, officers have remained silent about their feelings, but we think it important that you be informed of the widespread dissatisfaction amongst us.

We sign this letter knowing that it will be seen by your military staff before you ever see it—if it gets to you at all. We also know of punitive action taken by the Army to officers who have written similar letters to you. Nevertheless, we must take chances to inform you of these feelings within the Army. Since you and the country seem to have decided that Vietnam is not worth the awful price of victory, we plead with you to get the country out of this half-hearted war at the extreme earliest moment.

Sincerely,

(NOTE.—The foregoing letter was signed by 40 young Army officers, 27 of whom are infantry officers. 36 are second lieutenants; 2 are first lieutenants and 2 are captains.)

KINGSVILLE, TEX., AND HURRICANE CELIA

HON. ELIGIO de la GARZA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 12, 1970

Mr. DE LA GARZA. Mr. Speaker, when disaster hits, friends rally—and this is true whether there is a personal disaster or one affecting vast areas.

When Hurricane Celia devastated a major portion of south Texas, the cities which had been spared dug in immediately to help those who had been hit.

While all cities in the area provided untold assistance, Kingsville, Tex.—which I proudly represent—located just south of the storm, acted with a neighborliness that is God-given, devoting all its resources to those whom Celia struck.

The Kingsville Chamber of Commerce did such a fine job of chronicling that city's participation that I wanted all to know how good neighbors perform. Here is the chamber's newsletter:

KINGSVILLE CHAMBER OF COMMERCE  
NEWSLETTER

The cancellation of our August board meeting was caused by—

Celia, the uninvited chick that entered each pad throughout the Coastal Bend. Yes, she came with a mighty roar and left her mark. The blow is over and the work of recovering is well under way.

Though your Chamber of Commerce is not in the disaster business it still has a concern for people in need.

The warning of the morning of August 3rd. All the supermarkets completely depleted their bread supply. Telephone calls were placed to the baking companies in Harlingen and San Antonio to advise them of the situation and request that emergency action be taken to send their delivery equipment loaded with an emergency supply of bread to whatever area they could reach immediately after the hurricane. The stores of Kingsville received their next bread supply by noon the following day and has had a steady supply since. Congratulations to the bread industry for their tremendous and untiring effort.

The morning of August 4th orders for ice were being placed with all ice plants in Texas. The need for ice was recognized by the complete destruction of electrical power systems in the metropolitan area of Corpus Christi. Food spoilage, baby formulas and sick room needs was the motivating force that caused the Chamber of Commerce to get into the ice business. All the way through the emergency the regular market prices were maintained. Special effort and special allotments were channeled to the Central Power and Light Company for their employees in the disaster area and the Humble employees in the Flour Buff area. A special shipment was made to Memorial Hospital in Corpus Christi, Naval Air Station, and City offices in Corpus Christi, but could not reach its destination.

Kingsville and Corpus Christi must express their thanks to the Mission Ice and Fuel Company in San Antonio, Mr. Kenneth Neal, President, who was with the first truck to arrive in Kingsville. He and his employees worked without sleep for long hours to keep a steady flow of ice to Kingsville. We will all be forever grateful to them for their fine efforts.

Kine-Kpup emergency and disaster communications center for the Coastal Bend. We are proud of Andy Cook, his family, and the entire crew for their untiring efforts and ability to meet the emergency. Many visitors to this office following the disaster stated that the only contact with the outside world was with Kine-Kpup in Kingsville and that they do not know what they would have done without the reporting of the situation from the Kingsville area.

If you will recall this is not the first time that the Kingsville station served as the major source of communication during a disaster. During Beulah we had the same situation and same dedication from Andy Cook and his personnel.

Kingsville was the nearest community with

complete facilities following hurricane Celia. Congratulations are due to the Citizens of Kingsville, many who opened their homes to the Corpus Christi citizens, some who had lost their homes and many who were caught in the Kingsville area after curfew and could not return until the following morning.

The service station attendants were courteous and made all efforts to serve the gasoline needs which were not available in Corpus.

All washerias in Kingsville were filled with Corpus people trying to get their clothing and bedding materials clean and free from glass and mildew to return home. Kingsville citizens were glad to loan their washing machines and dryers to their neighbors in order to leave the washerias free for the emergency.

The restaurants were packed and eager to serve the Corpus visitors their first hot meal since the blow.

All the merchants were making an extra effort to get additional supplies of gasoline stoves, lanterns, lamps and other camping equipment that would serve the emergency.

The grocery stores were extra busy supplying foods with emphasis on those that required no refrigeration.

The building material interest in Kingsville has been drawing as much material from the Valley as possible in order to supply the needs in Corpus.

City departments as well as local disaster and relief organizations played a very important roll in the aid and assistance to Corpus Christi. National Guard, Jaycees, and other organizations have been active in the collection and transporting needed material to the disaster centers.

The Kingsville U.S. Naval Air Station had the only weather station in operation and was providing medical assistance to the Corpus Christi area.

Texas A. & I. University students loaded hammer, nail, and saw in cars and drove to Corpus Christi and where they found citizens working to repair or secure a damaged home they would stop and assist, moving on from house to house.

Kingsville should be proud of its merchants and citizens at the way they came to the aid of their neighboring community. All information in this office indicates that regular prices were maintained throughout the emergency and even in some instances and specials were held at the reduced prices until the supply was exhausted.

It will take time but we are looking forward when the Sparking City by the Sea will be sparkling again.

#### MATCHING WAGES WITH PRODUCTIVITY

**HON. ROMAN C. PUCINSKI**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 12, 1970

Mr. PUCINSKI. Mr. Speaker, the Chicago Sun Times recently ran an excellent editorial pointing out the need in our country for a greater emphasis in productivity.

The Chicago Sun Times performs a notable public service by stimulating this dialog. I am placing the editorial in the RECORD today with the hope it will stimulate a greater discussion on this very complex issue.

The Sun Times editorial follows:

#### MATCHING WAGES WITH PRODUCTIVITY

U.S. Rep. Roman C. Pucinski (D-Ill.) has a reputation for being a "friend of labor." He is the fifth-ranking Democrat on the

House Education and Labor Committee. It is especially interesting, therefore, to read that he recently lectured AFL-CIO president George Meany on the need for worker productivity to be considered in labor wage negotiations.

Meany bristled at a labor subcommittee meeting when Pucinski suggested increases in minimum wages be tied to increases of worker output per man-hour "to pay for all the things you want."

"Unless the country finds a way to improve quality and productivity," said Pucinski, "then the other countries of the world are going to pass us by."

Meany replied acidly, "I will wait with bated breath for your solution to this point."

Pucinski promised to work out a productivity quotient which should become a third party to wage negotiations. He's taking on a big job.

President Nixon in his June 17 statement emphasized the need to increase productivity and he set up a commission to find ways to stimulate it. Mr. Nixon's definition of productivity was "how much real value is produced by an hour of work."

Until last year, productivity had an estimated annual increase of about 3 per cent. For nearly a year it has virtually stood still.

Productivity was used by the White House to set the wage guidelines a few years ago. Wages could go up about 3 per cent without inflationary effect. Those guidelines have been abandoned by Mr. Nixon. In today's economy they are unrealistic.

Inflation has become so strong that labor starts out asking at least 6 per cent just to keep even and then goes on from there. Wage increase settlements are the highest since records were first kept in 1913. They are running at an annual rate of 8.3 per cent. Some contracts provide an increase over three years of far more than that.

These increases can hardly be made up with more productivity. In fact some unions while demanding higher wages have resisted technological or work-rule changes that would increase productivity. And, of course, there are some lines of work that would have to undergo fundamental changes in order to boost productivity. The service industries come immediately to mind—hospital workers, teachers, gas station attendants, and others. Yet these workers will justifiably be asking increases to keep up with inflation.

You will be hearing a good deal more about productivity in the weeks to come as the squeeze on business gets tighter. Forbes, the business magazine, recently commented, "Until productivity gains again come close to matching wage increases, it will be hard to bring inflation under control." The message is getting through when friends of labor such as Pucinski become concerned about productivity.

#### CONGRESSMAN MONAGAN REPORTS ON SURPLUS PROPERTY DONATION PROGRAM

**HON. WILLIAM S. MOORHEAD**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 12, 1970

Mr. MOORHEAD. Mr. Speaker, the schools, hospitals, and civil defense organizations within our States are fortunate that many years ago Congress established a program for donating to them personal property no longer needed by Federal agencies. The program, authorized by subsection 203(j) of the Federal Property Act of 1949, as amended, has

continued to grow over the years. In fiscal year 1970, donable property which originally cost the Federal Government over \$309 million was received by State surplus property agencies for distribution to eligible recipients for educational, public health, and civil defense purposes.

Today, a test project shows that there is a great deal of desirable property overseas unneeded by the Department of Defense and very much desired by other Federal agencies and by donee organizations within the States. The project is developing capability and procedures for returning this unneeded property to the United States for further Federal utilization or donation. The test project is the direct result of a recommendation by the Government Operations Committee in House Report 865, 90th Congress, based on a study by a subcommittee headed by the Honorable JOHN S. MONAGAN, of Connecticut.

In the 91st Congress, oversight of this Federal donation program within the Government Operations Committee has been assigned by Chairman WILLIAM L. DAWSON to the Special Studies Subcommittee, of which I am a member. Recently, Congressman MONAGAN, chairman of that subcommittee, addressed a convention of the National Association of State Agencies for Surplus Property. His remarks discuss the state of the program and the work of our subcommittee in connection with it. They particularly recognize the fine support given to the subcommittee's donation program activities by our retiring Government Operations Committee chairman, Congressman DAWSON. Mr. MONAGAN's comments also include a tribute to you, Mr. Speaker, acknowledging your own great work in furtherance of this program's uniquely beneficial objectives.

All our States, as well as the District of Columbia, Puerto Rico, and the Virgin Islands, receive continuous benefits from donated Federal surplus property. Thus, there should be wide interest throughout Congress in Congressman MONAGAN's remarks, and I wish to include the text of his address in the RECORD as follows:

REMARKS OF THE HONORABLE JOHN S. MONAGAN BEFORE THE 23D ANNUAL CONVENTION OF STATE AGENCIES FOR SURPLUS PROPERTY, DENVER, COLO., JULY 27, 1970

Thank you, President Izbicky.

And I thank the National Association of State Agencies for Surplus Property for this chance to be here. I feel greatly honored. It is my first visit to one of your National Conventions. It is the best opportunity I have had to greet so many of you who serve the Federal donable surplus property program as State and Federal officials. This I do most warmly—both for myself and for the Special Studies Subcommittee, which I have the privilege to Chair. I am frankly delighted to be able to join you to discuss from the vantage point of Congress and the subcommittee what is beckoning—or looming—on the expanding horizons in the donation program.

Speaking of horizons, I must admit, Mr. Izbicky, that you have brought us to a pretty impressive setting. But a visitor from the Nation's capital need not feel out of place here in Colorado's capital. Denver, they say, has more Federal offices than any other city outside Washington, D.C. Because this is the Centennial State, the year 1976—Colorado's one hundredth birthday—will offer

Coloradans even more to celebrate than Washingtonians. The Winter Olympics will certainly give Colorado a head start.

In spite of obvious physical contrasts, there are connections between my State of Connecticut and Colorado beyond their being 6th and 7th on the alphabetical roll of the Union or, more significantly, beyond the reliance of many of my State's manufacturing industries on the products of Colorado's mines.

History suggests that Connecticut should take some credit for starting the "Westward Ho" tradition in our country, which eventually reached into Colorado in the mid-19th Century. It was back in 1636 when some restless and cramped men from Massachusetts Bay Colony headed out and marched cross-country to settle Hartford, which is now our capital. One might say that this migration was the forerunner and precedent for the countless Westward migrations to come.

When I look at this group and note where you originate, I realize that you represent a respectable, if temporary, migration yourselves. Your coming together like this is a good indication of the scope, the importance and the viability of the donation program, and the soundness of the concept which Congress enacted into the authorizing legislation.

Though the donation program deals with property, it is able and dedicated people—I mean you here, and those working with you—who are the program's greatest resource and asset. It is you who are its best hope for the future and the instruments for approaching and exploiting the new horizons.

But before I talk about horizons as seen from the standpoint of our Special Studies Subcommittee, I should tell you a little about it.

The Special Studies Subcommittee is one of eight standing subcommittees established by Chairman William L. Dawson of the House Committee on Government Operations. Besides myself, the Members on the Democratic side are: Congressmen Moorhead of Pennsylvania, Gallagher of New Jersey, and Rosenthal of New York. Our Minority Members are: Congressmen Wydler of New York, Myers of Indiana, and Cowger of Kentucky.

Our subcommittee jurisdiction, as assigned by Chairman Dawson, covers quite a range of matters. For instance, in addition to donable property, they include operations of the Executive Office of the President (except the Bureau of the Budget—now the Office of Management and Budget), District of Columbia matters, Federal agency accounting systems, consumer representation in the Federal Government, invasion of privacy, and special studies as approved by the Full Committee chairman. We have, for example, conducted, this year and last, investigations into the Office of Economic Opportunity, which is part of the Executive Office of the President. We completed in this Congress a study of the Government's insurance of housing constructed in hazardous geologic areas. We have another study in progress concerned with Presidential advisory commissions, of whose number there seems to be no end. Right now, we are looking into the District of Columbia's police-force recruiting programs. We have continued our investigation of A.I.D.'s excess property program, and concluded a hearing 10 days ago.

Nevertheless, I assure you that donable property matters represent a substantial part of our subcommittee activity and occupy a great deal of my attention. Our Full Committee chairman has generally allowed us additional staff support as needed for this phase of our activity. The Members of our subcommittee, Majority and Minority, as well as the Majority and Minority staffs, have always worked well together in this area. It is testimony to the program's mani-

fest soundness and value that it has not been a partisan issue.

I want to talk specifically now about some new horizons and also some familiar landmarks. I will cover, first, the overseas property program—or Operation DOMUS, as we have called it.

This topic ties to my second, namely, prospective legislation.

Third, I'll discuss a new horizon in communications, the Federal Telecommunications System for State surplus property agencies.

Topic number four will touch an old landmark, exchange/sale.

Finally, I shall say something about the future.

Topic No. 1 is Operation DOMUS. This is a bright spot on the horizon. You will hear a good deal about it from others here. Most of you are probably familiar with the current picture. But I must admit to a sense of satisfaction in seeing where that recommendation, made by our Committee's report of October 1967, has led. Through sustained joint efforts of State, Federal, and transportation industry people, Operation DOMUS has now yielded a total of 178 approved container-van shipments and five Military Sea Transport Service shipments of good property from Europe and Asia. This represents a total original Government acquisition cost of \$8.3 million.

Operation DOMUS has generated not only property for donation but some practical experience and procedures. The General Services Administration has helped greatly. GSA also, I'm sure, knows a good thing when it sees it. Last month, GSA announced a program to make available to all Federal agencies certain foreign excess property located in Southeast Asia and unneeded by the Department of Defense. Our subcommittee, of course, supports the principle of further Federal utilization of unneeded property wherever located, which GSA's new program furthers. We have, however, expressed to the Administrator of General Services our hope that this program will be administered with a fair eye to the needs and equities of the State agencies in their overseas property endeavors, so that donation will not be unnecessarily diminished. We have asked GSA to keep us advised about developments in this utilization program. I believe GSA's past cooperation in enabling the donation program to get overseas property is the best evidence that the agency will continue to work actively and sympathetically for donation program needs.

Looking to the horizon again, I see an interesting and significant legislative development concerning overseas property. One of our prime legislative objectives has in this Congress come another step closer to realization. I refer to the provisions of S. 406, introduced by Senator Proxmire. That bill passed the Senate, and it has just been voted favorably out of our Government Operations Committee. The bill would, first, improve availability for further Federal utilization of short shelf-life medical materials held for national emergency purposes. Failing such disposal, these materials would be available as surplus for donation. A second, and really separate, facet of the bill would expressly authorize return to the United States of foreign excess property for utilization and donation, subject to GSA regulations, a determination by the head of the Federal agency concerned that it is in the Government's interest, and payment of return transportation cost by the Federal or non-Federal entity receiving the property.

Some of you will recall that a bill I introduced, H.R. 16907, of the 91st Congress took its section 2 from the overseas property provision of S. 406. If S. 406 had encountered difficulties on the score of the medical materials, there would still have been another

legislative route for the overseas property provision. S. 406 emphasized Federal utilization of medical materials and supplies; hence, our Full Committee Chairman felt that it was more closely associated with excess property disposal than with donable surplus property. It was thus referred to Government Activities Subcommittee under Congressman Jack Brooks of Texas for consideration. After study and hearings, that subcommittee approved the bill and reported it to the Full Committee, where, as I said, it was approved for reporting to the House of Representatives.

H.R. 16907 encountered Budget Bureau opposition as to its section 1. It was quite unexpected by any of the agencies with which we had been in communication concerning the bill. The Bureau felt that the first subsection, to give HEW a little more flexibility in determining eligible institutions for educational and public health purposes, might risk adding too many eligibles. In addition, BOB opposed the second subsection, to raise to \$4,000 the existing \$2,500 cost threshold for HEW use restrictions. In fact, they were against any change at all—this despite the fact that HEW had been permitted to testify last year before the Senate that it would support lifting this threshold to \$3,500.

At our request, HEW has been assisting in making back-up analyses and working out some new language for the bill. However, it appears unlikely that action on such legislation could be completed by the Congress this session because of the press of other business. In any case, a bill can be re-introduced at the beginning of the next Congress, when I think it would stand a good chance of ultimate approval.

We are giving a great deal of consideration to several other bills pending before the subcommittee and are definitely planning to hold hearings on at least some of these before the end of the current session.

I come to my second topic, the Federal Telecommunications System on the donable property program horizon. Last year and again early this year, I wrote to the General Services Administration, which manages the Federal Telecommunications System, and requested action to make System service available to State surplus property agencies, on a reimbursable basis. It would be idle for me to stress to you the boon from this type of service to the economy and efficiency of State and Federal agencies' operations within the program. Availability of such service to State agencies rests on Title III of the Intergovernmental Cooperation Act of 1968, a measure the Government Operations Committee considered and favorably reported to the House.

On March 18, 1970, the Administrator of General Services, Mr. Robert L. Kunzick, wrote to us of GSA's decision that FTS service could be made available for State agencies where existing facilities and personnel were sufficient to meet the requirements for additional service.

Last week, we spoke with the Director of Program Management in GSA's Transportation and Communications Service. He had good news. On July 16, 1970, South Dakota's State agency became the first, among what I hope will be many, to connect with the FTS. There ought to be some sort of "early-bird" award for that agency's director, Mr. S. W. Kyle. GSA also told us that arrangements to provide FTS service to the Colorado and the Massachusetts State agencies are well under way.

I have already expressed appreciation to the Administrator of General Services for his agency's effective action. No small credit for the big forward step must go to your energetic and positive-thinking President, Mr. Izbicky, who has worked hard for this as an objective of the National Association.

A good beginning seems to have been made. I hope by next year the horizon will show we have traversed a long distance toward broad integration of the State agencies into the FTS.

Now to topic 4—a familiar if not always popular landmark. I am referring to exchange/sale transactions, those disposals of nonexcess property for replacement purposes under section 201(c) of the Federal Property Act.

Fiscal Year 1970 statistics on exchange/sale transactions are not yet available, so we are unable to make accurate assessment of any apparent trends. Defense sales catalogs do not suggest a downturn in volume with respect to the major property types being disposed of, namely, trucks, sedans, jeeps, forklifts, and office equipment. It is still a mixed picture, however, since frequently equipment held at one installation may be listed for exchange/sale disposal while in the same catalog similar equipment at another installation will be for disposal as surplus. I suspect that a difference in replacement requirements is not always the major reason for such variations.

When DOD's and GSA's Fiscal Year 1970 results are in, we shall scrutinize and evaluate them with much care and interest.

Last May, we made our first investigation into an exchange/sale disposal outside of DOD and GSA itself. We received information about an agency sale that carried several earmarks of being in violation of section 201(c) or GSA's exchange/sale regulations. The sales catalog offered a variety of good property totaling 304 items. Most of the items were single, but some were as lots. All these items were specified for sale under the exchange/sale authority. This and other aspects of the offering strongly indicated that the allegations of irregularity had apparent substance. Therefore, we promptly forwarded to the Comptroller General of the United States the evidence and a set of questions to explore. We asked him to furnish us a report of his findings and conclusions. On June 30 last, the General Accounting Office presented to us a draft report. It demonstrated clearly that this sale involved a whole array of violations:

1. Excess property was included in the sale.
2. The agency did not intend to acquire similar items for all those sold.
3. Property was sold that had not been utilized prior to sale.
4. Several items of equipment in new or unused condition were sold.
5. The agency did not completely screen other Federal agencies known to use or distribute such property.
6. The agency did not prepare a written administrative determination to apply the proceeds of sale in acquiring replacement property.

The report suggested that preparation of the administrative determination would have required the agency management to take a realistic look at the restrictions and limitations on exchange/sale set forth in the regulations.

Since this sale was handled through GSA acting as sales agent, it also raises questions about the extent to which GSA should monitor individual agency sales, especially where official documentation given GSA seems patently suspicious on the point of compliance with the law.

To carry out the exchange/sale requirements as prescribed by GSA is, granted, a little complicated. It involves some special paper work in reporting and accounting. But GSA's current regulations have now been the basis for exchange/sale operations of all agencies, without major revision, since 1966. I believe they have been worked out with care to prevent abuse of the intent of Congress and detriment to the public interest.

I think this case demonstrates there must be no letup on exchange/sale education or supervision at both the administrative and property management levels of Federal agencies. After all, it is grossly unfair to the beneficiaries of the utilization and donation programs when improper use of the exchange/sale authority deprives them of benefits the law intends them to have.

The subcommittee plans to reemphasize these points to all Federal agencies making use of the exchange/sale authority.

This case also demonstrates how the economics of unguided, across-the-board employment of the exchange/sale mode of disposal are frequently submarginal. The total acquisition cost of the property involved in this sale was \$414,000. The sales proceeds were \$12,300. This means a 3.0 percent return. The percentage would be 2.5 but for one item in the sale, a machine tool which cost \$6,067 and brought a price of \$2,111.

Let me also say, parenthetically, that this case is a good example of how an allegation backed up by relevant documentation can aid prompt, effective committee investigation.

A few words now about the future. It has been several years since we have conducted a broad, comprehensive study of the donation program. I believe that it is time to do it again. In fact, some preliminary work has started. Such a study with full hearings is something I hope we of the committee may be able to look forward to next year. I am concerned, for instance, that some States are not getting the benefit from the program they should and are not able to provide certain needed reciprocal services for the benefit of other States. The problem of allocating areas, and cooperative State agency organizations to simplify and streamline interstate activities are imperative and deserve all the sympathetic support the Federal Government can provide to the State agencies. Looking to a far horizon—and I hope not the sky—I have long been intrigued by what automatic data processing may hold for this program. By their very nature, the program's operations lend themselves to systemization and automation. The big questions, as always, are: Which system and at how feasible a cost?

Now, an epilogue. Let me begin it by addressing you, Mr. Izbicki. In a short time, you will be stepping down as president of the National Association. You have served with distinction. You have displayed energy, enthusiasm, dedication, and good humor in abundance. I believe I can also add that you have shown yourself commendably intrepid. As I see them, the results of your term as president are positive, constructive, and hopeful. I thank you for the great courtesy and cooperation which has marked your association with the subcommittee. I wish you well in your "retirement"—perhaps not quite the word for you. And I wish the same for your successor who, I know, will be a worthy one.

Retirement is soon to come for another public servant who has always stood strongly behind the donation program. After congressional service in many respects uniquely distinguished, our beloved Chairman, William L. Dawson, has decided to close his nearly 30-year career in the House of Representatives at the end of this 91st Congress. Congressman Dawson, a magnificent public servant and friend of the people, has been Chairman of the Committee on Government Operations since 1949, the year of the Federal Property Act and the inception of the donation program. His unflinching support has been, of course, vital to the committee's having been able to devote the effort and the manpower it has to oversight of the donation program. I am grateful to Chairman Dawson for his confidence when he first designated me chairman of the Special Subcommittee on Donable Property and for his continued sustaining of our subcommittee in this work.

His fair, able leadership and his warm, gracious person will be missed by every Member of the Committee and its staff.

I close now with a tribute to another grand figure of the Congress who is on the verge of retirement. The important legislative accomplishments of this man are without number. But one of these is surely the purposeful leadership he provided for so many years in the House concerning donable property program matters. This man, more than any other, I believe, deserved the gratitude of all who worked for and benefited from the donation program.

Among his singular achievements must be included the legislation in 1955 that rescued the program from the working-capital fund straightjacket which the Department of Defense had designed and which was keeping unneeded property out of excess and surplus channels and hence away from utilization or donation.

Here was an immediate and grave threat to the program. This man requested the Chairman of the Committee on Government Operations to authorize him to head a special subcommittee on donable property. The Chairman did so. Promptly, this man introduced a bill and held hearings. In less than six months after its introduction, the bill emerged as Public Law 61 of the 4th Congress. The working-capital fund principle was no longer a threat to utilization and donation.

Today, when we look at the 1970 Fiscal Year figure of \$309 million for the acquisition cost of donable property received by the States, we should remember this is nearly three times the figure for 1955. The durable and dynamic donation program, which benefits almost every community in the land, is a fitting monument to this remarkable man. It is a monument to stand in the hearts of all of us who know and believe in what has been done through his help. You all know the man I speak about: The supreme gentleman and revered Speaker of the House, the Honorable John W. McCormack. I know you join me in saying, "Thank you, Mr. Speaker, and God-speed."

#### TALK ABOUT THE GOOD

### HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 12, 1970

Mr. DERWINSKI. Mr. Speaker, an editorial in the Pointer, Riverdale, Ill., August 6, is such a practical summation of positive thinking that it is with special pride that I place it into the RECORD.

This publication which effectively serves communities in suburban Cook County, Ill., expresses in this particular editorial the positive thinking concerning our country and certainly the fundamental commonsense involved in this editorial will be apprehensible to all readers. The editorial follows:

#### TALK ABOUT THE GOOD

People should start talking about what is good in America instead of what is wrong with their country. The old saying of "see no evil, hear no evil, speak no evil" seems to have been replaced with a new creed of see no good, hear no good, speak no good. Can this really be the American way?

This is a nation of freedoms—freedoms hard fought for on bloody battlegrounds in this country and in others. Freedom of speech, freedom of the press, freedom to worship as one chooses . . . these we all learned about in the early grades of school. But these freedoms must not be abused.

They must be cherished—they must be held sacred. People once were proud to say they were Americans—once people were proud of their heritage—of their forebearers. So, why do we now waste time, sitting at home, deploring the situation and wishing we were anywhere but where we are. Why do we flee from our responsibility to teach, to show, to lead today's youth, instead of reverting back to "When I was a kid . . ."? Perhaps the time has come again to fight, but this time the battle can be waged in our own living rooms, talking to our own children.

In no other country is youth so cherished. In no other country does any person have the rights that are given him here in America. Americans can only hope that the up and coming younger generation can have the spirit of our flag re-kindled in them. They can hope that these youths will learn that there are no short cuts in life. The youth of today does not seem to have learned this all-important lesson.

If we do not shirk our responsibilities as citizens and parents, possibly we can rekindle that flame. If our nation is to survive in these trouble times, our youth, especially, must be embedded with a spirit of freedom and tolerance which are the hand maidens of the law.

Radicals fan the flames of ugliness by rock throwing, burning, stepping on the freedoms of others and obeying only the laws they choose to obey. When we set down a law, that rule is made for everyone, as are all laws. We have differences in this country because our system is designed to encourage differences and dissent. However, our nation was founded on the principle that observance of the law is the real safeguard of liberty. We are free to disagree with it, but not to obey it.

We as a nation, must see to it that demagogues, whether from the left or the right, can never take hold in our society. We must teach our young the value of democracy. We must teach them that wrong is never right despite what they might see around them. They must learn love and respect for country must come after love and respect for God and home. They must be taught that one cannot successfully flourish without the other.

#### TRIBUTE TO JOHN D. CALAS, SR.

### HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 12, 1970

Mr. ANDERSON of California. Mr. Speaker often there are men who distinguish themselves in a specific endeavor. Rarely, however, is there a man who makes outstanding contributions in a wide variety of activities. Because of this, it gives me great pleasure to offer this tribute to one such man, John D. Calas, Sr., for he has excelled in many fields of endeavor, both public and private.

John D. Calas, Sr. has been a citizen of the Carson area for over 38 years. He has been an active and dedicated leader in numerous State and local civic, educational, youth, political and fraternal organizations.

Mr. Calas' record as a civic leader is indeed outstanding. He was seven times president of the Carson Chamber of Commerce and was voted a life member of the Board of Directors. In addition, he served as chairman of the Los Angeles

County Health Program for Carson, chairman of the Health and Welfare Committee of the Carson Chamber of Commerce, originator and chairman of the Carson Area Rabies Clinic, chairman of the Carson Commercial Property Owners, and a director of the Carson Park Home Owners Association. He has also served on numerous committees working for projects to improve the Carson area.

In the areas of education and youth, Mr. Calas' record is equally remarkable. He was instrumental in obtaining legislation establishing the permanent location of California State College at Dominguez Hills in the city of Carson and has been an active supporter of the college since its inception. He served as chairman of the Los Angeles County Library Advisory Council, as well as being a member of the advisory council for Phineas Banning Adult Education Program. He is a member of the Carson High Boosters Club, and a life member of the Carson Street Elementary School PTA. In the area of youth activities, he has served as a member of the board of governors of the Carson-Dominguez-Wilmington YMCA, and a member of the advisory council for the Boy Scouts of America.

In the political arena, John Calas has also been active. He is a charter member of the city of Carson Democratic Club and has served as the club's president for the past 2 years. He has also been an active member of the Democratic State Central Committee of California, and was recently elected to the Los Angeles County Democratic Central Committee.

In addition to his other activities, Mr. Calas has also found the time to participate in numerous charitable and fraternal activities. Among them are the United Fund, March of Dimes, Red Cross, Shriner's Hospital, the City of Hope, the Elks, Rotary Club, Masons, Shriners, Odd Fellows, the National Sheriffs Association, and the International Footprinters. Indeed, not only does he belong to all these organizations, but he is a life member and active participant in most of them.

After looking over the astounding list of activities that John Calas has participated in, one would be inclined to think that he was a bachelor who had no family responsibilities to take his time. Nothing could be further from the truth. Mr. Calas has been happily married to his wife, Kay Calas, for 24 years, and they are the proud parents of five healthy boys.

Mr. Speaker, distinguished colleagues, it is with great pleasure that I offer this tribute to John D. Calas, Sr.

#### WBBM'S EDITORIAL: "SMUT IS NO HELP"

### HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 12, 1970

Mr. PUCINSKI. Mr. Speaker, radio station WBBM, a Columbia Broadcast-

ing affiliate in Chicago, has performed a notable public service by exposing as "all wet" a report by the President's Commission on Pornography, that pornographic literature does not corrupt a youngster's morals.

I feel quite confident that President Nixon will likewise reject the findings of the Commission.

I am placing in the RECORD today the WBBM editorial "Smut Is No Help," an excellent example of a radio station's public contribution to the community it serves.

The WBBM editorial follows:

#### SMUT IS NO HELP

The President's Commission on Pornography has reached some tentative conclusions about obscene books, magazines, and movies. It says that these things do not cause sex crimes or corrupt a youngster's morals.

It may be very true that pornography does not cause sex crimes, but when it comes to the corruption of morals, we think the commission is all wet. It is our opinion that pornography certainly does nothing to help improve morals! If it does not help, then it probably has the opposite effect.

We'd rather not have our youngsters learn the facts of life from some obscene, distorted book, magazine or movie. We believe that there is no better way to learn about the beauty of a healthy relationship between a man and woman than from a good family situation itself. Another way it can be taught is through proper sex education classes in school, and it surely can be a fit subject for church work.

The Presidential study says that repression by overly strict families is a greater problem. We can agree with this to a point. We're concerned, however, about the extremes of the Puritanical approach to sex on one hand and the "anything goes" attitude on the other. We don't support repression of the facts of life. In fact we encourage it under the proper circumstances.

Nevertheless, we are convinced that pornographic material—whatever its source—tends to give a distorted picture of the healthy relationship between man and woman—and thus by its very nature breaks down self-respect and future family stability which is the basis of a viable society.

#### AGRICULTURAL CONSERVATION PROGRAM

### HON. JOHN C. CULVER

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 12, 1970

Mr. CULVER. Mr. Speaker, the agricultural conservation program has gained a reputation over the years as being one of those relatively rare Federal programs which can have a great impact on the improvement of our countryside at a relatively minimal cost to the taxpayer.

Especially at a time when the Nation is becoming increasingly concerned with the destruction of our environment and when our economic situation requires that every Federal dollar be spent as wisely as possible, it is crucial that we recognize and support those programs which give us the best results at the least cost.



When the ACP was being considered by the Agriculture Subcommittee of the House Appropriations Committee, I testified in favor of full funding of the program. I submit my testimony for the Record at this time:

STATEMENT OF CONGRESSMAN JOHN C. CULVER BEFORE THE AGRICULTURE SUBCOMMITTEE, HOUSE APPROPRIATIONS COMMITTEE, FRIDAY, MARCH 19, 1970

Mr. Chairman, I welcome the opportunity to express my views on the Agricultural Conservation Program. It has been my experience that the ACP has produced important benefits for the farming community and the nation as a whole, and that these results have been achieved with relatively minor federal expenditures. I believe that the Congress should continue to fund the program.

The ACP has been instrumental in stimulating better farming methods and in turning the tide of erosion when it threatened to destroy our countryside. Mr. Chairman, you have been among the staunchest supporters of this program. I know, therefore, that I need not elaborate upon the specific ways in which it has contributed to a more beautiful and more productive America.

The point which I would like to emphasize here is that the ACP is an anti-pollution program which has proven itself to be both effective and efficient. It is true that this is a time when government expenditures need to be reduced as much as possible. It is also a time, however, when the nation has become aware of the necessity of undertaking a major effort to control pollution and to restore our environment to a livable condition. The ACP is one of the best ways in which we can spend our tax money in the fight for clean air and water.

When I say that it is one of the most effective anti-pollution programs, I am referring to the fact that it attacks one of the major causes of water pollution at its source. In farming states such as Iowa, a large proportion of water pollutants are washed into streams and lakes from the land rather than being dumped there by industry or municipal sewer systems. Plant and animal waste, fertilizer, and various pesticides are carried into bodies of water clinging to grains of silt. The Secretary of Agriculture has estimated the annual cost of sediment and the pollutants it brings with it is over half a billion dollars. Without the ACP it would certainly become much greater.

The ACP is also a very efficient way of spending scarce federal funds. This program does not involve the construction of sewage plants or other types of large equipment, which are both complicated and expensive. Small water control structures, a few trees, a small pond and utilization of modern cultivating techniques can be coordinated to significantly reduce erosion at very small cost.

Participating farmers match federal funds dollar for dollar, and in addition, invest their own labor in conservation projects. Many of these participants are never personally benefited to the extent of their contribution. Often the practices they undertake actually increase their cost of operation. Moreover, the ACP is a relatively cheap program. The average federal cost per project is less than \$200. The savings of our natural resources are enormous by comparison.

Mr. Chairman, in my opinion the Congress should continue to support the Agricultural Conservation Program which does so much to maintain the continued fertility of our farmland and to protect our waters from pollution. I urge this committee to recommend that it be fully funded in Fiscal Year 1971.

PROCEEDINGS BEFORE THE AD HOC INVESTIGATING COMMITTEE OF BLACK ILLINOIS STATE LEGISLATORS—I

HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 12, 1970

Mr. MIKVA. Mr. Speaker, recently a group of black members of the Illinois State Legislature held ad hoc hearings in Chicago on an incident which involved the Afro-American Patrolmen's League, the Chicago Police Department, and the more general subject of police-community relations of Chicago.

Beginning today, I am inserting in three parts the transcript of those hearings in the CONGRESSIONAL RECORD to make them a matter of public record and more easily available to interested parties, including Members of the House. The material below will be followed by two subsequent installments containing the remainder of the hearing transcript.

The document referred to follows:

PROCEEDINGS BEFORE THE AD HOC INVESTIGATING COMMITTEE

Chairman NEWHOUSE. Ladies and gentlemen, I notice you are all on a tight schedule. We are awaiting the arrival of two of our leadoff witnesses.

However, I think that there are a few preliminary matters that we ought to perhaps clarify before the hearing does begin. I am Senator Richard Newhouse from the 24th District. To my far left is Rep. Otis Collins. To my immediate left is Rep. Harold Washington. To my right is Attorney Howard Savage, who is acting as counsel for this Committee.

I would like to advise all the people in the audience that those who are testifying in all matters discussed today, will be taped and will be manually recorded. We will observe all the amenities of a formal hearing, for the purpose of preserving for any future use all of the testimony that is presented here today.

Now, I'd like to give you a little background as to what lead up to these hearings and the reason for this group being formulated.

As you well know, there were numbers of allegations and counter-allegations that appeared in the public press with regard to the question of whether or not the Chicago Police Department was harassing members of the Afro-American Patrolmen's League.

Its president, Renault Robinson, alleged that there was a pattern of harassment of many personnel and officers and members of the League.

There were written statements in the newspapers attributed to officials of the Police Department, discussing the case in which the League was termed as a "Racist Organization." There were allegations in the newspapers by officials of the Police Department that there was a quota system for arrests and for automobile tickets.

Based upon these allegations, a group of legislators, who are greatly concerned about the problems of police community relations in the City of Chicago, met to ask if they could not discuss with the Police Department officials and other individuals interested in these problems, on an informal and voluntary basis concerning the charges and counter-charges that have been levied.

I'd like to read to you a copy of the resolution and telegram that was sent to the

Superintendent of Police regarding this matter. I am now reading the telegram:

"We, the undersigned state legislators, are concerned with the allegations and counter-allegations appearing in the public press regarding the case of Patrolmen Renault Robinson, President of the Afro-American Patrolmen's Association.

"Serious questions have been raised within our constituencies regarding the handling of this matter. As elected officials, we therefore request that all administrative action on this matter be suspended until such time as we are able to discuss these matters with you and other police officials.

"Please consider this telegram a request for suspension of all activity on the Robinson matter and a request for a mutually agreeable date in time for a meeting with you at the State Office Building.

"Because of the danger of serious harm to the career of Patrolman Robinson, and the danger of further community misunderstanding, we would appreciate an immediate response to this communication.

"May we hear from you by tomorrow noon, Wednesday, at 12:00 P.M., at the address and phone number listed below."

It was signed by me, on behalf of Representatives Isaac Sims, Elwood Graham, J. Horace Gardner, Raymond W. Ewell, Harold Washington, Otis Collins, Corneal Davis, and Lewis W. Caldwell, as well as Sen. Fred Smith and Sen. Charles Chew.

We received a reply from Superintendent Conlisk, which I'll also read for the record. I will now read the reply:

"The Chicago Police Department's disciplinary process has been applied impartially in the case of Patrolman Renault Robinson.

"Findings and recommendations in this case were determined by the Command Process, review by his commanding officer, the Internal Inspection Division, and myself.

"The involvement of a political committee in the process of the Police arm of government would be unique, and in my judgment, not in the best interest of sound Police Department discipline.

"James B. Conlisk, Jr., Superintendent of Police."

To clarify our position, and to answer the implication that this is a political committee, we want to make very clear that we are acting in response to requests from our constituents, and as their duly elected officials acted out of a sense of courtesy to the Department in the hope that anything that was done or any recommendations that were made would result in a better Police Department for the City of Chicago.

I'd like to read now some community response, though limited, that we have received.

I will read first a telegram from the National Association for the Advancement of Colored People, its President, Reverend Robert Thomas, who opens up another facet of concern.

The telegram:

"On behalf of the officers and members of the National Association for the Advancement of Colored People, Chicago Branches, urge the immediate enactment of an ordinance to more effectively deal with the inadequacy of police, to ferret out culpable bomb and arsonists who terrorize and victimize our law-abiding citizens because of their race, religion, or national background, strongly urge that Ordinance made the City of Chicago financially responsible for losses incurred by victims of their personal and real property in instances where the Police cannot find culpable individual or individuals.

"We further urge that elected officials from this City, representing the people of Chicago, introduce similar legislation at the State and National levels of Government.

"The record of law enforcement in this area of public safety in our City is disgraceful."

It is signed, "Chicago Metropolitan Council of NAACP Branches, Reverend Robert Thomas, Jr., Chairman."

Let me make this clear, that this was not an area where we intended to go initially. However, it may be on request from our constituencies, we may vary from the initial purpose of determining harassment of the black police officers in the Afro-American Patrolmen's Association.

I will now read a telegram from E. Duke McNeil, Executive Vice President, Woodlawn Organization.

"The Woodlawn Organization, a confederation of 115 Black Clubs, supports the black legislative committee in its investigation of Chicago Police Department practices as they relate to disciplinary actions against law enforcement officers discrimination in hiring, promoting and upgrading of black law enforcement officers and alleged harassment of black police officers.

"The Woodlawn Organization has specific evidence and testimony that would be useful to this investigation."

Let me now state that based upon the request of the Woodlawn Organization, and the Organization of Southwest Community Organizations and others, we will hear testimony from community organizations at some point in the future.

Let me now read an editorial from the Chicago Defender, entitled, "Harassment Probe":

"The black legislative committee which is looking into the charges of harassment made by the Afro-American Patrolmen's League against the Chicago Police Department is headed by Sen. Richard Newhouse, a man whose integrity and civic interests are beyond challenge.

"His chairmanship of the inquiring committee is virtually an ironclad guarantee that the matter at issue will be investigated with impartiality and thoroughness.

"However, those who are familiar with the inflammable state of race relations in the black community deplore the postponement of the hearings.

"Delays of this kind tend to complicate abrasive matters whose spread might have been arrested had corrective action been taken in time.

"Harassment by white policemen is one of the many grievances which have disturbed the black community as a whole to a dangerous point of impatience.

"Accumulation of hostile incidents involving white patrolmen together with construction unions discrimination against the black labor have created a situation which amounts to a shortening of the fuses to the powder-keg that may explode any day.

"Hopefully, the union matter is at a negotiating stage with high prospects of a satisfactory solution.

"The question of police harassment is no small matter. It should be attended to with deliberate dispatch if black resentment is not to go into an insurmountable conflagration.

"Police officials would be evincing an indefensible lack of moral responsibility by not cooperating fully with Chairman Newhouse's Legislative Committee."

I am a bit embarrassed having to read a statement that has personal credos in it. But let me suggest to this body that two things have happened. One of those is this:

That there was no wish on the part of this body to postpone these legislative hearings at all. As we explained to you at that time, these hearings were postponed for the sole reason that we did not get the cooperation of the Chicago Police Department.

Now, we asked for that Police Department cooperation, and we'll ask for it again. We

are hoping that there will be a change in heart on the part of Police officials that will prevent us from having to drag on and on a series of hearings that could very possibly be shortened, and out of which some recommendations could come that would be satisfactory to our community and would place the Police Department in the role of protector of the community. And that is the view in which we see it.

As you know, this committee is a voluntary committee. It is requesting testimony from witnesses. It has no subpoena power. However, we have every intention of listening to the other side in this discussion. And for that purpose, we have asked the Public Welfare Committee of the House of Representatives to join us in this inquiry for the reason that it is a standing committee with interests in this area and with subpoena power to direct those officials that it deems necessary to appear before it, to come before it and testify as to the practices complained of.

One final statement: Between the time of the initial hearing two weeks ago and the hearing today, several things have occurred.

One of the things that has occurred is that Patrolman Robinson has been suspended. The total number of days, as I understand from him, are forty days at the present time.

There may or may not be other charges pending. We are expecting Patrolman Robinson here in a moment to give us some testimony to the extent that he can in this matter.

May we hear now from our first witness, Donald Moseby.

Mr. Moseby, would you come forward, please.

Representative WASHINGTON. May I invoke the oath, Mr. Chairman?

(Witness sworn.)  
Donald Moseby, having been first duly sworn, was examined and testified as follows:

Chairman NEWHOUSE. Mr. Moseby, I wonder if you might identify yourself.

Mr. MOSEBY. My name is Donald Moseby. By profession, I am a reporter for the Chicago Daily Defender.

For four years now I have served that newspaper as a police reporter, working with police primarily in the Police Pressroom at Police Headquarters.

Mr. Chairman, I come this morning to speak on a matter of great concern to all of us, and that is namely the role of the police in our society, as it has been and as it is now. The Police Department is a significant institution within the ranks of our civilized society, and certainly of paramount importance within ourselves.

Therefore, the first statement I will make this morning shall be shocking, and perhaps the most significant statement I shall make today; namely, the police operate oppressively in the black ghetto.

This is nothing new, however, since 1619 police have been used to oppress black people in this society. The nature of that oppression has not changed, only the methods used by the various police departments throughout America to contain and control black people.

When we deal with the police, we must all understand why and how police came into being. The various organizations which antiquity tells us were the forerunners for today's police departments originally were established for the sole purpose of protecting property.

In 1619 and as late as the 1930's black people in this society were considered property. We have all heard of or read of black persons being referred to as this or that white-man's nigger or niggers.

In this context property can be and is protected, but said property has no rights. If the

property ran away, it was forthwith returned to his or her owner by the police, sheriff and/or U.S. Marshall.

Because black people have constantly been thought of as property belonging to someone else, most white people have come to believe that no black people have any rights that whites need accept or respect.

The single most consistent fact in black history in America is the universal denial of the due process to black people, which the Constitution guarantees, by the society.

Traditionally, since 1863, police have been used to "contain and control" black people in the ghettos where they have been forced to live.

According to Webster a "ghetto" is a section or quarter of a city, town or village where a person and/or persons are compelled to live because of racial or ethnic reasons.

I've clarified this point because in order to understand and indeed appreciate the matter at hand and the overall situation of police in black America, we must all understand how and why ghettos exist.

In 1900 there was no black ghetto in Chicago, but by 1910 such a ghetto had begun to form. In 1917 the black ghetto was officially established and with the exception of geographical expansion, it has not changed in half a century.

At the same time the black ghetto was taking shape, the methods whereby the police would control its people were being defined as well.

We are a nation of two societies; one black and the other white. And we are a nation of two standards; one black and the other white.

This single fact is at the crux of all the struggling and striving which has occurred since Rosa Parks' tired feet set the present phase of black America's freedom fight in motion in Montgomery, Alabama.

It is necessary to understand all the above if we are to realize that police conduct and actions in the black community did not like Topsy, just grow, but are the result of long years of practice and racial attitudes.

Once there were two Chicago police captains. Each had a son who in turn became a policeman. James B. Conlisk, Jr. eventually became Superintendent of Police. Milton Deas is currently working as a sergeant in the gang Intelligence Section.

The reason this is significant, is that from the very beginning, each son knew exactly how far he could go in the Department. The sky was the limit for Jim Conlisk, Jr. Milton Deas knew he would be lucky to make sergeant.

In 1955 there were six black police sergeants, two lieutenants and one black captain. In those days a black sergeant usually became a lieutenant just as the sole black captain was getting ready to retire.

The first black Chicago police captain was John Scott. Harry Deas was made a lieutenant shortly before Scott left the force. In 1947, after Scott retired, Deas became a captain.

The pattern repeated itself with Kinzie Bluett, who was the first black man to command the Wabash District.

This is significant, because at one time a station commander's slot was a very lucrative position, and Wabash was one of the most lucrative. Thus even in graft and corruption in his own community, the black cop came in a very distant last.

We have mentioned the above facts in order to clarify in your minds the roles that black policemen have traditionally been forced to accept in the Police Department.

In my work with the Police Department, I have encountered generation white captains. None of the present black captains and lieutenants had a parent who attained a similar rank with the Police Department.

The fact that for most of the history of the Police Department there were never more than one black captain and at best two black lieutenants, plus only a handful of black sergeants, is a clear readable measure of the double standard which has always existed in the Police Department.

For the first sixty years of this century, the Police Department was corrupt, racially bigoted and infested with petty thieves and cheaply bought crooks.

It is a matter of record that politicians ran the Department and in many instances the police served as a private army for some Ward Committeemen and Aldermen.

In 1959 the running sore festered and burst and the city was confronted with the public knowledge of what many people had known privately for years. Some of the worst crooks in the city worked for the Police Department.

At the same time the Police Department was criminally corrupt, it was racially corrupt as well. So much so that black men who chose a police career, chose the Old Park District Force in preference to the City.

When the Summerdale scandal broke in 1959, it had become an accepted fact of life that most black policemen would never rise above the rank of patrolman, with a handful becoming detectives and less than one percent attaining ranks higher than detective.

Today, there are more sergeants, lieutenants and captains than have ever served at one time with the Department.

There are four District Commanders and a Deputy Chief of Patrol. In addition to this, the Director of the Data Processing Section is a black man as well.

Moreover there are 1,800 black police officers which is the largest number of black police working for any police department in the world. Most of these officers were attracted to their present jobs after O. W. Wilson became Superintendent of Police.

In light of all the above, it can truly be said there have been tremendous changes in the Department since the days when the late Robert Sengstacke Abbott began a campaign to get more black officers on the force in the 1920's.

The charges leveled by the Defender at that time have a frighteningly familiar and contemporary ring to them.

A brief glance at today's papers tells us that black people are leveling exactly the same charges against the Police Department: harassment, brutality, intimidation, that black people and their representatives hurled at police over half a century ago.

It would appear that despite an almost 100 percent increase in the population, it would appear that the game is the same and only the names of the players have changed.

In light of the above statements, it can be said there is cause for great alarm in regards to police relations and the black community.

The Police Department is a microcosm of the city. Its members come in every color and political persuasion. They accurately reflect the attitudes and prejudices of the larger society.

These same members carry over their bias into their function as policemen, with the result that black officers become victims and suffer oppression in almost direct proportion to that which is suffered by black citizens.

A recent story in the Daily Defender told of how a black police officer was prohibited from giving a white police officer a traffic ticket charging involuntary manslaughter in the death of a black woman.

The black officer was ordered not to give the ticket by a white Assistant Deputy Superintendent of Police.

Chairman NEWHOUSE. May I stop you just a moment, Mr. Moseby. I hate to stop you in the middle of a prepared statement, but you have hit on some specifics, and I'd like to get to the specifics you mentioned.

You mentioned a name. Can you tell me how this case differed from the normal handling of a case.

Mr. MOSEBY. The case in question, a white man struck a car driven by a black woman, driving her off the Expressway into a post, and she was killed.

The traffic officer sent to the scene was a black officer who was prepared to write three tickets charging changing lanes without a proper signal; driving under the influence; and involuntary manslaughter.

Chairman NEWHOUSE. That is the normal procedure?

Mr. MOSEBY. It is normal when death occurs in a traffic accident, that a ticket for involuntary manslaughter be written.

Chairman NEWHOUSE. That is a policy matter?

Mr. MOSEBY. It is a policy matter. It is a matter of normal policy when a death occurs, to write this particular ticket.

There maybe, when a child darts in front of your car and you could not avoid the child. This is brought out subsequently in court and the ticket is dismissed.

It is normal for the ticket to be written, but this was not normal operating procedure in any stretch of the imagination.

If I might continue, this came almost two weeks to the day that a white officer charged a black officer with driving under the influence after a drunk test proved the black officer could not have possibly been under the influence of alcohol when he was stopped by police.

The above is a classic example of the kinds of situations black policemen encounter daily and the bias of their professional lives as well.

There are a number of reasons for this and not the least of them is the fact that there is no black policeman in a policy-making position for the Police Department.

It would appear the District Commander is the highest rank a black policeman can attain in the current table of operations for the Department.

While it is true that Sam Nolan is a Deputy Chief of patrol, it is just as true that he doesn't make policy, he only implements it. His sole task is repairing the severely damaged image of the Police Department, primarily in the black community.

In the last eighteen months there have been a number of high level command changes in the Police Department. At one time or another the following positions became vacant:

Director of the IID, Task Force Commander, Director of Vice Control Division, and last but not least, Deputy Superintendent of Police in charge of the Bureau of Inspectional Services.

All these vacancies were filled by white captains.

What this says, almost without contradiction is that black captains were not offered any of the posts. I say this because the last white captain who refused a position offered him by the Superintendent was transferred to what constitutes exile.

What I am saying, gentlemen, is that almost any one of the black captains, lieutenants and sergeants would accept any of the above positions.

It must be noted the Department has what are called "exempt positions" not controlled by civil service. As a result it is possible for the Superintendent to appoint anyone to one of these positions, including civilians. The ladies present here today could even be appointed to one of the positions.

I did hope, perhaps, I would be able to talk about another matter that is crucial to us, and that is police brutality as it occurs in our society as well.

I didn't need to prepare a text for this, because I believe I have written more police

brutality stories than any single reporter in the last decade. And what these stories clearly indicate is that there is a pattern of police abuse of black citizens in the ghetto.

Let me hasten to add that I say "ghetto," because this pattern of abuse occurs not only in the black ghetto, but in the white ghetto as well.

Chairman NEWHOUSE. Mr. Moseby, thank you very much. You painted a background picture for us very well.

Let me ask you, and we'll want to get to the brutality angle at some point in the future, perhaps not today.

What I would like to know is this:

Based on your experience as a police reporter have you, of your own knowledge, specific instances of harassment of black police officers who were trying to do their job?

Mr. MOSEBY. Well, I spent what was several weeks in 1968—yes, 1968—prior to going abroad, writing about an incident which I thought was flagrantly unfair, which a black policeman—Police Captain was sent to the Police Review Board, because he was charged with malfeasance.

He was a Watch Commander in the Marquette District.

Chairman NEWHOUSE. What was his name?

Mr. MOSEBY. Julius Witkin.

He was a Watch Commander in the Marquette District at that time, at the time some youths were arrested for allegedly burglarizing the Halliandra Plant on Fifth Avenue.

And the youths who were arrested made the allegation that when they entered the plant—they did not deny going into it, a car was parked outside, loaded with apparent contraband from the plant.

The police responded to the call and they say the police passed the car that was parked there and nothing was done about the car. When they came out the car was gone. And this was an allegation that was brought to the attention of Capt. Witkin.

At the time the allegation was brought to Capt. Witkin he was off duty, and he told the persons involved to be at his office when he returned the following evening.

That evening he got a complaint review number from the IID—you know, the IID has—is a section which investigates complaints of policemen.

During this 24 hours of getting the IID complaint, Julius Witkin was brought before the Review Board and suspended for 30 days. He waited 24 hours, and he was off duty.

Now, I felt that in the face of the situation at that time, and I stated in—stated this in the article, he was the fifth black police captain that we had in line to a promotion to a significant position, that there was more to this complaint than merely he didn't get the complaint number within 24 hours.

As you know, a complaint on the Captain's record put him in serious jeopardy of being promoted to a significant rank in the Police Department.

Chairman NEWHOUSE. What you have said to us, is that in your opinion there is a double standard in the Police Department in the administration of justice?

Mr. MOSEBY. There is a double standard in the Police Department that begins with careers and goes all the way through. There are limits that a black policeman may achieve in the Police Department.

Chairman NEWHOUSE. Let me ask you this: If there is a double standard within the Department, would that double standard also reflect itself in the carrying out of duties outside the Department?

You mentioned police brutality which we are not getting into at the moment, but does the administration carry over in the duties of the individual police officer?

Mr. MOSEBY. Certainly it does. There is no

doubt and no one can contradict the fact that white police officers have an attitude in the black community, which was reflected in the attitude held by their white superiors, held in the black community.

I think one of the things we really have to understand, we are dealing with racial attitudes as well as—and I might hasten to add on the other hand, there are some fine white policemen in the Department.

One of the facts we are dealing with, politics is an important part of the Police Department, despite O. W. Wilson, and the administration.

This following the rioting of the big snow, following the "shoot-to-kill" order by Mayor Richard J. Daley.

Chairman NEWHOUSE. There may be some other questions.

Representative WASHINGTON. Yes. And I know this hearing is motivated by the allegation of Officer Renault Robinson, that he is being harassed by his own Police Department because of his involvement in the Afro-American League, and he implied that other officers in that League were also being harassed, we have got to establish that, because you are the first witness.

Let me ask you this question:

If Officer Robinson's allegations are found to be correct, that he is being harassed, and obviously the motivation of that harassment must be in the makeup and the nature of the Afro-American Patrolmen's League, as a reporter in the black community, what is your impression of that league?

What are they doing?

What is the ostensible purpose?

What is the image of the Afro-American Patrolmen's League in the black community?

Mr. MOSEBY. I think for the most part, it has a positive image. It is a professional organization that has stated that black policemen as well as white policemen abuse and indeed often break the law in dealing with black people in society, and they have stated as their purpose they are going to change police conduct in the black community.

Now, there is a direct challenge to those clearly defined attitudes I spoke of earlier, which have come to exist over a significant period of years.

They are admitting, openly admitting, that their fellow officers do break the law. It is against the law to use excessive force to arrest a person. It is against the law to threaten and intimidate a person.

When they do this, they are breaking the law. So they have admitted that there are law-breakers within the ranks.

This challenge to the—their fellow officers, can only lead to resentment on the part of these officers.

It is significant that the officer in question has been on the Department for four years. This is his fifth year. And for four of those years he never had any serious or significant disciplinary problems.

It is significant that after he became an out-spoken critic of the Police Department, that he was the recipient of 17 allegations of misconduct.

Now, in speaking to then Director Raymond Clark of the IID concerning this matter, he stated that none of these allegations taken individually were cause for alarm and could not result in Renault Robinson being dismissed from the Police Department.

However, this is a general order and regulation which says that a policeman may be discharged from the Department when there is a consistent pattern—a consistent pattern of departmental regulations violations.

He may be discharged on the grounds of inefficiency, ineffectiveness. There are several charges. So if all of these charges were sus-

tained, then Renault Robinson would be in serious question concerning his job. And there would be nothing that the police—the Civil Service Board, which is the final question in the matter, could do to keep his job.

And while I am talking of that—

Chairman NEWHOUSE. May I stop you just a moment.

Are those regulations you are talking about written regulations?

Mr. MOSEBY. The regulations that he is charged with violating are all written. He is charged with sleeping—

Chairman NEWHOUSE. Now, I am referring to the regulations that provide for discharge.

Is that a statute?

Mr. MOSEBY. That is a Departmental regulation.

Chairman NEWHOUSE. It is Departmental?

Mr. MOSEBY. A Departmental regulation, which under this circumstance, there is 17 of them, if he is convicted of all 17, then they could take him to the Police Board for dismissal for cause.

Chairman NEWHOUSE. Let me ask you this one:

If I recall, one of the charges against Robinson, was that he was inside a school building on duty, he did not have his hat on.

You say that if there were 17 instances of his not wearing his hat, he could be discharged from the Police Department?

Mr. MOSEBY. He could be.

I wanted to mention another patrolman, who was—who arrested the nephew of an Alderman. And in this arrest it has resulted in his having been charged with battery.

He was convicted of the charge, and he has now been suspended from the Police Department.

This was an interesting case, because at the time of the arrest, an allegation of police brutality was made, this officer, Richard Jennings, and Officer Jennings after the allegation was made, there was another break in policy, in that the District Commander of the 14th District, I believe it was—

Chairman NEWHOUSE. Who is that?

Mr. MOSEBY. I can't say off the top of my head—conducted the investigation of excessive force.

There is an Excessive Force unit with the Police Department. An Excessive Force officer was dispatched to the station—Excessive Force officers—when they arrived, they were told all they could do would be to advise and counsel, they would not conduct an investigation.

And to my knowledge, the years I have been in the Police Department, this is the first time an Excessive Force investigation was not conducted by a District Commander.

The recommendations of that investigation was that Jennings be dismissed from his job. After a hearing before the Civil Service Board, Jennings was reinstated.

He was subsequently, after being reinstated, charged by the State's Attorney office and found guilty of battery. He has been suspended, and a charge to separate him from the force has been leveled.

For the second time in a little over a year they are seeking to dismiss this officer from the Department.

Representative WASHINGTON. Getting back to my original question, Mr. Moseby, if I understand your testimony, you are saying that the Afro-American League in the black community is looked upon as a positive good, in your view?

Mr. MOSEBY. Yes. In my view.

Representative WASHINGTON. And am I also correct, in eliciting from your testimony, that as part of the Afro-American League's toward the Police Department, criticizing it and the criticism to make that Department more appreciable of it, is it your

opinion that some of the officers of that League are being harassed?

Mr. MOSEBY. It is my impression that officers of the League are constantly being harassed and intimidated if it is known that they are officers in the League.

It is not my impression that this harassment is condoned by Superintendent Conlisk, or Officers of that rank. I could not say that.

But it is, I believe, a matter of almost—well, you can't really word it—but it is occurring and it occurs in this matter: A supervising sergeant may write a charge against you at any time he feels like, that you have violated a regulation, or he wants to write a charge.

Representative WASHINGTON. In other words, you are saying the harassment is not from some sort of any trickle-down theory from the head of the department?

Mr. MOSEBY. I wouldn't say it was a result of Conlisk's displeasure of this League. I wouldn't say it trickled from the top.

This is because I believe there are people that are outright bigots.

Representative WASHINGTON. Of course, they are subject to Superintendent Conlisk, though?

Mr. MOSEBY. Yes, they are.

Representative WASHINGTON. Hypothetically, it is possible for a pattern to exist in an organization such as the Chicago Police Department; a pattern which you find out for this pattern not to be brought to the attention of the Police Department?

Mr. MOSEBY. Well, I think that the matter could go on for a significant number of years, because the disciplinary process is such that a charge or an allegation made against a particular patrolman, the Superintendent is not necessarily aware of the implications of this, because he is not aware of all the organizations that the patrolmen belong to.

After we ascertained that, members of the Afro-American Patrolmen's League have been charged with several allegations after it has become known that they were members of the League. Then it is possible to establish a pattern.

But it is possible to slip past the Superintendent for a certain period of time.

Representative COLLINS. Mr. Chairman, noting that the Marquette Station is located in the Lawndale area, am I correct in noting that—that the Marquette Station is located in Lawndale, am I correct in assuming from your testimony that it is your opinion, that your opinion would be that these practices, the pattern would be more evident in areas where we have a high incidence of poverty; in poverty-stricken areas?

Mr. MOSEBY. It has been my experience a pattern of brutality and threats of this nature, occur with most frequency in an area like Uptown, where there is the Appalachian core, and areas like Woodlawn and the Grand Crossing area, and Grand Boulevard, and in Lawndale and in Fillmore.

It seems the person on the lower rung of the economic ladder is always a victim of the denial of due process.

Chairman NEWHOUSE. Let me ask you this one question: You are familiar with this organization, and with the various other organizations, the Confederation of Police, the Federation of Police, the Illinois Police Association, and the various others; the Italian, the Polish, the Black, so forth.

Has it come to your attention that any of these organizations have received the same kind of treatment as the officers and members of the Afro-American Patrolmen's Association?

Mr. MOSEBY. No, it has not. I think that is explainable.

These organizations are all purveyors of influence within the Police Department, and

they attempt by their very nature to influence the direction that the Superintendent will take in any given matter.

In Chicago we created a term "clout."

All of these organizations have a great deal of "clout" behind them.

Chairman NEWHOUSE. And I take it is your opinion that the Afro-American Patrolmen's Association has no "clout"?

Mr. MOSEBY. At this point, they lack "clout."

Chairman NEWHOUSE. Mr. Moseby, thank you, very much.

I wonder if you would leave with us a copy of your testimony for inclusion in the record, and make yourself available for further questions at some future time.

Mr. MOSEBY. I would ask that I be able to mail you a better copy, and I would be available.

(Witness excused.)

## THE IMMIGRATION AND NATIONALITY ACT PROPOSALS OF THE ADMINISTRATION

### HON. EMANUEL CELLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 12, 1970

Mr. CELLER. Mr. Speaker, I am today introducing the proposals of the administration to amend the Immigration and Nationality Act. While I do not subscribe to all the proposals, I believe it would be well for all the Members to study them and to that end I have inserted a section-by-section analysis of the proposed measure:

#### SECTION-BY-SECTION ANALYSIS OF ADMINISTRATION OMNIBUS IMMIGRATION AND NATIONALITY BILL

Section 1 contains the short title of the bill.

Section 2 amends the table of contents.

Section 3 amends section 101(a)(13) to redefine "entry" by specifying that a person who obtains an adjustment of status will be regarded as having made an entry for the purposes of the immigration laws. This would place such a person in parity of status with one who enters through a port of entry. The proposed amendment would treat both classes of immigrants alike, subjecting them to like consequences and time limitations (if any), and granting them identical benefits, when benefits are available.

Sections 4 (a) and (c) amend section 101(a)(15) (E) and (I) in identical fashion to provide derivative nonimmigrant status for "members of the immediate family" of treaty traders and investors and of information media representatives, rather than only for the spouses and children. This would enable dependent relatives (parents; unmarried daughters, etc.) of such nonimmigrants who normally are members of the household to receive the same nonimmigrant treatment accorded to the principal alien.

Section 4(b) amends section 101(a)(15) (F) to confer upon the Secretary of Health, Education and Welfare the responsibility for approval of schools to be attended by nonimmigrant students. In addition, the amendment would eliminate the reference to "approved" schools. The amended statute retains for the Attorney General a measure of supervision, in authorizing him to prohibit the entry of students coming to schools which fail to furnish required reports of termination of attendance.

Section 5(a) amends subparagraph (A) of section 101(a)(27) to delete the present

definition entirely and to substitute a definition including only aliens born in contiguous territory (Canada and Mexico), their spouses and children. Two provisos are included: (a) to limit to 35,000 the number of immigrant visas which may be issued to natives of any single contiguous foreign state in any fiscal year, exclusive of immediate relatives and other special immigrants; and (b) to provide that an alien described therein cannot be deemed to be qualified for such classification until he has obtained a labor certification if he seeks to enter the United States to perform skilled or unskilled labor.

Section 5(b) amends subparagraph (D) to provide special immigrant status for religious functionaries as well as for ministers of religion. This amendment would make possible the admission as immigrants without numerical limitation of other religious workers as well as ministers of religion.

Section 5(c) amends subparagraph (E) to delete the requirement that the approval by the Secretary of State of special immigrant status under this subparagraph be upon a finding that "exceptional circumstances" exist in the case of the applicant concerned.

Section 6 amends section 101(b)(1)(E) to amend the definition of "child" to include adopted children who have been in the legal custody of, and have resided with, the adoptive parent or parents for a period of one year rather than the present two years. The proposed amendment would also permit periods of residence prior to the issuance of the adoption decree to be counted.

Section 7 amends 106 of the Immigration and Nationality Act, 8 U.S.C. 1105A. As enacted in 1961, Section 106 sought to minimize dilatory, repetitious challenges to deportation orders by providing a single, unitary review proceeding in the United States Court of Appeals. Experience has demonstrated that this aim has not yet been fully achieved.

The amendments would specify that the statute's unitary review proceedings would include review of determinations ancillary to the deportation edict, and would eliminate automatic stays of deportation.

Section 8 amends section 201(a) to establish a separate numerical limitation of 80,000 per annum and 22,000 quarterly for the Western Hemisphere, other than Canada and Mexico for which a specific limitation is set forth in section 5. The dependent areas physically located within the Western Hemisphere would be included within this overall ceiling. Together with the amendments in sections 9 and 10, this amendment places all countries of the Western Hemisphere (other than Canada and Mexico) under a system identical to that now applicable to the Eastern Hemisphere.

Section 201(b) is also amended to provide "immediate relative" status derivatively for the spouse or child of any alien entitled to immediate relative classification, whether or not such spouse or child may also be entitled in his own right to such status.

Section 9 amends section 202 in the following ways—

(a) a separate annual ceiling of 600 is established for each dependent area and this ceiling is charged against the overall limitation for the hemisphere in which the dependent area is located rather than against the 20,000 foreign state limitation of the governing country.

(b) the provisions relating to alternate foreign state chargeability for a spouse or child are amended to be applicable to a spouse or child following to join the principal alien, as well as one accompanying such an alien.

Section 10 amends section 203 in the following ways—

(a) the percentage reserved for the first preference category is reduced from 20% to 10%;

(b) the definition of aliens entitled to second preference classification is expanded to include the parents of a permanent resident alien if the permanent resident is at least twenty-one years of age;

(c) the percentage reserved for the third preference category is increased from 10% to 15% and provision is made for the visa numbers unused by higher preferences to "fall down" to third preference;

(d) the percentage reserved for the fifth preference category is reduced from 24% to 20% and the class of aliens entitled to fifth preference classification is restricted to the unmarried brothers and sisters of United States citizens;

(e) the percentage reserved for the sixth preference category is increased from 10% to 15% and provision is made for visa numbers unused by higher preferences to "fall down" to sixth preference;

(f) the percentage reserved for seventh preference refugees is increased from 6% to 10%;

(g) the definition of "refugee" is amended to add a requirement that an alien not be firmly resettled in any country in order to qualify for refugee status under section 203(a)(7).

Section 11 amends section 204 to require the filing and approval of a petition to accord special immigrant status to a religious functionary under section 101(a)(27)(D), and to require, as a prerequisite to the approval of a third or sixth preference petition, a certification pursuant to section 212(a)(14) instead of "consultation with appropriate government agencies."

Section 12 (a) amends section 211(a) to delete the references therein to the transition period from December 1965 to July 1, 1968.

Section 12 (b) restores discretionary authority to waive innocent defects in visas presented by entrant aliens. The amendment would in effect restore subsection (c), and would authorize the Attorney General to grant relief where an entry is defective for technical reasons.

Section 13(a) amends section 212(a)(14) to add nonimmigrants under section 101(a)(15)(H)(ii) to those classes of aliens to whom the section is applicable and to provide that the exemption from the provisions accorded to certain special immigrants under section 101(a)(27)(A) shall be available to the parents of a permanent resident only if the permanent resident is at least twenty-one years of age. The present reference to exemption on the basis of a specified relationship to a United States citizen has been deleted, inasmuch as such relatives are eligible for "immediate relative" status and are thereby excluded automatically from the provisions of section 212(a)(14).

Section 13(b) repeals section 212(a)(24) relating to ineligibility of an alien applying from contiguous territory or adjacent islands if the alien arrived in such place within two years preceding the application on a non-signatory transportation company.

Section 14 amends section 212(d) by—

(a) making an editorial change in paragraph (4) and by deleting the word "unforeseen" therefrom; and

(b) by adding to the section a new subsection (9) to provide that certain grounds of ineligibility specified in section 212(a) shall be inapplicable to aliens seeking admission as nonimmigrant visitors for business or pleasure for periods not exceeding ninety days and who are nationals of countries designated by the Secretary of State on a basis of reciprocity or a finding that the designation would be in the national interest. The grounds of ineligibility which would be made inapplicable include that relating to the nonimmigrant visa requirement, waiving, in effect, the visa requirement

for aliens who fall within the purview of the provision. The subsection provides that aliens admitted pursuant to it may not have their stay extended beyond ninety days from date of admission, may not change to any other nonimmigrant category, and may not have their status adjusted to that of permanent resident under section 244 or 245. In addition, provision is made for placing an applicant for an immigrant visa further down on the appropriate waiting list if he had previously been admitted under this provision and had violated the terms of his admission by overstaying, accepting employment or otherwise.

Section 15(a) amends section 212(g) to add aliens afflicted with psychopathic personality or a mental defect to those aliens who may benefit from the relief provided in the section if a qualifying relationship exists between the ineligible alien and a citizen of the United States, a permanent resident alien, or an alien to whom an immigrant visa has been issued.

Section 15(b) amends section 212(h) to incorporate the provisions of present section 212(i) relating to ineligibility under section 212(a)(19) and revises the relationships which will qualify an ineligible alien for the relief to match identically those contained in section 212(g).

Section 15(c) amends section 212(i) to add a "statute of limitations" on the operation of certain grounds of ineligibility by authorizing the Attorney General, in his discretion, to waive ineligibility under sections 212(a)(9), (10), (12), or (19) in the case of an alien if (1) the act or acts giving rise to the ground of ineligibility were committed more than ten years prior to the date of application for a visa; (2) if any conviction in a court of law resulting from the commission of the act or acts occurred more than ten years prior to the date of application for a visa; (3) if any period of confinement resulting from such a conviction terminated more than ten years prior to the date of application for a visa; and (4) during the ten year-period immediately preceding the date of application for a visa there was a clear record of the alien's rehabilitation.

Section 16 amends section 221(a) editorially to change the word "quota" to "foreign state limitation," where appearing. It also amends section 221(b) to authorize the Secretary of State and the Attorney General to waive, in their discretion, the fingerprint and photograph requirement in the case of a nonimmigrant alien. Section 221(c) is amended to require reciprocity in the setting of nonimmigrant visa validity, if practicable, rather than "to the extent practicable," and by removing the requirement that an alien to whom a replace immigrant visa is issued pay again the issuance and application fees.

Section 17 amends section 223(b) to extend the period of validity of reentry permits to three years, removing the provision for renewal. The present statute makes a reentry permit valid for one year, and authorizes a one year renewal. The proposed change would amply meet existing needs, and would materially conserve manpower and funds in eliminating the need to deal with thousands of applications for extension of reentry permits.

Section 18 amends section 238 by—

(a) repealing section 238(a) which is related to section 212(a)(24), also being repealed as obsolete;

(b) by redesignating subsections 238(b) through (e) as (a) through (d);

(c) by amending subsection (d), redesignated (c), to authorize the Attorney General to contract with private carriers for the departure of aliens admitted under section 212(d)(9) (see Section 14 of this bill); and

(d) by making technical amendments to the definition of "transportation line" contained in section 238(e), redesignated (d).

Section 19(a) amends section 241(a) to remove from the grounds of deportability enumerated therein paragraph (10) relating to deportability for entry in violation of the conditions of section 238(a) which is repealed by section 18(a) of this bill.

Section 19(b) amends section 241(c) to provide that an alien's visa could be considered to have been obtained by fraud or willful misrepresentation within the meaning of section 212(a)(19) if the marriage to the citizen fiancé or fiancée of an alien admitted under section 101(a)(15) (K) were terminated within two years.

Section 19(c) amends section 241(f) to eliminate inherent ambiguities and administrative difficulties in the statutory provisions for waiver of deportability for misrepresentations in connection with entry.

The proposed amendments would accomplish the following major results—(1) would specify that deportability can be waived for a person who entered through fraud only if he is not deportable on an additional ground other than those based on the misrepresentation itself, e.g., if he is in the immoral, subversive or criminal classes; (2) would make the waiver of deportation discretionary, and thus would make possible the denial of the relief in an undeserving case; (3) would specify that relief under this section is available only to those who enter as immigrants, thus making its benefits unavailable to those who enter surreptitiously, or on a false claim to be U.S. citizens, or as nonimmigrants; (4) would specify that an alien whose deportability is waived shall be regarded as lawfully admitted for permanent residence.

Section 20 amends section 244(d) to remove the requirement that a nonpreference visa number be deducted from the applicable numerical limitation in connection with the suspension of deportation of an alien under the provisions of section 244.

In addition section 244(f) is technically amended to bring it into conformity with the amended provisions of section 212(e) relating to the imposition of the two-year foreign residence requirement upon former exchange visitors.

Section 21 amends section 245(c) to restrict the prohibition against applying for adjustment of status in the United States to aliens born in contiguous territory or adjacent islands. The amended section would include two exceptions to the general prohibition in that aliens born in contiguous territory or adjacent islands would nonetheless be entitled to apply for adjustment of status if they were—

(1) classifiable as immediate relatives; or  
(2) the child of parents, both of whom were entitled to apply for adjustment of their status.

Section 22 repeals section 246 of the Act, 8 U.S.C. 1256, which deals with rescission of adjustment of status. The provisions for rescission of adjustment of status will be unnecessary in the light of the amendment of the definition of "entry" in Section 3, under which an improper adjustment of status will be subject to the same consequences as an improper entry.

Section 23 amends section 248 to provide that an alien in the United States as an "exchange visitor" under section 101(a)(15) (J) would be entitled to change to another nonimmigrant status without restriction unless he were subject to the two-year foreign residence requirement of section 212(e) as recently amended.

Section 24 amends section 251(d) to increase from \$10 to \$500 the fine for failure to report to the Service the illegal landing of an alien crewman. Because of organizational changes in the Bureau of Customs, the term "district director of customs" is substituted for the term "collector of customs."

Section 25 amends section 254(a) to provide that the penalty for failure to detain an alien crewman on board until inspected, or a failure to detain an alien crewman on board after inspection when no landing permit or parole has been authorized, or failure to deport an alien crewman from required to do so, be increased to \$2,000 from \$1,000.

Section 26 amends section 274 to impose criminal sanctions on those who knowingly employ aliens who are illegally in the United States or in an immigration status in which such employment is not authorized. Failure of the employer to inquire whether the prospective employee is an alien or a citizen, and to request production of an alien registration card by an alien is considered prima facie evidence of the defendant's knowledge that the alien was in the United States in violation of law. The penalty for this offense is made a "minor offense" within the meaning of Section 302(f) of the Federal Magistrates Act (82 Stat. 1107-1119), so as to make the offense triable before federal magistrates, facilitate prosecutions, and not unnecessarily to encumber already overcrowded federal court dockets. The amendment would also repeal the proviso in present section 274(a), 8 U.S.C. 1324(a), which states that mere employment of aliens shall not be deemed to constitute unlawful harboring of such aliens.

Section 27 amends section 275 to provide for a penalty for attempted illegal entries, not provided in the present statute, as well as a penalty for willfully remaining in the United States after an entry in violation of law and the violator may be prosecuted whenever encountered or located. Violations of this section, which relates to unlawful entries, will be misdemeanors, and could be tried before federal magistrates. More serious offenses now classified as felonies, which are detected at time of attempted entry, i.e., 18 U.S.C. 1546 (falsification or misuse of entry documents), could, when deemed appropriate, be handled as a violation of this amended section and tried before a federal magistrate as a misdemeanor.

Section 28 adds new section 278A to prescribe a new criminal offense for the acceptance of employment by a nonimmigrant during the period of his authorized stay or within one year thereafter.

Section 29 amends section 287 by adding a new subsection (d) to specifically authorize immigration officers to carry firearms.

Section 30 amends section 301(a) to simplify the conditions for acquisition of United States citizenship by children born abroad to U.S. citizens by making uniform the conditions precedent for acquisition of U.S. citizenship by the child, whether the child has one or two citizen parents at that time. In both situations, one year of prior continuous physical presence in the United States of one citizen parent will be sufficient.

Section 31 amends section 301(b) with regard to retention of U.S. citizenship. Where a child acquires U.S. citizenship at birth abroad to a single citizen parent the condition subsequent for retention of such citizenship is made more lenient, by requiring that the child be physically present in the United States for an aggregate period of two years between the ages of 18 and 23, and by providing that the retention provisions become inapplicable upon the timely naturalization of the alien parent.

Section 32 amends section 301(c) to apply the same condition subsequent for retention of U.S. citizenship to children born abroad to a single U.S. citizen parent subsequent to May 24, 1934.

Section 33 amends section 316(a) to liberalize the residence requirements for naturalization by providing that a petitioner who has been physically present in the U.S. for 3 years of the 6 year period prior to naturalization can qualify.

Section 34 amends section 316(b) to liberalize the permissible absences from the United States during the prescribed period of qualifying residence by extending the statute's benefits to aliens employed by recognized philanthropic organizations and to owners or partners of business concerns.

Section 35 amends section 316(c) to liberalize the requirement of one year's continuous physical presence in the United States prerequisite to obtaining approval of an extended absence from the U.S. by a naturalization applicant, by permitting absence aggregating 60 days during such one year period.

Section 36 adds a new subsection (d) to section 316 to extend eligibility for approved absences from the United States by naturalization applicants to the spouses and children of aliens to whom such approval is granted, and makes appropriate editorial changes in the other subsections.

Section 37 amends section 319(a) to extend naturalization benefits available to the spouse of a U.S. citizen to any alien who is or was married to a citizen and lived with such citizen in marital union for 3 years. This change would mean that termination of the marriage after such 3 year period of living together would not affect the alien spouse's eligibility for naturalization.

Section 38 amends section 319(b) to permit immediate naturalization of the alien spouse of a U.S. citizen who is regularly stationed abroad in connection with specified employment, eliminating the 30 day waiting period now required.

Section 39 amends section 320 to authorize derivation of U.S. citizenship upon naturalization of a citizen parent having legal custody of an alien child, and enlarges the age limit for derivation of such citizenship to 18.

Section 40 repeals, as no longer necessary in the light of Section 39, the present statutory provisions (section 321) for derivation of citizenship through the naturalization of alien parents.

Section 41 amends section 322 to facilitate naturalization of the alien child, under 18 years of age, of a U.S. citizen, upon application filed by the citizen parent in lieu of a petition for naturalization, and upon taking the oath of allegiance before a naturalization court.

Section 42 amends section 323 to facilitate naturalization of an adopted alien child, under 18 years of age, of a U.S. citizen, upon application filed by the citizen parent in lieu of a petition for naturalization and the taking of the oath of allegiance before a naturalization court. The amendment substitutes the prerequisites that the adoption must have taken place when the child was under the age of 16 and that the child is in the legal custody of the citizen adoptive parent at the time of naturalization.

Section 43 amends section 328(a) to liberalize special naturalization benefits for honorably discharged veterans with three years service in U.S. armed forces by eliminating limitation of such benefits to those who apply within 6 months after discharge.

Section 44 amends section 328(b) (2) to eliminate the requirement of witnesses to support petition for naturalization under military veterans statute.

Section 45 adds a new paragraph (4) to section 328(b) to eliminate the requirement of lawful admission for permanent residence by aliens seeking special naturalization benefits on the basis of three years honorable service in U.S. armed forces.

Section 46 makes adjustments in section 328 on the basis of changes in Sections 43, 44, and 45.

Section 47 adjusts section 329(b) (5) in light of the change made in Section 44.

Section 48 amends section 332(b) to extend to approved nonprofit organizations the present statutory provisions for sending to

schools the names of naturalization applicants and for distributing citizenship textbooks.

Section 49 amends section 334(a) to eliminate the requirement that a naturalization petitioner produce two citizens as verifying witnesses.

Section 50 amends section 334(f). While retaining provision for filing declaration of intention, although such declaration is no longer part of the naturalization process, this amendment provides that such declaration must be approved by and filed with the Service, instead of with the naturalization court.

Section 51 adjusts statutory language of section 335(b) because of the elimination of a requirement for verifying witnesses to the naturalization petition under Section 49.

Section 52 amends section 335(d) to eliminate the provision that the designated naturalization examiner and the Attorney General may make separate recommendations to the naturalization court in regard to a petition for naturalization, specifying that the decision of the Attorney General shall be controlling as to the recommendation to be made to the naturalization court.

Section 53 eliminates statutory provisions in paragraphs (f) and (g) of section 335 dealing with verifying witnesses, in light of elimination of the requirement for such witnesses under Section 49.

Section 54 makes editorial changes in paragraph (h), redesignated (f), of section 335 to make it consistent with provisions authorizing temporary absence of applicants performing religious duties abroad.

Section 55 redesignates paragraph (i) of section 335 as paragraph (g) and amends it to authorize transfer of naturalization petition upon approval of the Attorney General when the petitioner changes his residence during the pendency of the petition. The present statute also requires approval of both courts.

Sections 56, 57, and 58 amend section 336 to adjust the statutory language because of the elimination of the requirement for verifying witnesses under Section 49.

Section 59 amends section 340(f) to specify that children who acquired U.S. citizenship upon naturalization of a parent do not lose such citizenship if the parent's naturalization is later revoked on grounds not involving fraud.

Section 60 eliminates statutory provisions for expatriation under section 349(a) which have specifically been declared unconstitutional by the United States Supreme Court.

Section 61 eliminates the statutory provision in section 352 for expatriation by residence abroad of a naturalized U.S. citizen, which was declared unconstitutional by the United States Supreme Court in *Schneider v. Rusk*, 377 U.S. 163 (1964).

Sections 62, 63 and 64 adjust the statutory language in sections 353, 354, and 355 by eliminating provisions relating to the statutory provision repealed by Section 61.

Sections 65 and 66 amend several statutes relating to enforcement of narcotics and smuggling laws to provide that the Attorney General may provide for the seizure and forfeiture of vessels, vehicles, and aircraft used to transport illegal aliens. The statutes amended already contain provisions granting such authority to the Secretary of the Treasury with respect to vessels, vehicles and aircraft used in smuggling narcotics or other articles into the United States. These statutes would be amended by adding appropriate references to the Attorney General.

Section 67 is a "savings clause" designed to protect and retain the entitlement to immigrant classification of (1) married brothers and sisters of United States citizens who are beneficiaries of petitions filed prior to the effective date of this Act; and (2) of certain Western Hemisphere-born aliens who

have qualified as visa applicants on the basis of current regulatory and statutory provisions, but for whom no entitlement to such qualification would exist after the effective date of this Act.

Section 68 would amend the Act of November 2, 1966, by adding a new section 5 which provide that visa numbers need not be used in connection with the adjustment of status of Cuban refugees in the United States under the provisions of section 1 of that Act.

Section 69 establishes, for a three fiscal year period, a special program under which aliens who have been admitted to the Virgin Islands in a nonimmigrant status and who possess an indefinite labor certification granted by the Secretary of Labor pursuant to 212(a) (14) and remaining valid may, without regard to numerical limitations and notwithstanding the prohibition of section 245(c) against the adjustment of status of certain classes of aliens, have their status adjusted to that of permanent resident or be issued immigrant visas. The spouse and minor unmarried children of any such alien would also be entitled to benefit from this provision.

Section 70 repeals section 21(e) of the Act of October 3, 1965. This section provided for the establishment of the numerical limitation on immigration by aliens born in independent countries of the Western Hemisphere and would be incorporated into the Immigration and Nationality Act itself through section 8 of this bill.

This section also repeals section 8 of the Act of September 11, 1957, which provided authority for waiving the fingerprinting requirements for nonimmigrant aliens, now incorporated into section 221(b), as amended by section 16 of this bill.

Finally section 16 of the Act of September 11, 1957, is repealed. This section provided for absences of up to 12 months during the period of residence and physical presence required under section 301(b) for retention of citizenship.

#### SALE TO CHINA OF MOTOR VEHICLES DISTURBING

HON. HENRY C. SCHADEBERG

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 12, 1970

Mr. SCHADEBERG. Mr. Speaker, an article under dateline July 30, 1970, Washington Associated Press entitled "U.S. Approves Sale To China" is most disturbing to me. It follows:

In another gesture toward improving relations, the government has okayed a proposed sale of motor vehicle equipment to Red China.

At the same time, a State Department spokesman portrayed President Nixon as looking for more diplomatic contacts with the Chinese mainland, but not, as yet, seeking formal recognition of one another.

Press Officer John King announced approval of a sale to Red China of 80 Italian-made dump trucks with General Motors engines under the Nixon administration's relaxation of trade restrictions.

The sale was termed the first major one since the Treasury Department officially eased the trade ban with Red China last December.

It is difficult for me to understand how we can relax trade with Red China when it is obvious that she is supporting the Hanoi government in Vietnam and has been most vociferous in her threats

against the United States. Certainly I believe in trade between nations but I certainly do not want \$1 of profit to be made by any American business if it serves to support an enemy government responsible for extracting 1 ounce of blood from our American men.

I am not questioning the "intent" of the relaxation of U.S. trade with Red China. I just feel this is an extension of a policy that has worked to our disadvantage and has proved an abysmal failure in the past decades. If we think we can make friends with the Communists by trading with them, then we have either not read history correctly or we have grossly misinterpreted it. To be sure this proposed sale of motor vehicle equipment to Red China is not earth shaking in size, but it is the break in the dike that could well cause a flood of activity in trade that could strengthen that government and make it impossible for those who are held slaves under its tyranny to even hope for the day they can be free.

If we need any further indication of Red China's attitude toward us or toward our President, we need but to read some of the articles coming out of their controlled press.

Mr. Speaker, I submit these for the RECORD. They speak for themselves. The time has come for us to recognize the enemy for what he is and to refuse to give any economic advantage to him.

The materials follow:

#### APPEAL FOR U.S. ASSISTANCE

PEKING, July 26 (HSINHUA)—The Lon Nol-Sirik Matak clique which is gasping for life is servilely pleading with its U.S. master and other U.S. lackeys for aid to maintain its tottering reactionary rule.

Op Kim Ang, a "cabinet minister" of the Cambodian rightist clique, admitted that "Cambodia will have to depend on friendly countries to give currency or goods," according to a Western news agency report. He said that the Lon Nol rightist clique regarded the United States as its "number one hope" for economic assistance. It was disclosed that the Lon Nol clique had asked the United States for a monetary aid of over 127 million U.S. dollars to meet its financial deficit.

Recently "Ambassador" of the Cambodian rightist clique to the United States Sonn Voensai again begged "aid" from the Nixon administration. A U.P.I. report quoted him as saying that "Cambodia (the Lon Nol rightist clique) needs American aid to increase its army from the current 120,000 troops to 200,000."

The "New York Times" disclosed that the Nixon administration will ask the Congress to approve a military assistance program in excess of 25 million dollars, perhaps as high as 50 million dollars, for fiscal 1971. "The military and economic price tag for the United States in Cambodia this fiscal year could run to about 50 to 55 million U.S. dollars," said U.P.I.

Military officers and officials of the Lon Nol-Sirik Matak rightist clique have also gone from door to door to beg "aid" from the U.S. lackeys in Saigon, Djakarta, Taiwan and Bangkok. Invitations have been extended to the reactionary Sato government of Japan and the Australian Government to send their missions to Phnom Penh to negotiate "aid."

Western news agency reports said that the Lon Nol rightist clique is "actively seeking major aid programs from Japan." The Lon Nol regime of Cambodia asked the Japanese Liberal Democratic Dietmen visiting Phnom

Penh to offer economic aids to the amount of 40 million U.S. dollars. "Japan has pledged 20 million dollars in economic assistance," said U.P.I.

At the same time, Lon Nol, chieftain of the Cambodian rightist clique, explained to the Australian mission visiting Phnom Penh its specific "economic aid requirements in order of priority." The Australian authorities have announced a special grant of 500,000 U.S. dollars to the Cambodian rightist clique. The "ambassador" of the rightist clique to the United States disclosed that "Australia already has given 1.1 million Australian dollars." Australian Minister of Repatriation Holten said that his country might provide further "special aid" to the Lon Nol rightist clique.

Lon Nol recently went to Bangkok hat in hand and asked the Thanom clique to increase its military and economic "aid," especially to "send combat troops to secure the provinces of Battambang, Siem Reap . . . close to the Thai border."

The Cambodian rightist clique which is trying to turn back the wheel of history will not save itself by foreign aid.

#### U.S. PEOPLE VENT ANTIWAR FEELINGS AGAINST NIXON

PEKING, July 25 (HSINHUA)—In face of the American people's revolutionary mass movement against the expansion of the U.S. imperialist war of aggression in Indo-China, U.S. imperialist chieftain Richard Nixon is like a rat crossing the street being chased by all passers-by. Wherever this god of plague went in the United States, he was "greeted" with protests and demonstrations from the people, according to Washington reports.

When Nixon arrived in Salt Lake City, capital of Utah, yesterday, the reactionary authorities organized a meeting to "welcome" him in the downtown district. Gleefully, Nixon climbed up the steps of a building and said, "I have never seen a crowd so big or so friendly." But he had hardly finished the sentence when vehement shouts against the war of aggression broke out among the "welcoming" crowd. People also shouted in unison "Power to the people!"

In face of the mass protests, Nixon was greatly embarrassed. His "smile vanished and he tensed slightly, clasping his hands" and he "was forced to raise his voice." But this was futile, for his speech was interrupted time and again by the shouts of the people and the meeting had to be wound up in a hurry. On the same evening he dejectedly returned to his den, the "White House West" at San Clemente.

Nixon had arrived at Salt Lake City from Fargo, North Dakota, where a demonstration was also held against his expansion of the war of aggression in Indo-China. The demonstrators demanded an immediate end to the war of aggression in Viet Nam. A big sign mocking him read, "War is good business, invest your son!"

In fact, these were by no means the only demonstrations that greeted him. On June 25, when Nixon went to deliver a speech at a businessmen's organization in St. Louis, Missouri, 300 people held a protest demonstration and blocked the main entrance to the auditorium, compelling him to enter the hall through a side door. On May 28, while addressing a mass rally at the University of Tennessee in Knoxville, Tennessee, the masses shouted again and again: "We don't want Nixon's war!" and "Thou shall not kill." During his 15-minute speech, Nixon was interrupted several times by shouting of slogans from the masses.

Nixon's crime of war of aggression in Indo-China has met with strong opposition not only from the people of the world, but also from the American people. The going is getting tougher and tougher for him.

#### SECRETARY VOLPE'S PLAN TO HELP THE ST. LAWRENCE SEAWAY

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 12, 1970

Mr. PUCINSKI. Mr. Speaker, I was very pleased to learn today that Secretary of Transportation John A. Volpe has announced the administration will ask Congress for legislative authority to cancel interest payments to the U.S. Treasury on the debt of the St. Lawrence Seaway Development Corporation.

I shall be pleased to cosponsor such legislation. The St. Lawrence Seaway, the fourth seacoast of our country, is vitally important not only to the economy of the Nation, but it also serves as an important link in Chicago's continued growth.

The Nation owes Secretary Volpe a debt of gratitude for his realistic approach to a very serious problem.

The Volpe proposal would relieve the seaway of an annual interest burden of more than \$6 million and an interest deficit totaling \$22.4 million as of December 30, 1969.

Secretary Volpe's proposal fortifies my own efforts to help refinance the seaway to avoid toll increases.

Last year in a speech delivered on the floor of this House, I noted that an audit by the Comptroller General's office concluded—the St. Lawrence Seaway was dangerously close to bankruptcy.

The Department of Transportation at that time considered increasing toll rates by 20 to 40 percent, which would have been devastating to the economy of the Midwest.

Since the seaway is the only federally supported waterway required to be self-sustaining and fully amortized through commercial earnings, I introduced H.R. 9877 at the time which would permit the conversion of the indebtedness of the seaway into a permanent U.S. investment by restructuring the financial makeup of the St. Lawrence Seaway Development Corporation.

Mr. Speaker, I believe Secretary Volpe's suggestion is an acceptable alternative to my proposal since under H.R. 9877 the Corporation would pay the Government a fair dividend return on its investment at the interest rate at which the Corporation is now paying the Treasury.

At the time I introduced my proposal, the seaway's debt stood at \$146.7 million. However, the overall debt today—including unpaid interest—has reached \$156 million and revenues have not been adequate to meet the interest on the debt.

Raising tolls is not the answer to the problem for it would decrease traffic on the seaway and general cargo would drop 25 percent by 1980, according to the best studies available on the seaway.

While bulk cargo, such as iron ore and wheat, provide the greatest tonnage, general cargo is the major revenue producer.

Furthermore, general cargo has the greatest economic impact on the port cities.



In Chicago, each ton of bulk commodities, such as iron ore and wheat, adds \$7 to \$9 to the city's economy; but each ton of general cargo adds \$24 to \$26.

I was particularly pleased to see Secretary Volpe's reassurance that an increase in tolls on the seaway would tend to discourage use of the waterway and, in turn, would be detrimental to the growth of the Midwest economy. It fortifies my own contention.

By assuring the cities of the economic soundness of the seaway, the cities will be given added impetus to expand and improve their port facilities. The shippers in turn will not be faced with a toll increase and will continue to use the seaway. Many shippers not presently using the seaway will be drawn to it by its steady rates and improved facilities.

I agree with Secretary Volpe that the administration proposal will place the Seaway Corporation on a sound long-term financial footing, and it properly balances the worthwhile statutory goals of offering services at fair and equitable rates, encouraging increased utilization of the seaway facilities, and effecting recovery of construction and operating costs.

Last year I pointed out that the trend in shipping today was toward containerization. I noted that DOT has a study under way to examine a container-feeder service operating with the lakes. Such a feeder system would collect cargo and transport it to a central load point for consolidation into a larger carrier.

I have also proposed a longer shipping season noting that we have the technical know-how to break up the ice along the seaway, and there is no question that extending the shipping season to 10 months would substantially increase yearly revenues.

Secretary Volpe took note of this problem when he stated that DOT is working on an agreement with power authorities to permit the early removal of ice booms and on the modification of boom design to permit a longer navigation period. He also stated that the Seaway Corporation and the Coast Guard are working with various Great Lakes interests in putting together a pilot project to permit the winter navigation of vessels.

I join with Secretary Volpe in his efforts to seek a realistic solution to the threat which faces the Saint Lawrence Seaway. This move, which I hope Congress speedily approves, will ultimately benefit the economy not only of the Midwest, but the Nation as a whole.

Mr. Speaker, I am placing in the RECORD the DOT press release on Secretary Volpe's proposal. The release follows:

**SECRETARY VOLPE'S PLAN TO HELP THE ST. LAWRENCE SEAWAY**

Secretary of Transportation John A. Volpe today announced the Administration will ask Congress for legislative authority to cancel interest payments to the United States Treasury on the debt of the Saint Lawrence Seaway Development Corporation.

Secretary Volpe revealed the Administration's new proposed policy regarding the operation of the Saint Lawrence Seaway at the National Governors' Conference at Lake of the Ozarks in Missouri.

"This Administration believes any discouragement of Seaway traffic at this time would be detrimental to the growth of the Midwestern economy, and the economy of the Nation.

"Any increase in tolls," he said, "would tend to discourage traffic growth. Therefore, we are going on record as being opposed to an increase in the present toll structure.

"In addition," the Secretary said, "it is our position that the debt burden of the Seaway must be moderated in order to remove the constant pressure for higher tolls.

"Freed of the burden of annual interest payments, the Seaway will effectively develop and promote the movement of cargo, and at the same time return to the Treasury the capital costs incurred in its construction," Secretary Volpe said.

The interest balance of the Saint Lawrence Seaway Development Corporation was \$22.4 million as of December 30, 1969.

The annual interest burden of the Corporation is now more than \$6 million.

**THE RIGHT TO FREEDOM FROM MASS GUILT**

**HON. LUCIEN N. NEDZI**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 12, 1970

Mr. NEDZI. Mr. Speaker, every American should be entitled to the precious right to be judged as an individual.

We know, however, that there are occasions when certain ethnic and racial groups are viewed as a single entity. In such an environment, innocent individuals suffer from mass guilt. This is a clear injustice.

Publisher Ben Nathanson of the East Side Newspapers, whose award-winning column is widely read in the Detroit area, addressed himself to this issue in the East Side News of July 22, 1970.

It also should be noted that Congressman MARIO BIAGGI, Democrat, of New York, is an articulate and knowledgeable spokesman on this subject and is quoted extensively in the article, and particular attention should be given to Congressman BIAGGI's observation that over 22 million Italo-Americans live among us peacefully and as devoted workers, parents, and community leaders.

Under leave to extend my remarks in the RECORD, Mr. Nathanson's thoughtful article follows:

**EQUALITY FOR EVERYONE?**

(By Ben Nathanson)

Almost 200 years ago our fathers and forefathers had the courage and dedication to separate themselves from an oppressive British government and to set up a different form of government by which they could govern or rule themselves.

The Declaration of Independence told the world that the founders of this country believed ALL men were created equal and entitled to certain unalienable rights such as life, liberty and the pursuit of happiness.

Liberty was achieved in years of armed struggle against the forces of the English Crown. The proposition that all men are created equal—the fundamental principle of the new nation conceived by those who wrote and signed the revered Declaration—has yet to be realized.

**EQUALITY NATIONAL GOAL**

"When in the course of human events, it becomes necessary for one people . . ." Thus begins the document which we all become acquainted with in our earliest school years, the revolutionary document that gives us our social significance as "one people."

That's the idea of the United States of America: "One people" whose members hold equal rights. Nothing short of these standards can be accepted. Nothing short of them can be employed as working policy by any individual or group in the nation.

In a speech on Italian Unity Day before 250,000 people at Columbus Circle in New York, Cong. Mario Biaggi stressed how essential it is that all free-thinking people who believe in the principles of democracy be treated equally, fairly and with justice under our laws.

Biaggi, before going to Congress, earned the distinction of being America's most decorated policeman while he served 23 years in the New York Police Department.

**PRESERVE PRINCIPLES**

In defending the civil rights of his fellow Italo-Americans, Biaggi spoke not only as a congressman but also as president of the Grand Council of Columbia Associations in Civil Service, which represents more than 80 thousand Americans of Italian origin.

"We have joined here today to demonstrate our solidarity with the more than 22 million other Americans of Italian ancestry who are working daily with us to preserve the principles of democracy and freedom we are able to enjoy in this country," Congressman Biaggi stated.

"But isn't it strange that we should find it necessary to gather here at all, to demonstrate what should be well known to all Americans?"

"I have heard it said that it would be all right for non-Italian speakers to appear here today, but that an Italian speaker would do so at his own peril. They say my attempt to defend the civil rights of my fellow Italo-Americans would be misrepresented—even distorted—as a defense of criminal influences.

**CIVIL RIGHTS PRECIOUS**

"But I don't buy that and every right thinking American will reject that premise. It certainly reveals the disastrous effects of an evil psychology that has been allowed to develop imperceptively but insidiously over the years.

"The civil rights of everyone are precious; they transcend ethnic lines. We can't afford to be content because it's a neighbors house that is burning and not our own; it might easily spread to ours," Biaggi warned.

He observed:

That a lack of response to the sensitivities of people is the root of most of the problems in this country.

That some individual members of the news media and the law enforcement agencies share a persistent attitude that defames the Italian-American community as a whole.

That the founder of the present Federal Bureau of Investigation was an Italian by the name of Charles J. Bonaparte who served as attorney general under President Theodore Roosevelt.

Biaggi asserted that out of more than 22 million Italian-Americans, only 5,000 are involved in organized crime. This is one-fiftieth of one percent. Yet, he says, this terrible crime-association myth continues.

**MEDIA HELP ASKED**

"No matter that tens of thousands of our outstanding law enforcement people are of Italian descent; no matter that the social, economic and Political contributions of the Italian-American community are legion; no matter that the history of cultural development of all immigrant groups contains an era in which illegal activities may have presented

the only avenue for upward mobility; and no matter that the FBI itself traces its own history back to a founder of Italian heritage."

Blaggi concluded by pleading with the news media to break away from the indiscriminate use of alleged "Mafia" or alleged "Cosa Nostra" as synonyms for organized crime—an equation that carries with it the connotation that crime is the exclusive preserve of Italian-Americans.

He believes the press should view crime for what it is—a national evil threatening the very fabric of America, a plague that knows no geographic, economic or ethnic boundaries.

Finally, Blaggi said, "We shall be peaceful, we shall be loyal, but we will not be afraid to stand up and demand justice. We shall never again tolerate humiliation or injustice. . . . Let us hope that this day of unity shall continue into something which helps to heal the wounds and bind our courage more firmly with our fellow Americans in freedom and justice for all."

#### TRIBUTE TO HERMAN KENIN

### HON. FRANK THOMPSON, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 12, 1970

Mr. THOMPSON of New Jersey. Mr. Speaker, words are always inadequate when one speaks of the death of a friend. This is particularly so when the loss leaves a void which can never really be filled. This was my feeling upon receiving word of the death of Herman Kenin, president of the American Federation of Musicians. He was my friend. He was the devoted champion of the 300,000 union members whom he served for more than 30 years. And he was an untiring advocate of measures to uplift the cultural resources of our Nation.

Herman Kenin was one of the first to recognize the need for Government assistance to our cultural institution. Under his leadership, the musicians helped educate the public concerning the Federal Government's role in fostering the arts. He was a prime mover in the creation of the National Arts and Humanities Endowments in 1965 and served for several years as a member of the National Council on the Arts. Under his leadership, the American Federation of Musicians founded many new programs to strengthen the position of music in our culture. Perhaps the most significant is the Congress of Strings, a scholarship program which extends assistance to promising string players. This program, now in its 11th year, has helped more than a thousand young instrumentalists gain the musical education and experience required to perform in our symphony orchestras.

I am proud that Herman Kenin was born in my State of New Jersey. His father was a member of Samuel Gompers' Cigar Makers Union. In his early years the Kenin family moved west and young Herman made his first professional performance while still a student at Reed College in Oregon. By the time he had earned a degree at Northwestern College of Law, Mr. Kenin had his own successful band on the west coast. Although

he chose a career in the law, he continued his association with the entertainment world. He kept his membership in Portland's Local 99 and became its president in 1936. Twenty-two years later, Herman Kenin succeeded James C. Petrillo as AFM president and was reelected to that office for 12 consecutive terms. Once described as a "pragmatist with a soul," Herman Kenin devoted his energies to championing the cause of music—in symphony halls as well as on the bandstand. He waged a successful campaign to reduce the 20-percent cabaret tax thus opening up many more jobs for professional musicians. He established the first pension program ever created for musicians, and shortly before his death, initiated a "young sounds" program designed to give practical aid and instruction to young musicians.

In addition to serving as president of his union, Herman Kenin was a member of the AFL-CIO Executive Council, international secretary of the Entertainment Trade Unions organization, and treasurer of the Council of AFL-CIO Unions for Scientific, Professional, and Cultural Employees.

I extend my deepest sympathy to his wife Maxine, and their two sons in their hour of grief and to all of those who shared Herman Kenin's friendship.

#### HUEY NEWTON AND ANGELA DAVIS LINKED TO SAN RAFAEL COURTHOUSE SLAYING

### HON. JOHN ROUSSELOT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 12, 1970

Mr. ROUSSELOT. Mr. Speaker, there appeared on page 3 of the August 12, 1970 issue of the Washington Daily News, a United Press International release which links self-admitted Communist Angela Davis and Black Panther leader Huey Newton to Jonathan Jackson. Jackson was one of the three convicts who recently staged the well-publicized courthouse "shoot-in" in San Rafael, Calif. The shooting resulted in the deaths of a superior court judge, an assistant district attorney, Jackson, and his two "associates in crime." Jackson is the individual credited with smuggling the murder weapons into the courthouse.

The UPI release points to the validity of my publicly stated contention that Angela Davis, Huey Newton, and their revolutionary cohorts are extremely dangerous people who are dedicated to preaching a course of action in this country, indeed throughout the world, that can lead only to the total destruction of freedom, including that academic freedom which Miss Davis hides behind, and the creation of the cruelest totalitarian dictatorship.

Mr. Speaker, it is high time Americans wake up to the fact that the Angela Davises and the Huey Newtons among us must be punished to the fullest extent of the law for their crimes against humanity.

The article referred to follows:

#### FRIDAY SHOOTOUT: CONS' GUNS ARE TRACED

SAN FRANCISCO.—Two guns used Friday in a fatal attempt to help three black convicts escape from a San Rafael courtroom were reported purchased by Angela Davis, the black communist fired from her UCLA teaching job by the California regents.

The San Francisco Examiner said in a copyrighted story a .38 caliber Browning automatic pistol was purchased in January, 1968, and a .30 caliber carbine also used in the shootout was bought in April, 1969, both by Miss Davis.

John Plimpton, a salesman in a Los Angeles gunshop, told UPI he sold the pistol to Miss Davis and produced a sales slip dated Jan. 12, 1968 signed by a Miss Angela Davis. He also identified a photograph of the ousted philosophy instructor.

Miss Davis has said she is a communist.

#### NEWTON'S SUCCESSOR

The Examiner also said Jonathan Jackson, 17, an accomplice killed in the escape try, was a companion-bodyguard for Miss Davis. Black Panther defense minister Huey Newton had declared Mr. Jackson to be his successor.

In Berkeley, Newton hailed four Negroes involved in the bloody and unsuccessful attempt to flee the courtroom as "true revolutionaries."

Newton asserted the "fascist police" were responsible for the courtroom deaths.

"Everyone is aware the revolutionaries did not fire the first shot," he said. "It shows the oppressors are more interested in apprehending revolutionaries than in preserving human life."

Assistant State Attorney General Al Harris refused to confirm or deny the newspaper's report, deferring to local authorities. Marin County Inspector Ronald Retana, the only person authorized to speak for the local sheriff's office, was not available.

Mr. Jackson, who smuggled the fatal guns into Superior Court, reportedly had accompanied Miss Davis to Glide Memorial Church in San Francisco where she spoke for the "Soledad brothers," three Negro convicts charged with murdering a white prison guard.

#### BROTHERS

One of the accused Soledad prisoners, George Jackson, 28, is a brother of Jonathan Jackson, the youth slain Friday.

Miss Davis had pleaded unsuccessfully to interview the Soledad group as an investigator for their defense. Judges ruled she was not qualified as an investigator.

Marin County Judge Harold Haley, Mr. Jackson and San Quentin convicts John D. McClain, 37, and William Christmas, 27, all were killed in the shootout at Marin County Community Center as the result of the smuggled guns. All but the 65-year-old judge were Negroes.

#### SENATOR SCOTT'S RECORD ON CONSUMER AFFAIRS LEGISLATION

### HON. CHARLES E. GOODELL

OF NEW YORK

IN THE SENATE OF THE UNITED STATES

Thursday, August 13, 1970

Mr. GOODELL. Mr. President, I invite the attention of Senators to the efforts which the distinguished minority leader (Mr. SCOTT) has made in the field of consumer affairs. Senator Scott and I both serve on the Committee on Commerce. As a member of the consumer subcommittee of the Commerce Committee, and as a Senator from Pennsyl-

vania's neighboring State of New York, I take great interest in the legislation he supports on behalf of his constituents in the important area of consumer affairs.

Although there are occasions on which our views on issues differ, I have long admired HUGH SCOTT for his integrity, his honesty, his judgment—and his commitment to the cause of consumer legislation.

Mr. President, I ask unanimous consent to have printed in the RECORD, a statement on Senator Scott's activities on behalf of the consumer.

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

SENATOR HUGH SCOTT'S RECORD ON CONSUMER AFFAIRS LEGISLATION

Although legislation designed to protect the consumer is very much in the news today, Senator Hugh Scott has been urging the passage of such legislation for many years. He has recognized that the combination of big business and big government often leaves the consumer with few friends.

The Senate's Republican Leader struck a blow for the Nation's consumers early in the Nixon Administration by recommending Pennsylvania's Virginia Knauer as the President's Special Assistant for Consumer Affairs. Following her confirmation by the Senate, Senator Scott has worked closely with her on legislation such as the Wholesome Fish Act and deceptive advertising. Hopefully, Congress will enact legislation to give consumers the legal means to enforce their rights in court.

The following summary outlines Senator Scott's record on consumer legislation:

THE 91ST CONGRESS

Legislation

S. 861—To provide Federal assistance to States for establishing and strengthening consumer protection programs.

S. 1689—To protect children against dangerous toys.

S. 2259—Credit Union Act amendment to assist in meeting the savings and credit needs of low-income persons.

S. 3204—To require safety devices on household refrigerators.

Votes

—Voted to prohibit issuance of credit cards, except on request, and to limit holder's liability for loss.

—Supported the Consumer Products Warranty and Guaranty Act.

THE 90TH CONGRESS

Legislation

S. 1003—To increase protection afforded consumers against injurious flammable fabrics.

S. 1129—Fire Research and Safety Act.

S. 2268—Requiring meaningful disclosure of the cost of credit in advertising promoting retail installment sales, loans, or open-end credit plans.

S. 2966—To limit categories of questions required to be answered under penalty of law in the decennial censuses.

S. 3771—To amend the Federal Food, Drug, and Cosmetic Act to include a definition of food supplements, etc.

Votes

Voted for the Truth in Lending Act.

THE 89TH CONGRESS

Legislation

S. 3054—To provide for a study of serious interruptions of certain essential services due to power failures, etc.

S. 3059—To authorize Secretary of Agriculture to regulate animals used for research, experimentation, etc.

Votes

Voted for the Tire Safety Act of 1966.

Voted for the Fair Packaging and Labeling Act.

Voted for the Humane Handling of Research Animals Act.

Voted for the Traffic Safety Act of 1966.

THE 88TH CONGRESS

Legislation

S. 774—To promote quality and price stabilization, restrain unfair distribution, equalize rights of producers and resellers in the distribution of goods identified by distinguishing trademarks.

S. 1249—To protect consumers against misbranding, false invoicing and false advertising of certain wood products.

THE 87TH CONGRESS

Legislation

Senate Resolution 119—To establish a Select Committee on Consumers.

THE 86TH CONGRESS

Legislation

S. 73—To prohibit certain acts involving import, transport, possession or use of explosives.

Senate Joint Resolution 160—To combat traffic in obscene matters.

Pennsylvania's consumers are now almost guaranteed to be getting what they pay for because of Senator Scott's efforts to improve consumer programs. More effective legislation is needed, however, to ensure that consumers continue to get a fair deal. Senator Scott pledges himself to that goal.

STUDENTS MUST OPPOSE THE VIOLENT

HON. JAMES A. McCLURE

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 13, 1970

Mr. McCLURE. Mr. Speaker, we have heard a great deal from student radicals about their concern for the country. They justified their violent and destructive actions as an expression of their concern for the country. Many of them confess that destruction of the country and its social and political institutions is their goal. Much less has been said publicly by the other students who have not taken part in these destructive campus rebellions. Perhaps it is time that we should call attention to the thoughts and actions and potential reactions of the other students on the campus.

A member of my staff called my attention to a "Letter to the Editor," appearing in the Dover Time-Reporter in Dover, Ohio. I think the letter speaks eloquently for itself, and, while I am sure Susie wouldn't use this term, it almost literally screams for the attention of all of those of us who have some responsibility in directing and maintaining our Government. I commend this letter and editorial footnote to the attention of all the Members of this body and to all Americans everywhere. Let me express too, my warmest congratulations to Susie Miller for speaking out as she has for that great body of young Americans in our colleges and universities across this land, who are just as sick of campus unrest as are their elders, and who are much more affected by it.

The material follows:

STUDENTS MUST OPPOSE THE VIOLENT DOVER.

I am 20 years old and was a sophomore at Ohio University until 6 days ago when it was forced to close due to student unrest and disorder.

My feelings are a combination of sadness, anger and frustration. It is a sad situation when a small minority of young "adults" can savagely run away with a school, causing much heartache for the other 19,000 students enrolled. O.U. is a great school, and now it is "shut down!"—what a waste!

We tried to keep O.U. open. Two thousand male students offered their services as marshals to patrol the buildings, hoping to protect them against firebombing. Girls sat up all night in the lounges of dorms, guarding against outsiders slipping in to cause destruction.

However, the efforts which were displayed by those students, the faculty, and President Soule failed! It is going to take more organization and cooperation between authorities, administrations, faculty, parents, students and, in general, the "silent majority."

We no longer can fight these irrational "hell raisers" merely by sitting at home or in our dorms and not participating. If necessary (which I feel it is) force must be used, for most of these violent people will heed nothing but physical force.

We have let these people bend us over backwards, and it is time we sprung back to a standing position. Many of the demands stated by these people are unreasonable, and worse yet, if they are not appeased within several days some type of violence occurs.

Granted, there is a lot of controversy at the present time over certain actions which the United States has taken; a lot of questions over the procedures of today's colleges and universities, and a lot of reforms needed to improve and better our government. But we ought to thank God everyday for the wonderful America in which we live. At least we have the opportunity to correct and improve her.

In other countries, if citizens even speak against their government they are eliminated by one method or another. It is true, young people have some great ideas which can greatly improve our government, and sometimes adults should be more willing to listen. However, no one is going to listen to anyone or anything as long as this violence persists on the campuses.

Two days ago I read an editorial in this paper by a girl who wrote of her "love for humanity, for freedom, and for the principles upon which this country was founded." Not 2 weeks ago she was charged for burning an American flag in which she saw little value. What is going through her mind? Does she not realize that the flag which she burned was a symbol for the "freedom and principles upon which this country was founded?" The same freedom which gives her the privilege to voice her opinion.

Definitely, reforms are needed to reach the goals of our country, but they certainly will not come about by burning and destroying the principles (which are symbolized in our flag).

Rather than trying to destroy America, why not get together and make her better! Peacefully!

American and proud of it!

SUSIE MILLER.

(NOTE.—Jackie and Susan Miller, twin daughters of Bob (Fizz) and Pat Miller of Dover, are on the honor list at Ohio University where they are sophomores but both still find time to take part in campus activities. Susan has a perfect 4 point grade average and Jackie a 3.

(Both are members of Pi Beta Phi social sorority and were runners-up in varsity queen competition.

(The girls are cheerleaders and Susan was selected as one of five cheerleaders for the Mid-American Conference schools.)

(Susan also is queen of the School's Pershing Rifles (ROTC drill team) and was selected queen of the Pershing Rifles from 12 states who took part in a Queen City Invitational last week in Cincinnati.)

ANTI-MONTANA BALLISTICS—  
AMB'S—PART IV: WATER AND  
SEWER FACILITIES

### HON. LEE METCALF

OF MONTANA

IN THE SENATE OF THE UNITED STATES

Thursday, August 13, 1970

Mr. METCALF. Mr. President, I have previously discussed the overwhelming impact Safeguard will have on the Small Montana communities near its construction sites. Although the Corps of Engineers has to some degree forecast the effects of this population flood, it has seriously underestimated the magnitude of the problems involved and has failed altogether to suggest a solution. The schools in these communities, as I noted yesterday, must now apply for \$6.7 million of construction aid to a Federal program whose national budget is \$15 million and whose backlog of requests is \$268 million.

Today, I want to detail the seriousness of a similar problem in the area of another community service: water and waste treatment facilities. As in the case of schools, adequate water and waste treatment facilities are vital to the public well-being in any community. The recent experience of Maryland suburbs whose governments ordered a cessation of expansion until sufficient sewage facilities could be provided offers an example of just how essential these facilities are. The Montana communities are relatively far worse off than the suburban housing developers.

The communities in the impact area of Safeguard are projected to expand by as much as five times their existing populations by mid-1971. A partial estimate in the Safeguard Command Report of the funds to accommodate the new population is \$746,200 for expansion of existing sewer systems. This assumes an ideal distribution of new population—a very tenuous assumption—and does not account for the construction of new sewer facilities in the four communities studied which have no public sewage systems. Thus, the \$746,200 is just the beginning of the story.

Disregarding for a moment the problem of where these small communities are supposed to acquire three-fourths of a million dollars for expanded water sources and sewage treatment plants, let us consider the assumptions behind this cost figure. Repeatedly in the Safeguard Command Report the recommendation appears:

Expand the schools to accommodate an additional number of people, at which point the sewer system will reach maximum use.

Who is to determine that the population is to stop growing when the sewer

system reaches the magic number of maximum capacity? The notion that people settle in an area according to the size of its sewer system seems questionable at least.

Mr. President, this means that the report cost estimates for the expansion of sewer facilities must be considered inadequate. Communities such as Shelby which form natural centers of attraction for a temporary population will very probably have to increase the size of their sewer systems to accommodate a greater population influx than the report anticipates.

Moreover, the report accounts for only the expansion of the sewage treatment lagoons and not for the cost of installing collection systems which every community will experience. This would be another cost to communities not even mentioned.

Further, the report simply omits the cost of installing entirely new systems in those communities which have none at present. Such a town as Power, whose present population of 89 is served by septic tanks would need a brand new community system for an expected population increase to 300. The report fails to mention this. Inverness and Kevin find themselves in similar situations.

Finally, in the list of the report omissions are 30 of approximately 50 towns in the impact area. Information is provided for only 20 "selected" communities on the basis that they will presumably attract the bulk of the population influx. A disclaimer is added, however that—

It is recognized that all of the communities within the study area may experience some effect from population increases resulting from the Safeguard program.

But absolutely no information is provided for the other 30 communities which "may experience some effect." Certainly some of these communities may have to expand their public facilities as a result of the Safeguard population. This cost is not analyzed.

In sum, then, a great many predictable costs to communities in the impact area are not included in the \$746,200 figure cited as the necessary price of adequate water and sewer facilities for the incoming population. The inclusion of the unmentioned costs would certainly bring the total figure to over a million dollars.

Where are these rural Montana communities to raise a million dollars by 1971?

In the "Courses of Action" section the Safeguard Command Report confidently suggests that the solution to this dilemma lies in Federal assistance programs. Specifically it recommends that the committees involved "Make application through the State Health Board to the Federal Water Quality Administration" and that "application should also be made to the Farmers Home Administration." Apparently the Safeguard planners have not read the laws applying to the administration of these programs.

Public Law 90-488 which provides for the FHA program for loans and grants for water and sewer systems in rural areas reads:

No grant shall be made under Paragraph Two of this Subsection unless the Secretary determines that the project will serve a rural area which will not decline in population below that for which the facility is designed.

The law prohibits the use of funds for boom towns of the type the Safeguard project will bring about.

Similarly, the procedure authorizing grants for construction of sewage treatment works through the Department of Housing and Urban Development also prohibits grants for projects designed for a temporary population increase. Thus, the Federal programs suggested by the Safeguard report as sources of assistance do not bear out. They strictly prohibit the use of funds for this purpose. The great majority of the 12,200 person influx who will be staying for only 2 to 4 years are not eligible as community residents for Federal assistance in the area of water and sewer facilities construction.

Even if the temporary people were to qualify for assistance as permanent residents, it is an idle dream to think of the affected communities receiving funds in the next few years. The report blithely lists four Federal programs which provide assistance to communities for water and sewage systems. What Safeguard Command either does not know or does not mention, however, is that each of these programs has serious limitations which make its application to the Malmstrom area communities highly unlikely. The communities to receive the permanent population influx of about 3,500 therefore have little better prospects of receiving Federal aid in sewer construction than do those with high temporary population increases.

Consider the first Federal program suggested by the report, the Farmers Home Administration water and waste disposal systems for rural communities. The total backlog of applications which have been processed but are unfunded amount to approximately \$500 million. In addition, over \$1 billion in project applications have been returned with no prospect of funding in the near future. Yearly funding of the program has been in the \$100 million range. While the funds allotted to the program are expected to be increased slightly by Congress—in spite of the cutback requested by the administration—the backlog of applications is enormous and the FHA estimates that no new project could be conceivably approved before at least a 2- to 3-year delay, and then only for planning stages.

In Montana, project applications totaling approximately \$2 million presently await funding in the FHA program, with a great surge of additional applications totaling \$40 million or more expected as soon as the legal questions of local bond issues is clarified. Following the Supreme Court decision on the voting rights of nonproperty owners on bond issues, Montana communities have not been able to apply for Federal assistance requiring partial support from local sources. When this problem is finally resolved the Malmstrom area communities will be far back in an avalanche of ap-

plications from all over Montana for the available funds.

The second source suggested in the Safeguard Command report is the Economic Development Administration's grants and loans for public works and development facilities. Apparently Safeguard planners have again not bothered to inquire from the Federal agency involved about the requirements for obtaining such grants. Officials in the Economic Development Administration inform me that communities in the Safeguard impact area would not qualify for this program since it is designed for exactly the opposite situation; that is, for high unemployment areas which are organized for economic development. Temporary high employment caused by Safeguard construction would make the area ineligible for designation for an Economic Development Administration grant. Again the planners have failed to do their homework.

The third alternative for Federal financing listed in the report is the Department of Housing and Urban Development, Community Resources Development Administration's basic water and sewer facilities program. This program is likewise inapplicable to the Safeguard area because it accepts applications only from nonrural communities. And the only two towns in the area which could by any stretch of the imagination be considered urban—population over 5,500—Great Falls and Havre, are not among the communities which would need assistance anyway. Moreover, this program which has a yearly operating budget of \$150 million, which accepts only one out of 10 project applications, which has a backlog of one-half billion dollars in pending applications and which has just had its budget vetoed by the President, would offer little hope for assistance even if the communities were eligible.

Mr. President, the final suggestion for Federal assistance is the Federal Water Quality Administration's waste treatment works construction grants program. As the Members of the Senate are well aware, this program has been traditionally underfunded. It has also been tied to an allocation system based on population which has left a surplus of unspent funds for major urban areas while urgent requirements in rural areas have not been met. Applications are on hand for projects totaling \$7.6 billion while \$1 billion is the expected appropriation for fiscal 1971.

Because of the enormous needs in this area and the insufficient funding, the Federal commitment to projects under this program is limited to a maximum of 30 percent. In Montana, applications for projects totaling \$11,349,700 for 1971 are eligible for only \$3,486,000 in Federal grant assistance. None of the 50 communities in the Safeguard area are even scheduled for this minimal assistance. Only three are scheduled for programs within the next 5 years.

The chief difficulty, however, is that these communities, were they to successfully pass through the State, regional, and Federal application process and wait

in line for approval, still have no other source of funding for the remaining 70 percent of the funds.

Mr. President, I have previously noted that Montana local property taxes are the highest—with Wyoming—per dollar of income in the Nation. I have shown that the local taxes to be derived from the temporary population are almost nil. I have indicated that raising money through municipal bonds is almost impossible in Montana, pending legislative clarification of a Supreme Court decision and a lowering of commercial interest rates, even if the local residents wanted to place themselves into debt for the next 40 years for population which will be gone in 3. And I have stated the time delay involved in any local revenue issues precludes their passage in time to prepare for the 1971-72 peak Safeguard population influx.

Thus, without local or other Federal means of support a possible 30 percent grant is not very helpful. In addition, grants under the FWQA program specifically do not cover sewer collection systems, which would be at least of equal importance to treatment plant expansion in communities experiencing a rapid growth in mobile homes.

What we learn from a closer look at the problem of water and sewer facilities, then, is that what is supposed to be a scientific report by the Safeguard Command is really more like science fiction. What the report optimistically suggests as potential sources of Federal assistance turn out to be a planner's daydreams. The paltry sum which could be actually realized from these sources leaves us with the same question we have asked in every area of impact: How are the Montana communities really going to survive Safeguard?

#### THE NEWSMEN'S PRIVILEGE ACT OF 1970

**HON. OGDEN R. REID**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 13, 1970

Mr. REID of New York. Mr. Speaker, I am introducing today the "Newsmen's Privilege Act of 1970," a bill which will protect all newsmen and other persons directly engaged in the gathering or presentation of news for any newspaper, periodical, wire service, or radio or television station from the forced disclosure of their confidential information and the sources thereof.

While similar legislation in this area has already been introduced this session, it is my view that the bill I am introducing today offers a more complete and justified protection to newsmen. Specifically, my bill provides that in a civil action for damages a newsman will keep his privilege against forced disclosure of his source unless the court makes a finding that substantial injustice will result to the party seeking the information if the source remains anonymous. In other bills in this area, a newsman would auto-

matically be forced to disclose his source in any civil suit for damages.

In my judgment, recent events have pointed out the crucial need for legislation of this type. In February, the Justice Department attempted to subpoena newsmen in order to view reporter's notes, tapes, recordings, news film, and unedited files. As noted by former Attorney General Ramsay Clark, this type of action represented a sharp departure from previous department policy. Also in February of this year, two CBS reporters were issued subpoenas to testify before a Federal grand jury inquiry into the Black Panthers. In order to cover the vast number of possible instances in which protection for newsmen is needed, my bill extends its jurisdiction over all Federal courts, grand juries, agencies, commissions, the Congress, and all committees thereof.

This legislation realizes, and I believe rightly so, the preferred status accorded to the first amendment freedoms in recent years by the U.S. Supreme Court. Freedom of the press implies the free flow of news and information, within the limitations of libel and obscenity and, in essence, represents the public's right to know. Only the most overriding considerations of public policy or the individual's right to redress of grievances in civil actions through the courts should take precedence over the public's right to be informed on all subjects.

This legislation does not intend to place newsmen above the law, but is designed to defend against possible repression of the news media which could conceivably transform our sources of news into little more than propaganda arms for the Government.

Section 2 of the bill refers to the non-disclosure of confidential information, while section 3 refers to the nondisclosure of sources of information. Section 4 contains several important qualifications to the privileges provided in the previous two sections: First, pertaining to the privilege conferred in section 2 concerning the information itself, the privilege shall not apply to any information which has been previously published or broadcast as to its contents by the person claiming the privilege. This provision is specifically drawn narrowly, so that only in the case where the newsman had previously allowed the content of the material in question to become public, may he be denied his privilege of non-disclosure.

The second qualification pertains to the privilege of nondisclosure of the source of information in section 3. The most important point here is that which I mentioned at the beginning of my remarks: A newsman will only be required to name his source when the court finds that substantial injustice would result to the other party if the source remained anonymous. This provision applies only to civil actions for damages.

Yet another qualification limits the privilege concerning the source when it would apply to the details of any grand jury investigation or other proceeding required to be secret under the laws of the United States.

Section 4(c) provides that in any case where a person claims the privilege under section 2 or 3, the person seeking the information may apply to the appropriate Federal district court for an order divesting the privilege. The order shall be granted if, after a hearing, there is substantial evidence that disclosure of the information is required to prevent a threat to human life, espionage, or of foreign aggression. This interposition between prosecutor and newsman provides a buffer zone against "fishing expeditions" by requiring that the party seeking the information prove the existence of a legitimate and specific threat. It should be noted that this applies to both privileges, and is the rule for all cases except those which are of the nature of a civil suit for damages. In these particular cases, the rule 4(b)(1) applies for the source of the information only. Otherwise, 4(c) governs.

In conclusion, I would add that freedom of the press, like freedom of speech, can easily be emasculated. Sometimes this may occur at such an incremental pace that the erosion is difficult to see until the freedom is irrevocably impaired. In my view, legislation such as this bill will provide a formidable barrier to those who, whether the Government or private parties, seek to use the press to further their own interests—often which are not the interests of the public.

I am, therefore, hopeful that the House of Representatives will carefully consider this legislation, and pass favorably upon it.

#### FARM SUBSIDIES MAKE HEADLINES

**HON. JOHN M. ZWACH**  
OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES  
Thursday, August 13, 1970

Mr. ZWACH. Mr. Speaker, agriculture is of prime importance in our Minnesota Sixth Congressional District.

Our people know, from firsthand experience, the impact the farm has on our rural towns and cities. They realize the interdependence between the people on the farms and those in the towns and cities.

It is easy to understand why farm legislation is one of the favorite topics of our editorial writers at this time.

Mr. Speaker, for the information of my colleagues, I would like to insert in the CONGRESSIONAL RECORD at this time an editorial by Gordon E. Duenow in the Little Falls Daily Transcript on the most timely subject of farm subsidies:

#### FARM SUBSIDIES MAKE HEADLINES

"Farmers fight for subsidies" read the headlines of an eastern daily newspaper we read this week. The first paragraph pointed out that "though much of the world goes hungry, not growing crops is one of the more lucrative occupations in America. The more crops some big farm corporations don't grow the more the government pays them."

Continuing, the story related: "With \$250 million at stake for big farm corporations, they are expected to make a desperate effort in Senate-House conference to throw out a \$20,000 limitation on such subsidies just voted by the Senate."

The Nixon administration has decided to support a \$55,000 farm-subsidy limitation instead of \$20,000. Previously it took no position.

Limiting subsidy payments to large farmers has been the subject of discussion in Congress and elsewhere for many years but nothing has been accomplished. We suspect that one of the reasons why Congressmen and Senators have been reluctant to act is because some of their campaign money comes from these big farmers and very little from the family farmer. They needed that money to get elected in the first place and will need it to get re-elected.

We've seen news stories which told of the fight being waged by farm organizations to keep a no-limit subsidy program. There may be some farm organizations fighting for this but we've known at least one farm organization which has been fighting for over 20 years to set a limit on payments to one farmer.

While we'll have to admit that farm subsidies cost a lot of money, the amount seems insignificant when compared with what we spend attempting to kill somebody in far-off places many of us never even heard of before our boys were sent there. The ABM system being built in North Dakota, we suspect, costs the taxpayers more money than the subsidies paid farmers in that state.

According to figures we have seen, in 1969 eight subsidy payments were in excess of \$1 million. Total recipients in 1969 were 2,525,800 with the average farmer receiving \$1,463. A third of the subsidy recipients got less than \$500—and many got much less than that.

We hope that the House and Senate committee can get together and set a limit on the payment any one farmer can receive. It won't hurt us one bit in Morrison County. Maybe if we can get over that hurdle we can get around to improving the program to benefit small farmers such as we have in this area. The big farmers should be able to take care of themselves. If not, let them sell the land back to the family farmer and we'll all be better off.

—G.E.D.

#### CONGRESSMAN McCLOSKEY COMMENTS ON THE PRESIDENT'S VETO MESSAGE

**HON. PAUL N. McCLOSKEY, JR.**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES  
Thursday, August 13, 1970

Mr. McCLOSKEY. Mr. Speaker, I have carefully examined the President's veto message on the education and independent offices appropriations bills. I have also reviewed the details and legislative history of these bills and am voting today to override the veto of the first and sustain the veto of the latter for the following reasons.

First, I agree with the President that cuts in Federal spending are absolutely necessary because of the overriding domestic problem of continuing inflation.

Second, however, the President has asked us to support an SST expenditure this year of \$290 million and an estimated \$17 billion expenditure in Vietnam which will permit maintenance of a troop strength of over 250,000 men in Vietnam by May of 1971. As nearly as I can determine, we save approximately \$1.5 billion per year each time we bring one combat division and its supporting personnel home from Vietnam. Most of our colleagues who have visited Vietnam

in the past 2 months have reported back their opinion that we could withdraw troops at a faster rate than the President is now pursuing. Bringing home 250,000 men rather than 150,000 men during fiscal year 1971 would thus very probably save \$3 to \$4 billion. Compared with the inflationary impact of the \$453 million budget overage for education, the inflationary impact of the SST and current Vietnam policy is at least eight times as great. Furthermore, I am impressed that \$453 million for education this year is more important to the national security than are the SST and an additional 100,000 men in Vietnam. If the President were to cut his expenditures in these areas as he has suggested in the field of education, I would cheerfully vote to sustain his veto, believing that fiscal responsibility and the attack on inflation were receiving even-handed treatment across the board. With his present priorities, however, I cannot agree. Therefore, I will vote to override the education veto and try to cut an additional \$453 million from the defense appropriations bill when it comes before us next month. In so doing, I hope the President will perceive that the House of Representatives, in voting more money for education and less for Vietnam, is encouraging him to direct a more rapid withdrawal from Vietnam. In so doing, we are also reflecting the expressed views of our constituents that we withdraw more rapidly. A recent poll of my own congressional district reflected that 55 percent want to spend more money for education. Seventy-five percent asked that Vietnam spending be reduced. I so vote today.

With respect to the independent office appropriations bill, I will vote to sustain the President's veto, partly in sympathy with the need to fight inflation, but more particularly because I object to the reduced expenditures for Operation Breakthrough and the Environmental Quality Council which were arrived at in conference.

I am likewise in disagreement with the mixture of expenditures determined by the conference committee. I believe that Veterans' Administration expenditures, particularly for medical care, should have been increased, and that NASA expenditures should have been reduced. I believe that the construction of rental unit housing perpetuates a program which has proven both cost-ineffective and detrimental to human dignity. If the veto is sustained, I am hopeful that the ultimate appropriation bill will be more balanced along these lines.

#### CHILDREN'S MEDICAL RELIEF INTERNATIONAL, INC., WORKING IN VIETNAM

**HON. G. WILLIAM WHITEHURST**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES  
Thursday, August 13, 1970

Mr. WHITEHURST. Mr. Speaker, recently I received a letter from a constituent of mine, Dr. Charles E. Horton, concerning the outstanding work which is being done in Vietnam by Children's Medical Relief International, Inc.

So that more people may become aware of what American citizens are doing in Southeast Asia and other parts of the world, I am inserting Dr. Horton's fine letter in the RECORD. Dr. Horton is a member of the national advisory board of Children's Medical Relief International, Inc., as well as president and member of the board of directors of the Educational Foundation of the American Society of Plastic and Reconstructive Surgeons, Inc.

Mr. Speaker, I commend this fine letter to your attention:

JULY 23, 1970.

HON. WILLIAM WHITEHURST,  
House of Representatives,  
Washington, D.C.

DEAR BILL: Recently, I received some correspondence from the Executive Director of the Children's Medical Relief International, Inc., which operates a hospital for plastic surgery in Viet Nam. I am on the National Advisory Board for this institution, and the Educational Foundation of the American Society of Plastic and Reconstructive Surgeons, Inc., of which I am now President, officially endorses and is affiliated with this institution. Apparently the committee of responsibility, COR, has been making leftwing statements for some time regarding the advisability of our involvement in the Vietnamese conflict, and our moral responsibility to take care of the warinjured. They mounted a big effort some three years ago to try to bring a lot of warwounded children to the United States to get plastic surgery care. Our plastic surgery society stated that we would help in any way possible, if bringing such wounded children to the United States was necessary, however, we supported the principle of training Vietnamese Nationalists to take care of their own problems, and felt that much greater good could be performed for their

country by this effort. For example, it costs anywhere from \$50,000.00 to \$100,000.00 to bring a child to this country, care for it adequately over a 6 to 12 months period of time, perform major surgery and rehabilitative efforts on the child, and then perhaps change the child so drastically by exposing it to our civilization that it may not wish to return to Viet Nam. For \$10,000.00 we can build an operating room in Viet Nam which will work for 30 years and will take care of thousands of patients.

Although I cannot prove this, many other people feel as I do, that the COR is an organization trying to find a way to influence public opinion in this country against the present administration and our involvement in the war, and most people suspect that it has definite Socialistic and Leftist leanings.

Our plastic surgery participation in Viet Nam is virtually unknown, but is a true example of private enterprise attacking a problem vigorously. When Dr. Richard Stark of New York City was President of the Educational Foundation of the American Society of Plastic and Reconstructive Surgery, this project was approved by our Board. As a consequence, approximately 30 plastic surgeons have volunteered their services over the past four years, each spending a month or more in Viet Nam to operate on plastic surgery patients, and to teach Vietnamese surgeons the art and skill of plastic surgery. Lectures were given, conferences were scheduled, ward rounds were made, services of the plastic surgeons in the Army, Navy and Air Force were utilized, other plastic surgeons from other countries were mobilized into the effort, and as a consequence, last year, an official Society of Plastic Surgery consisting of nine Vietnamese surgeons, all well trained by American standards, was formed. This represents quite a triumph, and has brought a country which had no plastic surgeon five years ago, to a point where they now can be-

gin to take care of their own problems. All this was done at no expense to American taxpayers, as each plastic surgeon donated his time, effort and paid his own expenses.

Concurrently with this effort, Dr. Arthur Barsky, another New York surgeon, was able to persuade the United States government that a model hospital for plastic surgery reconstruction was necessary. This has resulted in the Children's Medical Relief International, which supplies plastic surgeons to this hospital, and through which our plastic surgery society volunteers work. Care MEDICO has also been of great help to us in Viet Nam, and our Educational Foundation is directly affiliated with this organization. I am currently on the National Advisory Board of Care MEDICO, representing the Foundation.

We plan to start a similar program of plastic surgery volunteers to the Dominican Republic where a great need exists. Plastic surgeons have also donated their services to the ship "HOPE", and to hundreds of other developing countries overseas.

This letter is sent to you because so many times, you do not have material available to you to document the gifts which American citizens are giving out of their own pockets in order to promote their own sincere feelings of the right for all people of the world to have liberty and freedom as we do here in the United States. I thought you might find this information useful and, if it can be publicized in any way around the capitol, and if you need more direct specific information to do so, I can provide this at any time.

Incidentally, the two senior plastic surgeons in Viet Nam, Dr. Cat and Dr. Hai will be visiting with us in Norfolk in October on their way to our National meeting in Los Angeles.

With kindest personal regards, I am  
Sincerely,

Charlie  
CHARLES E. HORTON, M.D.

## HOUSE OF REPRESENTATIVES—Friday, August 14, 1970

The House met at 12 o'clock noon.  
The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

*Rest in the Lord and wait patiently for Him.—Psalm 37: 7.*

O God, whose spirit dwells in the heart of every man and who art seeking to lead Thy children in living happy and useful lives, grant that we may be strong of will, loyal in affection, and great with good thoughts as we endeavor to guide our Nation in these days of decision and destiny. Make us instruments through which justice and good will may come to our Nation and make our Nation a channel through which truth and love may flow into our world.

To this end bless our President, our Speaker, and these Representatives of our people. Lead them in finding the way to a lasting peace, an enduring justice, and an abiding good will in our Nation and among the nations of the world.

May our recess be a source of refreshment and recreation and may we return renewed in body and spirit to carry on the work for our beloved country.

In the spirit of Christ we pray. Amen.

### THE JOURNAL

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

### MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 15381. An act to amend the District of Columbia Income and Franchise Tax Act of 1947 with respect to the taxation of regulated investment companies.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 336. An act to amend section 3(b) of the Securities Act of 1933 to permit the exemption of security issues, not exceeding \$500,000 in aggregate amount, from the provisions of such act;

S. 2176. An act to implement the Convention on Offenses and Certain Other Acts Committed on Board Aircraft, and for other purposes;

S. 2336. An act relating to the parishes and congregations of the Protestant Episcopal Church in the District of Columbia;

S. 3903. An act to provide additional revenue for the District of Columbia, and for other purposes;

S. 3905. An act to authorize the District of Columbia Council to fix the rates charged by the District of Columbia for water and water services and for sanitary sewer services; and

S. 3906. An act to authorize the govern-

ment of the District of Columbia to fix certain fees.

The message also announced that the Vice President, pursuant to Public Law 91-332, appointed Mr. JACKSON, Mr. BIBLE, Mr. FANNIN, and Mr. HANSEN to the National Parks Centennial Commission.

The message also announced that the Vice President, pursuant to title 22, United States Code, section 276, appointed Mr. SPARKMAN (Chairman), Mr. JORDAN of North Carolina, Mr. YARBOROUGH, Mr. YOUNG of Ohio, Mr. MCINTYRE, Mr. HOLLINGS, Mr. GRAVEL, Mr. ALLOTT, Mr. JORDAN of Idaho, and Mr. BELLMON to attend the Interparliamentary Union Meeting to be held at The Hague, Holland, October 1 through October 9, 1970.

### AUTHORIZING CLERK TO RECEIVE MESSAGES FROM THE SENATE AND THE SPEAKER TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that notwithstanding any adjournment of the House until Wednesday, September 9, 1970, the Clerk be authorized to receive messages from the Senate and that the Speaker be author-