

HOUSE OF REPRESENTATIVES—Wednesday, May 19, 1971

The House met at 12 o'clock noon.  
The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

*We are members one of another.—*  
Ephesians 4:25.

Almighty and Eternal God, in the midst of the discords of these difficult days and the demands of our daily duties help us to hold fast to our faith in freedom and to keep alive our love for liberty.

Grant that our Nation and the nations everywhere may put forth greater efforts to achieve peace in our world and to build bridges between people that in deed and in truth we may be one community of persons dwelling upon the face of the earth.

In the Master's name we pray. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Without objection, the Journal stands approved.

There was no objection.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair desires to announce that pursuant to the authority granted him on Tuesday, May 18, 1971, he did, on that day, sign the following enrolled joint resolution of the Senate: Senate Joint Resolution 100.

A COMMUNICATION FROM THE CHAIRMAN OF THE COMMITTEE ON PUBLIC WORKS

The SPEAKER laid before the House the following communication from the chairman of the Committee on Public Works which was read and referred to the Committee on Appropriations:

MAY 14, 1971.

HON. CARL ALBERT,  
Speaker of the House,  
Washington, D.C.

MY DEAR MR. SPEAKER: Pursuant to the provisions of the Public Buildings Act of 1959, and the Independent Offices and Department of Housing and Urban Development Appropriation Act, 1971, the House Committee on Public Works on May 6, 1971, approved the following projects:

Shreveport, La.: Courthouse and office building (lease construction amendment).

Beltsville, Md.: Consolidated Federal Law Enforcement Training Center (construction revision).

Resolution authorizing and directing the Administrator of General Services to make a building project survey within the District of Columbia for the establishment of a convention center-sports arena.

With warm personal regards,  
Sincerely,

JOHN A. BLATNIK,

Chairman, Committee on Public Works.

REPRESENTATIVE MOLLOHAN JOINS IN SPONSORING LEGISLATION WITH REFERENCE TO THE FEDERAL PRIVACY ACT

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

Mr. MOLLOHAN. Mr. Speaker, today I have joined in sponsoring legislation introduced by Representative EDWARD KOCH, of New York, which is called the Federal Privacy Act.

I will state my reasons very briefly.

One of the great dangers to democracy comes from the accumulation of dossiers on individuals. Collected in seemingly harmless routine checks for employment and assistance under Federal programs, these files pass with the speed of the computer from agency to agency and often times to other persons outside the Government.

Many of these files contain rumors which remain unchecked and untested by the individual, and far too often these files become an albatross around the neck of an innocent person.

We have heard the argument that only a guilty person would have anything to fear from governmental files, but who knows what interpretation can be placed on actions we consider innocent, especially if the facts are distorted. What is needed is the freedom from the subtle coercion to stay in line which comes from the awareness that someone is judging and watching you.

BIG BUS BILL

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

Mr. SCHWENGEL. Mr. Speaker, as I have indicated previously, the House Public Works Committee has ordered the big bus bill reported favorably. While the bill has not yet been formally reported, it is my intention to take the floor periodically to discuss the bill.

Today, I would like to call the attention of my colleagues to the financial aspect of the size and weight legislation. I refer to proposals to "provide for a more equitable distribution of the costs of highway programs." In plain language the proposal calls for an increase in the diesel fuel tax from 4 cents per gallon to 5 cents per gallon, and to establish a graduated scale for vehicle use tax. Recommendations for these increases stem from studies which have paralleled the various studies on size and weight. The studies clearly indicate that vehicles utilizing diesel fuel were not paying their fair share of the costs of highway programs. In fact, on a ton-mile basis, the studies show that the auto owner pays over five times as much Federal gas tax as a truckowner.

Mr. Speaker, it seems to me that we

should insure that trucks and buses pay their fair share of the cost of highway programs before we consider any increase in the size and weight of these vehicles. My bill, H.R. 455, the Highway User Act of 1971, would lead to a thorough study of this problem and to a reasonable and fair solution to this obvious inequity and unfair treatment of the drivers of automobiles.

PERSONAL EXPLANATION

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

Mr. ROBINSON of Virginia. Mr. Speaker, although I was present for other business of the House on Monday, May 17, I was absent from the floor on necessary business when the votes were taken on H.R. 5060, to amend the Fish and Wildlife Act of 1956 to provide a criminal penalty for shooting at certain birds, fish, and other animals from an aircraft, and H.R. 2587, to establish the National Advisory Committee on Oceans and Atmosphere.

If present, I would have voted in the affirmative on each of these bills.

PLUMBERS LOCAL 388, LANSING, MICH., VOTES TO ACCEPT A LOWER PAY RAISE THAN IS DUE UNDER THEIR CONTRACT

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

Mr. CHAMBERLAIN. Mr. Speaker, I rise to report to my colleagues of the House one of the most unusual economic events that has ever come to my attention—particularly as we recall the purpose of our late session last night. The news is that the Plumbers Local 388, Lansing, Mich., has voted to accept a lower pay raise than is due them under their contract. The contract called for a wage increase of 85 cents an hour on June 1, 1971. Instead, the plumbers have decided that they will accept only 40 cents of that 85 cents, deferring any further raise at least until March 1, 1972, when the pay structure will be reexamined in the light of economic conditions at that time. This is not a deferral of a wage increase to be picked up later. There is no question of retroactivity on this 45 cents voluntary cut. A spokesman for local 388 put it this way:

We are simply going to take 45 cents less per hour for the next 9 months as a means of stimulating construction in Michigan.

These craftsmen recognize that high rates of pay are a self-delusion if you cannot attract the customers to pay those rates.

Mr. Speaker, I submit that this small group of Michigan plumbers has set a large example for the whole United

States—an example of enlightened self-interest. The construction industry has been accused of feeding the fires of inflation, of being selfish, and shortsighted. It is most encouraging to report to the Congress an event that runs contrary to a threatening trend in this country. I am advised that Secretary of Labor, the Honorable James D. Hodgson, has telegraphed congratulations on this decision to Douglas Griffith, business agent of Plumbers Local 388. I would like to add my congratulations and I know the House of Representatives and the Congress joins me.

#### PERMISSION FOR COMMITTEE ON RULES TO FILE CERTAIN REPORTS

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain reports.

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

Mr. GROSS. Mr. Speaker, reserving the right to object, I have been looking in vain for one of the leaders on the majority side to try to ascertain what the business of the House will be this afternoon other than these few printing resolutions. I wonder if there is anyone here who could tell the House whether we can go to an early lunch today, knowing that there will be no business transacted? What is the situation?

Could my friend, the gentleman from California (Mr. Sisk) help us as to what the situation will be here this afternoon?

Mr. SISK. Mr. Speaker, if the gentleman from Iowa will yield, I will say to the gentleman that I am not a part of the leadership, therefore I am afraid I cannot enlighten the gentleman as to what is proposed for this afternoon.

My only purpose was to ask unanimous consent that the Committee on Rules may have until midnight tonight to have the opportunity to file reports on matters that were reported out late last night.

Mr. GROSS. When I left here last night about 9:30, or whatever the time the session adjourned, it was my feeling that we would be going back to a consideration of the legislation that was undertaken so hurriedly yesterday afternoon. Then I was amazed to read in the newspaper this morning that perhaps we would not return to that legislation for 2 or 3 weeks.

This is incomprehensible in view of the vigor with which the House devoted itself to the legislation yesterday afternoon. Can anyone give any substantial reason for the sudden postponement of that legislation for 2 or 3 weeks?

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

Mr. GROSS. Of course, I am delighted to yield further to my friend from California.

Mr. SISK. I would say to the gentleman from Iowa that I represent only the Committee on Rules, and the Committee on Rules is always ready, willing, and able to operate at any given opportunity or moment.

Mr. GROSS. Yes, I know that.

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

Mr. GROSS. I would be happy to yield to the distinguished gentleman from Ohio.

Mr. HAYS. Mr. Speaker, I do not propose to speak for the leadership, although I understand there is nothing else on the agenda except printing resolutions. But I can, I think, enlighten the gentleman from Iowa a little bit, just from my own personal observation, about why we are not continuing to take up the other bill, and that is that we do not have enough votes, so we may not take it up again.

Mr. GROSS. Mr. Speaker, I appreciate that answer by the gentleman from Ohio because it is what I suspected, and the gentleman, with his usual frankness, confirms my worst suspicions.

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

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

Mr. McFALL. Mr. Speaker, I would corroborate what the gentleman from Ohio said, that all the business scheduled for today are the seven printing resolutions which he will present. I cannot make any further comment about the schedule for today other than the fact that there are just the seven printing resolutions to be considered.

Mr. GROSS. Mr. Speaker, this would have been an excellent day, had this information been confirmed earlier, to go fishing. I am sorry I did not learn of it earlier.

Mr. McFALL. I am sorry also.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

#### PRINTING OF REPORT ENTITLED "INVESTIGATION AND HEARING OF ABUSES IN FEDERAL LOW- AND MODERATE-INCOME HOUSING PROGRAMS"

Mr. BRADEMAS. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Rept. No. 92-211) on the concurrent resolution (H. Con. Res. 103) providing for the printing of the report entitled "Investigation and Hearing of Abuses in Federal Low- and Moderate-Income Housing Programs," and ask for immediate consideration of the concurrent resolution.

The Clerk read the concurrent resolution as follows:

##### H. CON. RES. 103

*Resolved by the House of Representatives (the Senate concurring), That there shall be printed for the use of the Committee on Banking and Currency of the House of Representatives two thousand copies of the committee print entitled "Investigation and Hearing of Abuses in Federal Low- and Moderate-Income Housing Programs," a staff report and recommendations prepared for the Committee on Banking and Currency.*

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

#### AUTHORIZING PRINTING OF VETERANS' BENEFITS CALCULATOR

Mr. BRADEMAS. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Rept. No. 92-212) on the concurrent resolution (H. Con. Res. 120) to authorize the printing of a Veterans' Benefits Calculator, and ask for immediate consideration of the concurrent resolution.

The Clerk read the concurrent resolution as follows:

##### H. CON. RES. 120

*Resolved by the House of Representatives (the Senate concurring), That after the conclusion of the second session of the Ninety-second Congress there shall be printed fifty thousand two hundred and forty copies of a Veterans' Benefits Calculator prepared by the House Committee on Veterans' Affairs of which two thousand copies shall be for the use of the House Committee on Veterans' Affairs, two thousand copies for the use of the Senate Committee on Veterans' Affairs, thirty-seven thousand four hundred and eighty-five copies for the use of the House of Representatives, and eight thousand seven hundred and fifty-five copies for the use of the Senate.*

With the following committee amendments:

Page 1, line 4, following the word "thousand" strike out "two hundred and forty" and insert in lieu thereof "one hundred and fifty-five".

Page 1, line 9, following the word "hundred" strike out "and eighty-five".

The committee amendments were agreed to.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

#### REPRINTING BROCHURE ENTITLED "HOW OUR LAWS ARE MADE"

Mr. BRADEMAS. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Rept. No. 92-213) on the concurrent resolution (H. Con. Res. 206) to reprint brochure entitled "How Our Laws Are Made," and ask for immediate consideration of the concurrent resolution.

The Clerk read the concurrent resolution as follows:

##### H. CON. RES. 206

*Resolved by the House of Representatives (the Senate concurring), That the brochure entitled "How Our Laws Are Made", as set out in House Document Numbered 91-127 of the Ninety-first Congress, be printed as a House document, with a suitable paperback cover of a style, design, and color to be selected by the chairman of the Committee on the Judiciary of the House of Representatives, with emendations by Joseph Fischer, Esquire, law revision counsel of the House of Representatives Committee on the Judiciary, and with a foreword by the Honorable Emanuel Celler; and that there be printed two hundred and forty thousand five hundred ninety-eight thousand additional copies, of which twenty thousand shall be for the use of the Committee on the Judiciary and the balance prorated to the Members of the House of Representatives.*

With the following committee amendments:

Page 1, lines 11 and 12, following the word "printed" strike out the words "two hundred



and forty thousand five hundred" and insert in lieu thereof the words "ninety-eight thousand".

Page 1, line 12, following the word "which" strike out the word "twenty" and insert in lieu thereof the word "ten".

**CALL OF THE HOUSE**

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

The SPEAKER. Evidently a quorum is not present.

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

A call of the House was ordered.

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

[Roll No. 103]

Abourezk	Fisher	Miller, Calif.
Addabbo	Foley	Mills
Anderson, Ill.	Ford	Minshall
Anderson, Tenn.	William D. Fountain	Mollohan
Ashley	Fulton, Tenn.	Morgan
Badillo	Galifianakis	Nix
Barling	Gallagher	Patman
Blatnik	Gettys	Pelly
Bolling	Gialmo	Pryor, Ark.
Burlison, Mo.	Gray	Rallsback
Byrnes, Wis.	Green, Oreg.	Randall
Cabell	Green, Pa.	Rees
Chappell	Griffiths	Rooney, N. Y.
Clark	Gubser	Rosenthal
Clay	Hansen, Idaho	Rostenkowski
Conyers	Hébert	Roy
Corman	Howard	Runnels
Davis, S.C.	Hull	St Germain
Dennis	Jones, N.C.	Scheuer
Dent	Karth	Schneebell
Diggs	Keith	Shibley
Dorn	Leggett	Slisk
Downing	Long, La.	Stuckey
Drinan	McCulloch	Teague, Calif.
Dulski	McDonald,	Tierman
Dwyer	Mich.	Udall
Edwards, La.	Macdonald,	Wyatt
Esch	Mass.	Young, Tex.
Evins, Tenn.	Mathias, Calif.	

The SPEAKER. On this rollcall 348 Members have answered to their names, a quorum.

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

**REPRINTING BROCHURE ENTITLED "HOW OUR LAWS ARE MADE"**

The SPEAKER. At the time of the quorum call, there was still pending House Concurrent Resolution 206 and amendments thereto.

The committee amendments were agreed to.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

**AUTHORIZING CERTAIN PRINTING FOR THE COMMITTEE ON VETERANS' AFFAIRS**

Mr. BRADEMAs. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Rept. No. 92-214) on the concurrent resolution (H. Con. Res. 242) authorizing certain printing for the Committee on Veterans' Affairs, and ask for immediate consideration of the resolution.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 242

*Resolved by the House of Representatives (the Senate concurring), That after the con-*

clusion of the first session of the Ninety-second Congress there shall be printed for the use of the Committee on Veteran Affairs of the House of Representatives fifty-six thousand one hundred copies of a publication entitled "Summary of Veterans Legislation Reported, Ninety-second Congress, First Session", with an additional forty three thousand nine hundred copies for the use of Members of the House of Representatives.

That after the conclusion of the second session of the Ninety-second Congress there shall be printed for the use of the Committee on Veterans Affairs of the House of Representatives fifty-six thousand one hundred copies of a publication entitled "Summary of Veterans Legislation Reported, Ninety-second Congress", with an additional forty three thousand nine hundred copies for the use of Members of the House of Representatives.

With the following committee amendments:

Page 1, line 8, following the word "additional" strike out "forty-three thousand nine hundred" and insert in lieu thereof "forty-four thousand."

Page 2, lines 3 and 4 following the word "additional" strike out "forty-three thousand nine hundred" and insert in lieu thereof "forty-four thousand".

The committee amendments were agreed to.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

**PRINTING OF ADDITIONAL COPIES OF PART I OF THE HEARINGS BEFORE THE SUBCOMMITTEE ON CRIMINAL LAWS AND PROCEDURES OF THE COMMITTEE ON THE JUDICIARY**

Mr. BRADEMAs. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Rept. No. 92-215) on the Senate Concurrent Resolution (S. Con. Res. 15) pertaining to the printing of additional copies of Part I of the hearings before the Subcommittee on Criminal Laws and Procedures of the Committee on the Judiciary, and ask for immediate consideration of the Senate concurrent resolution.

The Clerk read the Senate concurrent resolution, as follows:

S. CON. RES. 15

*Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Senate Committee on the Judiciary five thousand additional copies of part I of the hearings before the Subcommittee on Criminal Laws and Procedures of the Committee on the Judiciary on February 10, 1971, entitled "Reform of the Federal Criminal Laws, Volume I, Report of the National Commission on Reform of Federal Criminal Laws".*

The Senate concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

**PRINTING OF ADDITIONAL COPIES OF SENATE REPORT 91-1548, ENTITLED "ECONOMICS OF AGING: TOWARD A FULL SHARE IN ABUNDANCE"**

Mr. BRADEMAs. Mr. Speaker, by direction of the Committee on House Ad-

ministration, I submit a privileged report (Rept. No. 92-216) on the Senate concurrent resolution (S. Con. Res. 18) authorizing the printing of additional copies of Senate Report 91-1548, entitled "Economics of Aging: Toward a Full Share in Abundance," and ask for immediate consideration of the Senate concurrent resolution.

The Clerk read the Senate concurrent resolution, as follows:

S. CON. RES. 18

*Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Senate Special Committee on Aging six thousand additional copies of its report to the Senate of December 31, 1970, entitled "Economics of Aging: Toward a Full Share in Abundance" (Senate Report 91-1548).*

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

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

Mr. GROSS. I understand the concurrent resolution provides for the printing of 6,000 additional copies, for the use of the Senate, of its report on the subject of "Economics of Aging: Toward a Full Share in Abundance." If I approach the Senate, politely and courteously, I wonder if I could get a copy of that report. Being one of the younger Members of the House, I am interested in the "Economics of Aging: Toward a Full Share in Abundance," and particularly the latter. Would I be able to get a copy?

Mr. BRADEMAs. Not only am I sure that the gentleman would be able to obtain a copy from the Senate, but I am glad to say to my friend from Iowa that immediately upon adoption of the resolution I shall be glad to hand him a copy.

Mr. GROSS. I shall be delighted to have it. I thank the gentleman.

The Senate concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

**LEGISLATIVE PROGRAM**

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

Mr. GERALD R. FORD. Mr. Speaker, I take this time for the purpose of asking the distinguished majority whip the plans for today and the plans for tomorrow so far as the House is concerned.

Mr. O'NEILL. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Massachusetts.

Mr. O'NEILL. We have completed the business for today. There is nothing on the schedule for tomorrow.

At the present time, as the Members know, the supplemental appropriation bill is being acted upon by the Senate. It is anticipated action will be completed by the Senate tonight. Consequently the bill would arrive back here tomorrow, for a conference committee. It is understood at that particular time a motion will be made by one of the Members to instruct the conferees with respect to the SST, so consequently it would appear that the matter will be before the House tomorrow and that there will be a roll-call asked.

Mr. GERALD R. FORD. As I under-

stand it, when the other body concludes action later tonight—and it is my understanding there will be a vote at about 6 o'clock on the SST matter in the other body—and finishes that supplemental appropriation bill it will be messaged over to the House tomorrow, when we meet.

At that time, as I understand it, the gentleman from Texas, the chairman of the committee, will move to send it to conference. Is that correct?

Mr. MAHON. Will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Texas.

Mr. MAHON. The Senate may finish the second supplemental bill tonight, including, of course, action on the SST.

In the background, we must consider this: Some parts of the Government are confronted with a payless payday unless action is taken this week on the second supplemental bill or unless action is taken on the special continuing resolution which passed the House last week and which has not been considered by the other body, and which would make it possible to avoid a payless payday. So it does seem to me that tomorrow could be a very critical day.

It seems to me we have to move with all deliberate speed to try to get the bill to conference and have a determination made so that, if possible, we might complete action on the second supplemental bill tomorrow. It may be that the other body may not act on the continuing resolution; that would depend on action on the second supplemental bill.

That seems to be about the best way to summarize the situation at the moment.

Mr. GERALD R. FORD. What the majority whip and the gentleman from Texas are saying is there is a high degree of likelihood that there will be a vote in the House of Representatives tomorrow?

Mr. YATES. Will the gentleman yield to me?

Mr. GERALD R. FORD. I yield to the gentleman from Illinois.

Mr. YATES. Would the gentleman permit me to ask the distinguished chairman of the Committee on Appropriations a question, which is this: Suppose the Senate does not finish the second supplemental bill tonight after voting on the SST? Will not the gentleman's request to go to conference then be put over until Monday?

Mr. MAHON. If the gentleman will yield to me, I think the record is clear that if the other body defeats the SST, action on the bill will be completed tonight in the other body. Therefore, it could go to conference tomorrow. If the SST is not defeated in the other body—or so a public statement has been made in the other body, as I understand it—then it is indefinite as to when action on the bill in the other body will be completed. But it is unpredictable, of course, as to what the other body will do.

We must, I think, try to avoid a payless payday. However, it is up to the other body because we have passed a continuing resolution. But the other body, it seems, would prefer to enact the second supplemental bill and avoid

acting on the continuing resolution if that is possible.

Mr. GERALD R. FORD. What is the status of the continuing resolution, may I ask the chairman?

Mr. MAHON. The continuing resolution was passed by the House last week. It has been reported from committee in the Senate. It is there on the calendar, and it can, of course, be taken up at the will of the other body. But as the gentleman realizes, as long as the other body does not pass the continuing resolution, that adds pressure for the necessity of early action on the second supplemental bill.

Mr. YATES. Will the gentleman yield further to me?

Mr. GERALD R. FORD. Yes. I yield to the gentleman from Illinois.

Mr. YATES. The reason for my question is that the SST item is placed in the middle of the second supplemental bill, and it is possible that there may be a number of other items in the bill that may be subject to controversy. That was the reason why I asked my question and not because of any disagreement on the SST. It is because the Senate may not finish the bill tonight. There is that possibility.

Mr. GERALD R. FORD. May I summarize the situation? As I see it, the likelihood is that the other body will pass the second supplemental tomorrow at the latest and hopefully today sometime.

And, if so it will come to the House tomorrow and at that time there is a probability that there will be a rollcall and Members ought to be advised of that possibility?

Mr. O'NEILL. The gentleman is exactly correct.

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

Mr. GERALD R. FORD. I yield to the gentleman from Illinois.

Mr. PUCINSKI. The distinguished chairman of the Appropriations Committee mentioned the prospect of a payless payday this weekend.

Is it possible that if the other body is all snarled up on the SST, or if the conferees get tied up on the SST, or this House gets tied up, that indeed this SST controversy could mean a payless payday this weekend?

Mr. MAHON. On the 20th of this month, which is tomorrow, we were told last week that there would be a payless payday for postal employees unless we quickly settle the second supplemental bill and send it to the White House, or unless the Senate passes the continuing resolution which the House has already passed.

Mr. PUCINSKI. Mr. Speaker, if the gentleman will yield further, if both bodies remove this very controversial SST from the legislation and let us move on to approve the whole supplemental appropriation bill, then this situation would be avoided?

Mr. MAHON. My attention was momentarily diverted. I did not quite get the gentleman's question.

Mr. PUCINSKI. Or, the third alternative is for both bodies to remove this very controversial SST from the supplemental appropriation bill and get the bill

approved in order that the boys can get their pay?

Mr. MAHON. That would be a matter between the House and the Senate.

#### FUNDS FOR POLLUTION CRISIS

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

Mr. ROUSH. Mr. Speaker, on February 8, 1971, President Nixon stated in his environmental message to Congress:

Adequate treatment of the large volume of commercial, industrial and domestic wastes that are discharged through municipal systems requires a great expenditure of funds.

This statement coupled with the consistent administration emphasis on an all-out attack on our pollution crisis, causes me to question why the President has chosen to put \$200 million in reserve for water and sewer facility grants. In no other single area, domestically, has the Chief Executive launched such a widespread campaign as he has in the area of pollution. I heartily commend the President's proposals, but equally strongly, I object to his refusal to spend these funds in light of our immediate need to meet water quality standards all over the country. This is yet another example of Mr. Nixon's failure to match his rhetoric with reality. On the one hand, he talks about the dire need and makes promises for the future. On the other hand, he withholds funds which could be used now to meet the needs we have today.

The President was very explicit in that environmental message. He emphasized:

We must have action to meet the needs of today if we would have the kind of environment the nation needs for tomorrow.

I simply ask the President to follow his own advice and release those funds now, so drastically needed to meet our national pollution problem.

Perhaps some light can be thrown on this contradiction between words and action. Mr. Romney, Secretary of the Department of Housing and Urban Development, in testimony on March 4, 1971, before the Senate Subcommittee on Housing and Urban Affairs, spoke about congressional authorization of \$1 billion for water and sewer grants in the Emergency Facilities Act of 1970. The Secretary said that—

This action has led to false hopes all over the country. I don't think that any of you believe that the President is going to ask for these funds, and I don't believe that the Congress would appropriate them if he did. We can't go in every program with higher and higher levels of spending without finding some new sources of revenue to meet the cost.

I had thought such decisions rested with the Congress.

At the same time, Secretary Romney discussed the issue of revenue sharing and the impoundment of funds. In reference to an additional \$200 million which is in reserve for urban renewal, the Secretary stated:



These extra funds will not be used this year to increase a program scheduled for termination January 1, 1972, when special revenue sharing is scheduled to go into effect.

In reference to the \$200 million in reserve for water and sewer facilities, he added:

As in the case of urban renewal, there will be no acceleration of a program scheduled for termination January 1, 1972.

I resent the Secretary's assumption of congressional prerogatives and his pre-judgment of congressional intent. Revenue sharing is not presently the law, and withholding of funds in expectation of that is a highly presumptive action. And furthermore, I firmly object to his suggestion or threat that until revenue sharing comes into existence these funds will remain in reserve in spite of any moneys Congress appropriates.

And to add insult to injury, Secretary Romney said in that same testimony:

I am not going to be a party to throwing federal funds around just because they happen to be available.

The U.S. Congress does not appropriate money loosely and moreover, allocating funds for badly needed sewage facilities and urban renewal is hardly "throwing money around."

These statements by spokesmen for the administration, statements we have heard before and continue to hear, to my mind, present a serious question to this legislative body. Just how long must we accept this blatant usurpation of congressional authority?

#### THE NARCOTIC ADDICTION REHABILITATION ACT OF 1966

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

Mr. WRIGHT. Mr. Speaker, my remarks today are addressed to those in this body who voted in favor of the Narcotic Addict Rehabilitation Act of 1966.

We acted in the earnest conviction that by this landmark legislation we were taking a large step toward combating the insidious evil of narcotic addiction in the United States.

We had every reason to presume that the provisions of the NARA legislation would be conscientiously and diligently administered by the executive agencies of our Government.

It is my regrettable duty to report today that our expectation may have been naive, to say the least. We did not count on the clear intent of the legislation being frustrated by the National Institute of Mental Health.

NIMH, it turns out, has arbitrarily assumed unto itself the right to decide when and where the agency, in its infinite administrative wisdom, will heed to provisions of the NARA legislation that was duly enacted into law by the Congress of the United States.

In my possession is a NIMH document which brazenly suggests that the agency itself ask the courts to reduce drug addiction commitments under NARA.

And if our colleagues are rightfully

wondering why an agency would suggest such an incredible step, I must explain that it was doing so in order to lighten the patient load on one of only two narcotic treatment centers in the Nation so that, of all things, it could close up the center.

In other words NIMH is guilty not only of unsurpassingly faulty judgment in seeking to close up one of our Nation's only two comprehensive drug treatment centers.

It has had the further audacity to propose that the courts curtail admissions to this center so that it can build a better argument for closing it up.

The center involved in the NIMH's crude attempt at administrative sleight-of-hand is the Clinical Research Center in Fort Worth.

In its planning papers to rob the Nation of the crucially needed facility, an NIMH official had this to say:

Fort Worth would cease taking patients as of June 1 from 15 states . . . These patients would go to Lexington. Lexington would have to support an additional 35 beds. . . .

During the month of July courts in the West would be asked to reduce NARA commitments. This would be done on an informal basis with those courts that contribute heavily to NARA admissions.

Mr. Speaker, this is incredible. Never in our country's history have we faced such a grave crisis in drug abuse. Only last month, a special subcommittee of the House Armed Service Committee estimated that 40 to 50 percent of the men entering military service have at least experimented with marijuana, and upward of 10 percent of our personnel in Vietnam could be using hard narcotics.

Against this chilling backdrop, NIMH proposes blithely to ignore the emphatic intent of Congress on the matter of providing treatment.

If the Congress of the United States allows this agency to get away with this irresponsible action, we ought to be ashamed of ourselves.

If we let NIMH close up a valuable treatment center at the very height of a drug crisis of unparalleled magnitude, we ought to add to the Narcotics Addiction Rehabilitation Act of 1966:

All provisions of the Act are subject, of course, to the arbitrary whims of the National Institute of Mental Health and any other executive agency which cares to ignore or alter the provisions herein contained.

#### REPRESENTATIVE SNYDER INTRODUCES RESOLUTION TO DECLARE MAY 19, 1971, AS DR. WILLIAM CULBERTSON DAY

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

Mr. SNYDER. Mr. Speaker, I have introduced a resolution which would, if passed, declare this day Dr. William Culbertson Day in honor of one of America's foremost Christian educators.

One of the truly remarkable things about Dr. Culbertson is that, in these days of student-administration animosity and conflict, it was the students of Dr. Culbertson who wrote to me and

asked me to make a gesture of gratitude to him here in the Congress.

Many of my colleagues have received letters and telegrams from constituent students praising Dr. Culbertson, but I would like to take this opportunity to acquaint all of you with this outstanding individual.

Dr. Culbertson has served as president of Moody Bible Institute in Chicago since February 4, 1948. During those years, the institute has taken giant strides forward under his leadership—giant strides in training young people for full-time Christian service. Many of the school's graduates are presently serving in mission fields across the world, or here at home as pastors, Christian education directors, home missionaries, or Christian laymen. Notably, nearly 10 percent of the American missionaries in the field today have been trained by the Moody Bible Institute.

Dr. Culbertson came to Moody in 1942 as dean of education. He had previously served as pastor and teacher in the East. At the age of only 31, he was elected bishop of the Reformed Episcopal Church in the New York area—the youngest man ever elected to that position.

On August 1 of this year, Dr. Culbertson will become chancellor of Moody Institute and the students there have planned a program for May 19, today, to honor their president. Typical of the response evoked across the Nation by this singular tribute was a telegram from the Reverend Billy Graham in which he congratulated Moody students for honoring their president while other students have no respect for their presidents. It represents an index of high regard for the man himself—and a measure of the quality of his students.

Dr. Culbertson has been a true leader in the evangelical movement. Through his own ministry, his exemplary personal life, and his 29 years at Moody, he has made an invaluable contribution to the spiritual fiber of America.

It is thus with great pleasure and admiration that I join today with the students of Moody Bible Institute, Christians, men of good will, and my colleagues in Congress in wishing Dr. William Culbertson our best wishes for continued success—and our gratitude for his distinguished and faithful contribution to our country, our civilization, and our personal lives.

Mr. SHRIVER. Mr. Speaker, I am pleased today to join with many of my colleagues in the House of Representatives in honoring Dr. William Culbertson, president and soon to be chancellor of the Moody Bible Institute in Chicago.

While I do not know Dr. Culbertson personally, his reputation and popularity are well known. As a mark of the respect and affection with which he is held by his students and alumni of the institute, today has been chosen as Dr. Culbertson Day.

Dr. Culbertson has served as president of Moody for more than 23 years. At the completion of his term in August, he will become chancellor of the institute. During his tenure as president, he has exerted a strong and positive influence on his students during their education and

throughout their lives. It is now estimated that nearly 10 percent of American missionaries serving today are graduates of Moody.

I am particularly aware of the strong influence Dr. Culbertson's leadership has had on young people. Richard Middleton, a young man from my congressional district, decided to attend Moody rather than accepting an appointment to the U.S. Military Academy at West Point. Richard has written to me expressing his respect for Dr. Culbertson. Quoting from his letter:

Dr. Culbertson has been a faithful servant, keeping the Institute in step with the changing times, as well as a patriotic American. He and the Institute have made an invaluable contribution to the spiritual fiber of our great nation.

This is a fine tribute from a student to a president of an institution of higher education, especially during these times of campus strife. I am certain that these words from his students will mean more to him than anything we can say in the House today.

At any rate, we salute this fine leader and declare this Dr. William Culbertson Day in the U.S. House of Representatives.

Mr. ANNUNZIO. Mr. Speaker, as one of the Members of Congress from Chicago, it gives me great pleasure to join with my colleagues today in expressing congratulatory wishes to Dr. Williams Culbertson on his forthcoming—August 1—installation as chancellor of one of the outstanding educational institutions in our city, and indeed, in our Nation—the Moody Bible Institute. I am grateful to my good friend, the Honorable GENE SNYDER of the Fourth District of Kentucky, for having sponsored this tribute to Dr. Culbertson.

Born in 1905 in Philadelphia, Dr. Culbertson received his S.B. from Temple University in 1929 and his B.D. from the Reformed Episcopal Theological Seminary in that same year. Since 1930 he has served as a trustee of that seminary.

Through the years he has been a distinguished leader in his denomination, the Reformed Episcopal Church, founded here in America in 1873. Ordained in 1928, he was consecrated Bishop in 1937, and has served parishes in Pennsylvania, New Jersey, and New York. In 1939 he received his LL.D. from Bob Jones University in Greenville, S.C.

Dr. Culbertson lectured at the Philadelphia Seminary from 1929 to 1942, and his association with the Moody Bible Institute dates from 1942 when he became dean, a post he held until 1947 when he was designated acting president and dean of education—1947-48. He has served as president since 1948, while, while also—since 1947—editing the widely respected Moody Monthly. He has been assistant editor and associate editor of the Episcopal Recorder and, since 1940, a member of the North American Council, China Inland Mission. His membership in the Evangelical Theological Society reflects a lifelong commitment to evangelical religion.

The Moody Bible Institute was founded in 1889—as the Chicago Bible Institute—by the great American evangelist, Dwight L. Moody. For over 80 years it has been a vital center of Chris-

tian faith. In his ministry at Moody, Dr. Culbertson has made a great contribution to the spiritual health of America, to the Christian world-community, and to the ongoing life and work of the Moody Institute, giving of himself generously and without stint. He has rendered inestimable service to his Nation and to the cause of Christ in a ministry truly blessed of God and man in these troubled days.

To Dr. Culbertson, his wife, and children, I am delighted to extend my congratulations at this time and my best wishes for abundant good health and continuing fruitful service to our people.

Mr. GRAY. Mr. Speaker, it has come to my attention that the students of the Moody Bible Institute have set aside this day, May 19, 1971, to honor their president, Dr. William Culbertson, who will become chancellor of the institute on August 1, 1971.

Dr. Culbertson has dedicated his life and work to the training of young Christian people who endeavor to serve the Lord. Over the past quarter of a century, he has unwaveringly devoted his time and energies to guide these aspiring students to achieve a higher purpose.

Mr. Speaker, this man's achievements will stand as a lasting monument to his life and work and, under general leave, I hereby pay tribute to a great man.

Mr. ANDERSON of Illinois. Mr. Speaker, I am today joining with several of my colleagues in asking for a congressional resolution to declare May 19, 1971, as Dr. William Culbertson Day.

I have with me several letters from constituents who were former students at Moody Bible Institute. These letters express in direct and eloquent language the great appreciation these students feel for Dr. Culbertson's leadership at Moody Bible Institute over the past 23 years.

At the present time I insert copies of these letters in the RECORD as a fitting tribute to Dr. Culbertson:

DEAR CONGRESSMAN ANDERSON: I am a student at Moody Bible Institute, and we are attempting to set aside a special day for our president, Dr. William Culbertson who has served our school since 1948. He is now completing his term and will become chancellor in August.

Our Student Council has asked Cong. Gene Snyder to introduce a resolution authorizing the President to proclaim May 19, 1971, as Dr. William Culbertson Day.

As a resident of your district I would appreciate it greatly if you would throw your support behind this resolution and help pass it in time.

Moody has trained more than 10% of the missionaries serving today, as well as thousands of pastors and Christian workers in America. Dr. Culbertson has been a faithful servant, keeping the institute in step with the changing times, as well as a patriotic American. He and the Institute have made an invaluable contribution to the spiritual fiber of our great nation.

Respectfully yours,

SALLY S. LEE.

MAY 4, 1971.

DEAR CONGRESSMAN ANDERSON: Dr. William Culbertson has served as president of Moody Bible Institute for more than 20 years. He is now completing his term and will become chancellor in August.

I am a student at Moody, and we are attempting to set aside a special day for him,

to honor him for the faithful, God-honoring service he has given Moody since 1948.

Our Student Council has asked Cong. Gene Snyder to introduce a resolution authorizing the President to proclaim May 19, 1971, as Dr. William Culbertson Day.

Moody has trained more than 10 percent of the missionaries serving today, as well as thousands of pastors and Christian workers in America. Dr. Culbertson has been a faithful servant, keeping the Institute in step with the changing times, as well as a patriotic American. He and the Institute have made an invaluable contribution to the spiritual fiber of our great Nation.

As a resident of your district, I would appreciate it greatly if you would throw your support behind this resolution, and help get it passed in time. Thank you.

Sincerely yours,

CATHY BARDELL.

#### GENERAL LEAVE

Mr. SNYDER. Mr. Speaker, I ask unanimous consent that all Members desiring to do so may extend their remarks on the subject of Dr. William Culbertson Day.

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

There was no objection.

#### THE SST AND THE SECOND SUPPLEMENTAL APPROPRIATION BILL

The SPEAKER. Under a previous order of the House the gentleman from Illinois (Mr. YATES) is recognized for 30 minutes.

Mr. YATES. Mr. Speaker, the House is aware of the discussion a few minutes ago to the effect that a motion to instruct the conferees on the SST will be made at such time as consent is requested to send the second supplemental appropriation bill to conference. I propose to make that motion, Mr. Speaker. I do not like to take this step of seeking to instruct conferees before they go to conference, but I have no other alternative, if there is going to be another vote on the SST in the House, and in my opinion such a vote is necessary in view of the developments of last week after the House resurrected the SST program.

Mr. Speaker, I believe Members would want to and ought to have an opportunity to express themselves again on the issue before the conference begins. Some will argue that we should not bind the hands of the conferees, and as a general rule that is true. But that rule is not appropriate here, Members will be afforded no opportunity to vote again on the SST after the conference is reported back to the House. The rules of the House prevent it. Under the applicable parliamentary procedure Members will only be able to approve or disapprove the report in toto. Any agreement made in the conference on the SST will be buried in the mass of appropriation items and the SST will not be susceptible to a separate vote unless, of course, the item is brought back in disagreement.

Mr. Speaker, that is why this motion is so important. It is probable that all of the conferees will be supporting the House position, unless the House instructs them to the contrary. They will



feel that they are mandated to support the position of the House and most of them have supported SST appropriations in the past. The vote on my motion will probably represent the last opportunity that Members will have to show their awareness of how drastically the situation has changed since last Wednesday.

Mr. Speaker, when I think of the House vote last week I am reminded of a story about one of the colorful members of the House in an earlier day. I am referring Mr. Speaker, to the chairman of the House Subcommittee on Agriculture of the Appropriations Committee, old Judge Tarver, who got into a very strong argument with his counterpart in the other body, Senator Bankhead. They argued for weeks in conference over a particular item until, finally, Judge Tarver made a last proposition. Senator Bankhead protested in surprise. "But, Judge," he said. "Do you want the House to approve an absurdity?" The judge chewed his tobacco and then spat, "Senator," he said, "It's been done before."

What the House did last week in resurrecting the SST was an absurdity as was shown by the statements by the contracting officials only 1 day later.

It all came about through the efforts of my distinguished friend, the minority leader, who in his speech to the House proposed a bargain basement sale to buy the two SST prototypes.

He said that the Congress could buy the two SST prototypes almost for the price of the termination costs. He asserted it would cost more to terminate the contract than to keep it going, and many Members accepted that view. One has only to read the RECORD of that day to see in almost every speech the statement that all the House had to do was to approve the \$85 million in the bill, pay the rest of the contract price of \$1.3 billion—or perhaps a little more for starting up costs—and the Government would become the owner of two prototype SST aircraft.

But, Mr. Speaker, the next day came reality, the reality of the additional enormous costs that I warned against in my speech, but which were outlined by the contractors this time in statements to the press. The very next day the top executives of the contracting companies, Boeing and General Electric, exploded completely the arguments of the minority leader's bargain sale by saying in effect they wanted no part of that deal.

Mr. William M. Allen, who is the chairman of the board of the Boeing Corp., said it would cost an additional one-half to 1 billion dollars over the contract figure just to get the two prototypes. At the same time, a Boeing spokesman in Seattle said that the contractors would not go to work again on the SST project unless the Government assumed the cost of the SST production model as well. According to testimony before the Committee on Appropriations, of which I am a member, Mr. Speaker, that cost for the production phase of the aircraft is estimated to be between \$3 and \$4 billion.

And on the same day, Mr. Speaker, Fred Borch, who is the chief executive officer of General Electric, said he wanted

no more of any cost-sharing contracts, no 90 percent to the Government or 10 percent to the company. He did not want that kind of a contract any more. From now on it must be 100-percent Government funding. Thus, Mr. Speaker, instead of a contract for two prototype aircraft costing an additional \$300 or \$400 million over the \$85 million approved by the House, as the House had been led to believe would be the case, the cost to the Government, by the contractors' own statements, would approximate \$5 to \$6 billion.

Mr. Speaker, I read from the authoritative magazine, Aviation Week and Space Technology, for May 17, 1971. It says on page 26, and I quote from that publication:

Boeing's Allen said there would have to be some kind of financial support beyond the construction of two prototype aircraft and 100 hr. of testing, to which the original contracts were limited.

He declined to name a figure for the financial support he feels his company needs to offset some of the production costs. But, he said, "It's in the billions."

The magazine said further that a spokesman for General Electric indicated that the company would require a settlement of its termination costs before it initiates talks on a new contract. Boeing said it viewed any new contract as entirely separate from the terminated one.

My good friend, the distinguished minority leader, was quoted in the press the next day as saying that these were only negotiating statements on the part of the contractors. And now the White House through Clark McGregor says the cost would really be \$200 million more than those stated by the contractors.

Well, Mr. Speaker, I do not think the contractors are very anxious to return to that same contract again for any price. They might be willing to consider another contract with different, much more expensive terms to the Government, but certainly not at the price that was represented to the House when it voted to revive the SST project.

I suspect the contractors are delighted to get out of the contract. The SST undertaking was a very risky one, and the contractors had advanced to the point of where they would have to invest very substantial amounts of their own money, not the Government's money, but their own money, in the project. That makes a difference. I am informed the amount was \$278 million.

Mr. Speaker, the time has come to stop indulging in wishful thinking. The minority leader's estimates are obviously wrong. It is clear that the termination costs for the contract are much lower than the costs would be necessarily to go ahead. In fact, termination costs are hundreds of millions of dollars less even for the prototypes.

I propose to offer the motion, Mr. Speaker, because the conferees cannot perform miracles, they cannot compel Boeing and General Electric to return to a contract that has been terminated, and that they do not want for their companies.

All the White House horses and all the White House men cannot put that con-

tract back together again if Boeing and General Electric say "No."

And I cannot understand the insistence by the White House that the contract be kept alive.

I would be fearful of any new contract that the White House approved for an SST if the House insists on keeping this program alive. The costs have skyrocketed too much.

The White House can do it under existing authority. As a matter of fact, the SST, itself, did not come into being as the result of a single bill voted out by the Interstate and Foreign Commerce Committees of the House and Senate. Its authority is based upon a very old provision in the Federal Aviation Administration law which gives the administrator the authority to buy experimental aircraft. There was never any kind of additional authority given other than the repetition of that provision in the legislation which established the Department of Transportation.

Mr. Speaker, it is much more reasonable if Members of the House favor the SST, as many of them do—it would be much more reasonable if they want the United States to have one, to let the Interstate and Foreign Commerce Committees of the House and Senate review the entire situation, examine the facts and vote out a bill if the committee thinks it should be done. This is not a simple matter. It involves billions of dollars of the taxpayers' money, and it is a matter that deserves thorough exploration by the legislative congressional committees before additional billions of dollars are voted to continue work on that plan.

I believe, Mr. Speaker, that the conferees ought to be instructed to close this chapter of the book, and I will urge that my motion be accepted.

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

Mr. YATES. I yield to the gentleman.

Mr. PUCINSKI. Mr. Speaker, I take this opportunity to congratulate my colleague, the gentleman from Illinois (Mr. YATES) for the truly magnificent job he has done in leading the opposition to this project. Very often we ask if, in a legislative body of 435 Members in the House, one individual can achieve anything. I believe that our colleague, the gentleman from Illinois (Mr. YATES) has demonstrated that there is room within this system to generate an opposition and to make this opposition meaningful and to make your own voice in opposition heard and to make your objections known. The gentleman has done a great job. It is my hope that the other body will reject the unfortunate action taken here last week.

I was deeply concerned a few moments ago when the distinguished chairman of the House Committee on Appropriations cautioned that we may see payless paydays for postal workers as a result of this new controversy over the SST which I thought we had safely put away a number of weeks ago.

I am disturbed that this matter has come back to the House under the guise of providing funds for closing out contracts, and then, through parliamentary maneuvering, see the closing out pro-

posal become a new proposal for continuing the SST.

I believe that the gentleman from Illinois has on a number of occasions very graphically demonstrated that those of us who are opposed to this SST and have been opposed to it all these years, are not opposed to progress. I am sure that the time will come when a supersonic transport must be developed for this country. But right now there are so many questions still unanswered—and this project requires such an enormous outlay of money. The gentleman from Illinois quite properly states the case when he says that for that kind of expenditure the appropriate committee of the House, in this instance the House Interstate and Foreign Commerce Committee, ought to carefully examine the entire matter and then come before the House with a carefully worked out proposal. Surely no one can deny, as the gentleman stated so succinctly today, that after Congress rejected the SST, private financiers of Wall Street were approached with a suggestion that perhaps this project ought to go public and that public investments ought to be solicited to raise the money. The president of the largest bank in New York rejected the suggestion by saying that the project was not financially feasible and that he would not urge any investment in the project.

If private capital does not want to invest in this project, why should taxpayers be asked to rearrange their urgent priorities to spend money on this program?

Of course, the gentleman is correct when he states that development funds voted here the other day will not make any significant contribution toward the development of the SST. It will take an enormous amount of money, not only in building the two prototypes, but after the two prototypes have been successfully developed, if indeed they are successfully developed, it would take from \$4 to \$6 billion to develop a production capability. I do not know of anything that is more cruel than the hoax being played on unemployed workers in the aerospace industry by holding up to them some sort of promise that if, indeed, the SST development is confirmed they will find jobs. There will not be a single new job generated by the SST until about 1978—assuming that the \$4 to \$6 billion should be found for developing a production capability.

So it seems to me the gentleman has made up an excellent case for instructing the conferees tomorrow, if needed the Senate rejects the SST, to go along with the Senate version.

The other day in general debate our colleague from Ohio listed 26 airlines, which showed an interest in purchasing future SST transports and the sum total of SST's they indicated they would buy in the foreseeable future was about 70. We know that at today's dollar value, we would have to have at least 300 SST's sold at a price of no less than \$60 to \$70 million before the taxpayers could recover 1 penny of their investment in this project. Everybody agrees that at this stage and time there is no foreseeable market for 300 SST's at a price of \$60 to \$70 million.

The final argument that I have made, and tried to convey on this floor, is that even if the prototypes are developed, under legislation approved by Congress and now on the books of this land, laws setting the maximum tolerable limits for aircraft operation at airports on take-off and landing, forgetting about the supersonic boom, forgetting about all the other projects, and just dealing now with the problem of takeoff and landing noise; under standards developed by the Federal Aviation Administration setting tolerable aircraft noise limits, the SST could not be certificated.

This argument seems to get lost in the furor and the great plunge forward to fund the prototypes. But I say to you in this House that with standards now being developed and set by the FAA for conventional aircraft, there is no reason to believe the SST will be excluded from such legislation. There is no grandfather clause in existing law that says somehow or other you are to exclude the SST.

I say to you that the SST, under existing standards being developed by the FAA for tolerable noise limits on departure and landing, the SST cannot be certificated, and if there is no other reason why we should reject this concept at this time, it is because the industry has not been able to assure anyone that they are going to be able to develop powerplants for landing or for taking the SST off from any airport in this country or in the world within the tolerable noise limits now being established for all aircraft by the FAA.

So I congratulate my colleague on the magnificent fight that he has led. We will join in supporting funds for development of an SST at that point in time when the scientists and the engineers and the aerospace industry indicate to us they can meet the unsolved problems of this development—environmental problems, noise problem, cost problem. When those things have been met, I am sure we will all join in helping to fund an effective supersonic transport for our country.

Mr. YATES. I thank my distinguished colleague from Illinois for the very complimentary remarks he has made about my activities in connection with the SST program, in opposition to the construction of the SST.

I also want to commend the gentleman for the very dynamic and aggressive part he has played in fighting the development of the SST.

#### PCB'S—ENVIRONMENTAL HAZARD—SHOULD BE BANNED

The SPEAKER pro tempore (Mr. TEAGUE of Texas). Under a previous order of the House, the gentleman from New York (Mr. RYAN) is recognized for 30 minutes.

Mr. RYAN. Mr. Speaker, our environment—our lives—are being threatened by a deadly family of chemicals called polychlorinated biphenyls—PCB's. Concerned about the potential hazards of PCB's, I brought this matter to the attention of the appropriate Federal agencies over 1 year ago, hopeful that the necessary protections would be taken by

administrative action. But that action has not been forthcoming. Therefore, in light of this failure and newly found evidence that PCB's are entering our food chain, I am introducing today legislation to ban PCB's except for a very few particular uses.

The hazards of polychlorinated biphenyl cannot be overstated. Manufactured in the United States solely by the Monsanto Co. under the trade name Aroclor, these chemicals have been discovered in a wide variety of foods and animals. Like their chemical cousin—DDT—PCB's cause birds to lay eggs with shells too thin to protect the embryos they enclose. They have a deleterious effect on the reproductive capacity of animals. And PCB's and their residue are extremely toxic to animal life. But by far the most frightening hazard is the effect of these chemicals on human beings.

PCB's may be taken into the body by direct action upon the skin or as a vapor taken through the respiratory tract. The effect on the skin is chlorance. The early symptoms are pimples and dark pigmentation; later, more serious eruptions. Persons who have been continuously exposed to PCB's may suffer nausea, vomiting, loss of weight, edema, and abdominal pain, increased respiration, lowered blood cell count, and inhibition of carbohydrate metabolism. More serious effects are those on the kidneys. The principal effect, however, is on the liver—possibly leading to atrophy, followed by death.

As PCB's are not soluble in water, they are—like DDT—very persistent in the environment. This insolubility factor makes these chemicals capable of being widely distributed over the earth via air currents. Their hazard is increased by the fact that PCB's, especially those of high chlorine content, resist biological breakdown.

PCB's have been manufactured in the United States by the Monsanto Co. and sold for use in general plasticizer applications; in closed system applications, such as coolants in transformers; as hydraulic fluids; and an extender for pesticides, among other uses.

Among the wide variety of products in which PCB's have been used are plasticizers, coatings for paper and fabric, fire-retardant compounds, photothermographic copy sheets, decorative sparkling plastics, asphalt, adhesives, paraffin, printer's ink, resins, rubber products, paints, pesticides, lacquers, sealing compounds, polyester film, and water-repellent canvas for camping materials.

When I first brought the matter of PCB's to the attention of the appropriate Federal agencies over 1 year ago, I requested that certain actions be taken to protect our health and our environment from the hazards of PCB's.

At that time, I urged the Secretary of Agriculture to ban the use of PCB's in pesticides. The Agriculture Department agreed to discontinue the use of PCB's in pesticides and to cancel registrations for pesticides containing PCB's.

I urged the Food and Drug Administration to set food tolerance levels for PCB's to require the labeling of all products containing them, and to determine whether this chemical should be



banned completely for all uses. In replying to me, the FDA advised me that it was undertaking a survey to determine the extent of food contamination from PCB's—the results of which I still have not received. FDA refused to set food tolerance levels and to require labeling.

I urged the Secretary of the Interior to act to protect fish and wildlife from this hazard. He replied that investigations were being carried out by various agencies of the Federal Government and the results of these studies would be funneled to the staff of the Council on Environmental Quality.

I urged the Commission on Product Safety to determine the nature and extent of the threat to our environment. The Commission replied that it was not possible for the Commission to conduct an in-depth investigation of the hazards of PCB's at that time.

And I urged the Council on Environmental Quality to coordinate the efforts of all appropriate Government agencies, so that the public might know the sources and the seriousness of the PCB danger, and that it take steps to eliminate this hazard as soon as possible. The Council advised me that it was working with other Federal agencies to determine what course of action was available to the Federal Government.

In April 1970, I called upon the Monsanto Co. to take action to prevent PCB's from escaping into the environment. I asked Monsanto to require special labeling for all PCB-containing materials. And I asked the company to release its annual production and sales statistics to researchers in the field of PCB pollution.

After meetings with representatives of Monsanto in my office and exchanges of correspondence, Monsanto's Organic Chemical Division agreed that effective August 30, 1970, Monsanto would "no longer sell the chlorinated biphenyls to customers for use in general plasticizer applications where disposal of the end product cannot be controlled. This includes all the applications referred to in our bulletin 0/PL-360."

Monsanto further agreed to reformulate fire-resistant hydraulic fluids to exclude PCB's by the end of 1970.

The company said that it would continue to sell PCB's for use in closed system applications; for example, transformers, capacitors, and heat transfer fluids. But it did agree to work with its customers to control emissions to the environment and to establish a service to collect spent fluids to be returned to Monsanto for regeneration or destruction in a specially designed high-temperature incinerator. According to a letter from Monsanto to me dated March 24, 1971, Monsanto anticipates that this incinerator will begin operation on July 1 of this year.

In that March 24 letter to me, Monsanto stated that all "sales of polychlorinated biphenyls to applications where the disposal of the end product cannot be controlled have been discontinued," and that the "complete range of fire-resistant hydraulic fluids has been reformulated to exclude polychlorinated biphenyl."

Exhibiting a callous indifference to the

public welfare, however, Monsanto has refused repeatedly to make sales and production figures available to me—information needed by scientists if they are to determine what quantities of PCB's have and are escaping into the environment. However, Monsanto has informed me that it would make such information available to "responsible Government agencies" on a confidential basis. Monsanto has also refused to supply a complete list of uses of PCB's claiming this information "would serve no useful nonpolitical purpose."

Monsanto has taken some steps, under public pressure, to restrict environment contamination by PCB's. But more needs to be done. Present control of PCB's is dependent upon the efforts and good faith of the Monsanto Co. and the full cooperation of each and every one of its customers. That is not enough to insure protection of our citizens from the menace of this deadly chemical. The Federal Government has a responsibility to make sure that the necessary steps are taken to prevent PCB contamination—and not by merely relying on the good intentions of a corporation. It must set stringent Federal standards and make sure that these standards are enforced.

Thus, I renewed my call for administrative action by requesting the Administrator of the Environmental Protection Agency to place an immediate ban on the importation, manufacture, and sale of all products containing PCB's, with the possible exception of certain closed system applications. I urged that he require that any products containing PCB's, which were not included in such a ban, be labeled with a warning of their detrimental environmental effects. I requested that he obtain from Monsanto those production and sales figures necessary to determine the extent of possible PCB contamination—data which Monsanto would not provide me. And I urged that the Environmental Protection Agency coordinate the efforts of all appropriate governmental agencies in dealing with this hazard. So far I have had no response to my requests.

In short, except for the action taken by the Department of Agriculture in banning PCB's in pesticides, the Federal Government has not taken any of the necessary steps which I have requested over the past year to combat this very serious environmental health hazard.

I find this Federal inaction most disturbing, particularly in light of the recent discovery of serious food contamination from PCB's—contamination which could have resulted in thousands of individuals unknowingly taking dangerous levels of this chemical into their bodies.

In December 1970, the Campbell Soup Co., of Camden, N.J., discovered that fat samples taken from slaughtered chickens contained a high quantity of PCB residue. Upon being notified of this finding, and recognizing the potential danger of this occurrence, the New York State Department of Agriculture and Markets immediately stopped the movement of all poultry from the immediate area of Sullivan County, N.Y., where the chickens had been raised.

The New York State Department of Agriculture and Markets then began a full-scale investigation into the extent of possible PCB contamination in poultry. Their laboratory confirmed the findings of high levels of PCB's made by Campbell Soup Co., and the U.S. Department of Agriculture established a continuing restraint on the movement of all poultry for slaughter in Sullivan, Ulster, and Orange Counties, until it was found to be safe through a special screening test operation.

As a result of their investigations and in conjunction with USDA, the New York State Department of Agriculture and Markets ordered that 146,000 PCB-contaminated chickens be buried under close supervision to make absolutely sure that they would not reach the marketplace.

The Campbell Soup Co., the U.S. Department of Agriculture, and the New York State Department of Agriculture and Markets all took prompt action to deal with this serious problem, and that is reassuring. However, the damage, which would have resulted if this incident had not been discovered in time, cannot be ignored. And I must stress that this is not an isolated example.

In January 1970, samples of milk collected by the State of Ohio Department of Agriculture, revealed residue of a product closely resembling DDT and DDD. On February 19, 1970, George Schwarzwald, a dairyman in Shreve, Ohio, was issued a notice by the division of foods, dairies, and drugs to discontinue the sale of milk until such time as the residue found in his milk was below actionable level. On February 27, another dairyman, Franklin Humphrey of East Rochester, Ohio, received a similar notice.

Subsequent samples from individual cows and the bulk tank on these farms submitted to the agriculture laboratories and the pesticide laboratory at Ohio State University revealed that the residue found in this milk was not DDT or any analog of DDT but PCB's. The Ohio State Department of Agriculture found the contaminating substance to be Aroclor 1254, manufactured by the Monsanto Co.

These PCB's entered the food chain through an interesting route. Apparently, the dairymen's silos were lined with a product called Cumar which included in its content Aroclor 1254. The PCB's were then absorbed by the silage which in turn was fed to the dairy cattle, resulting in PCB contaminated milk.

The potential harm of this PCB contamination cannot be overstated. Nor can the economic damage incurred by these dairymen by having their milk taken off the market. And although I have been assured by the Ohio State Department of Agriculture that this problem is now under control in that State, I have been informed that silos in Indiana, Kentucky, Pennsylvania, and West Virginia were also coated with the same product. There is no way of knowing whether or not there is similar milk contamination in those States and elsewhere.

I am not trying to use scare tactics. I am not saying that we should no longer

drink milk or eat chicken soup. The point I am trying to make is that PCB's are entering the food chain. In the above-mentioned situations, fortunately, the presence of PCB's was discovered before widespread damage could occur, but I fear that many other incidents of PCB contamination are going unnoticed with potentially lethal results.

These incidents graphically illustrate why this problem can no longer be ignored. Noncommittal responses from Federal agencies stating that they are concerned and will look into the problem—at some later date—can no longer be tolerated. There must be a tough comprehensive Federal program to meet this menace now.

Therefore, I am introducing today a bill to meet the problem of PCB's by legislative action and am renewing my call for all appropriate Federal agencies to do all that they can to combat this danger.

Specifically, I am calling for a full and exhaustive investigation to be commenced immediately into the extent of PCB contamination of our environment in all food products. And I am calling for an immediate temporary administrative ban on the manufacture, shipment, and sale of all PCB's and all products containing PCB's pending the results of this investigation.

Further, I am calling for—and this is embodied in the legislation I am introducing—a permanent Federal ban on the distribution in interstate commerce and the importation into the United States of all PCB's, giving, however, the Secretary of Health, Education, and Welfare the authority to exempt from this ban PCB's manufactured for use as the dielectric fluid in capacitors, as the coolant in transformers, or as a fire resistant in heat transfer media, provided that he finds that such uses cannot adversely affect the public health and welfare. In order to insure the safety of all of our citizens and the environment, the Secretary must prescribe regulations detailing procedures for the manufacture, use, transportation, and disposal of any PCB's exempted from this permanent ban.

The problem of PCB's is indicative of a much larger problem—that of the almost unrestricted influx of potentially harmful chemicals into the marketplace. A licensing system must be established to insure the safety of a chemical before it can be sold in the marketplace, and then only for specific uses. But in the meantime everything possible must be done to protect the public from known chemical dangers. We know the hazards of PCB's. We know what can and must be done to combat those hazards. And we must undertake those actions now.

#### THE FBI AND ITS DETRACTORS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. ASHBROOK) is recognized for 30 minutes.

Mr. ASHBROOK. Mr. Speaker, on April 5, 1971, House Democratic leader, Representative HALE BOGGS, charged on the floor of the House of Representatives

that the FBI bugged the telephones of Members of both the House and Senate.

He stated:

When the FBI adopts the tactics of the Soviet Union and Hitler's Gestapo, then it is time . . . that the present Director thereof no longer be the Director. \* \* \* The way Mr. Hoover is running the FBI today it is no longer a free country. I ask again that Mr. Mitchell, the Attorney General of the United States, have enough courage to demand the resignation of Mr. Hoover.

Subsequently, my colleague, the gentleman from Louisiana (Mr. Boggs) declared that he had "proof positive that the FBI has tapped and bugged Members' of Congress telephones."

He said:

I say this categorically. I shall have further comment soon.

Mr. Boggs' charges were immediately challenged by House Republican Leader GERALD R. FORD on April 5, who said:

I suggest that the gentleman from Louisiana submit proof before he makes such a charge or to buttress such an allegation by facts in the future.

While Representative Boggs' charges received banner headlines—even the Washington Star gave it an eight-column front-page head—Mr. FORD's challenge received only two sentences in the New York Times of April 6 on page 1.

Following Mr. Boggs' remarks the news media readily provided the names of other Members of Congress who shared his feelings—note that, feelings, not facts—that their telephones had been tapped, such as Senator GEORGE MCGOVERN, Senator FRED HARRIS, Senator JOSEPH M. MONTOYA, Senator HAROLD E. HUGHES, and the office of Senator EDMUND MUSKIE. Other notables who "thought" their telephones were tapped were Columnist Frank Mankiewicz, NAACP legislative chairman, Clarence Mitchell, and Washington attorney Joseph L. Rauh.

Prior to his charges of April 5, Mr. Boggs had been mentioned in a questionnaire prepared and circulated by the Washington Post to 1,500 prominent Washington residents including Senators, Representatives, Supreme Court Justices, White House aides, lawyers, and businessmen. A total 380 persons replied of which 96 indicated a belief that their telephones were tapped, or had requested that checks be made on their lines, or had curtailed their telephone conversations. However, "no tap or bug had been found by any of those responding" the newspaper reported. Among those responding were Representatives HALE BOGGS, JOHN E. MOSS, EMANUEL CELLER, and Senator J. GLENN BEALL.

#### THE TAPS THAT WERE NOT THERE

Representative EMANUEL CELLER, chairman of the House Judiciary Committee, announced on April 25 that the Attorney General's wiretapping policy might be leading the Nation toward a police state. He admitted that he had no evidence that his or any other Congressmen's telephones were tapped.

In spite of the Washington Post survey and summary in February which stated that none of those complying with the survey found wiretaps, Mr.

Boggs still went before the Congress to affirm that his telephone had been tapped.

On April 22, 1971, Mr. Boggs, speaking on the House floor stated that the Department of Justice by its statements in the case of Representative Downey, had now "supported and proved every aspect of the statement which he made before the House on April 5." It, of course, proved nothing of the sort. Nor did Mr. Boggs prove anything beyond the fact that he did not prove anything.

When Mr. Boggs first became suspicious of the FBI is somewhat of a mystery. In his April 22 speech he offered a peculiar time sequence concerning his suspicions:

(1) Today I see what until now I did not permit myself to see, and we know far more now than any of us knew 2 weeks ago about just how much liberty has yielded while the power of government has gained ground, unchecked and unchallenged.

(2) Two years ago, though, it became evident to me that the nature and character of the Bureau was undergoing conspicuous change.

(3) I have been aware that in the reality of postwar America the character of the Department of Justice has changed from an agency solely devoted to the quest for justice into an organ with great potential for political control of the American people. Over my 26 years in this Chamber, I have been aware—as each of you has been aware—of the directions in which we have been moving.

In the opening portion of his remarks, Mr. Boggs stated:

Although I serve as majority leader of this body, I am speaking only for myself.

He then proceeded to relate the experiences of others. The majority leader stated that until April 22, he did not "permit myself to see" the dark lights cast by Mr. Hoover and the FBI. What had he really seen "2 years ago" or over his "26 years in this Chamber," by his own admission, that he withheld until April 1971? Mr. Boggs' speech revealed that he apparently saw less than he had heard through the congressional "grapevine." He said that he "knew" that former Senator Ralph Yarborough, of Texas, former Stephen Young, of Ohio, former Senator William Benton, of Connecticut, had either found or were advised to use care when using the telephones. Mr. Boggs offered as proof only the statement that he "knew." How he knew remains with him.

Continuing to speak for others, Mr. Boggs related additional alleged bugging experiences beyond the three Senators noted above. He mentioned that Senator MONTOYA "had reason to believe" his telephone was under surveillance and that Senator BIRCH BAYH also had reason to believe that his office was under surveillance. Senator CHARLES PERCY, former Senator Wayne Morse, and Senator MUSKIE alleged experiences were also mentioned.

#### BURDEN OF PROOF WITH ACCUSER

Either some congressional telephones are bugged or they are not. Mr. Boggs declares that they are, Mr. Hoover and the Attorney General state categorically that they are not. The onus still rests with the majority leader to offer proof—not speeches—that even his own tele-



phone is bugged. The burden of proof is clearly on the accuser. If he cannot in fact do that, how can he expect people to believe that other Members of Congress have also had their lines monitored.

Mr. Boggs spoke of two men who alleged—and obviously the majority leader concurs—that the Bureau was being destroyed because it was being used not to perform its mission but to protect the position of its Director. Where specifically has the Bureau failed in its mission one must ask? And protect the position of the Director from what or whom? Mr. Boggs admitted in the beginning of his April 22 speech that under Mr. Hoover's direction "the Bureau has earned the reputation as one of the most effective investigating agencies in the world." If that is true, then how can it not be performing its mission?

#### WHERE HAS THE FBI FAILED?

The following are but a few items covering the decade of only the sixties that Mr. Hoover and his organization might well be proud—and all Americans relieved—1960-69:

Convictions, 127,967—represents over 96 percent of the persons brought to trial.

Fugitives located, 143,522.

Autos recovered, 209,129.

Fines, savings, and recoveries—by court or other legal action, or physically recovered, where the FBI expended investigative effort—\$2,298,012,538.

Could this be the record of an organization which is not performing its mission? If its "new mission" is to protect the Director, who then is locating the fugitives, recovering the autos, and other loot not to mention the hundred and one other responsibilities assigned to the FBI? In the area of espionage, for example, several major convictions have resulted during this decade and scores of privileged foreigners—those with diplomatic immunity and thus not subject to prosecution—have been expelled from our country after extensive FBI investigation.

An article in the Washington Post of April 5, was entitled "Hoover and FBI Fast Becoming Punching Bag." And so they are. The current punchers are Senators MUSKIE and McGOVERN who led the attacks in the Senate while those in the House included Representative BOGGS and Representative ABZUG. Former Attorney General Ramsey Clark, had previously attacked Mr. Hoover's "self-centered concern for his own reputation." The liberal press has been ecstatic in exploiting the attacks by anti-Hoover antagonists and have been editorially expansive in this new windfall presented by Mr. Boggs, as they have on previous occasions. For example, the Washington Post could not resist releasing the substance of the stolen FBI documents from Media, Pa., which had come into its possession. It did this in order to show the public, it rationalized, "some of the ways in which the FBI works."

The Post, as Columnist James J. Kilpatrick wrote, was especially outraged at what the stolen documents revealed of the surveillance maintained "on a pro-

fessor regarded as a 'radical.'" But as Kilpatrick pointed out:

To those of us on this conservative side, the disclosures on some, indicates precisely the kind of expert police work demanded by the real world we live in.

The FBI was not investigating the professor because of his political views but because of the possibility that he might be in contact with two young women indicted in connection with the slaying of a Boston policeman in a bank holdup in September 1970.

The motives of the Bureau in investigating American students, professors, and scientists must not be construed as infringement of the American educational system and the pursuit of intellectual freedom—

A stolen Media, Pa., FBI memo had stated. Does the press show this statement?

#### A truly effective attack—

Stated Frank Donner in a special supplement on "The Theory and Practice of American Political Intelligence," printed in the New York Review of Books in April—

on the evils of intelligence cannot be mounted apart from the political process. A legislative investigation, . . . is vital in order to scour this area . . . Such a probe could develop a fuller understanding of political intelligence and might lay the basis for dismantling a system which, if it is allowed to grow, may choke all possibility of real change in this country.

Indeed it would bring about a change—a highly unfavorable one—if the ramparts of the internal security system were "dismantled."

While anti-Hooverites on the Hill received coverage in the mass media for their allegations Hoover's congressional supporters saw little of their material or remarks gain the media's recognition. For example, 6 months ago on November 25, 1970, Congressman H. ALLEN SMITH, of California, made an interesting observation on the floor. He contrasted former Attorney General Ramsey Clark's comments on Mr. Hoover when he was in office and after he had departed.

In September 1967, Mr. Clark stated, somewhat inarticulately if quoted correctly, that

Of all the attributes of the excellence demonstrated by the FBI, perhaps none is more impressive than the balance this is always shown. He, contrary to expectation, perhaps to many's evaluation of human nature, there is no quest for empire.

Contrast Clark's remarks about the Bureau's "balance" with those made by him in November 1970 that "the FBI became ideological some time back." Where was the press when Mr. Smith brought out Mr. Clark's interesting inconsistencies? Where was the media coverage for Congressman JOHN ROONEY's support of Mr. Hoover against Mr. Clark in his remarks on the floor made at the same time.

#### A REPLAY OF ATTACK ON FBI

At least the Republican Congressional Committee newsletter will give some play, if the press will not, to the comments made on the floor by Hoover's supporters. The May 10 issue of the newsletter carried the remarks made by Representative

WILLIAM BRAY that the current campaign against the FBI was almost an exact replica of an attack made against the Bureau and its Director three decades ago when it was compiling a general index of persons reportedly active in subversive activities detrimental to the internal security. The Bureau was conducting this project under new responsibilities proscribed by President Roosevelt in 1939.

Representative BRAY said that the Communist Party had met in Washington to plan a two-pronged attack—one on the Bureau as violating civil liberties and another against the Director himself. A key part of the party's plan was to solicit the services of certain Congressmen for the purpose of restricting the Bureau's activities, said an undercover agent who attended. Representative Vito Marcantonio, a well known party-line supporter, attacked the Bureau and Mr. Hoover for their alleged "general raid against civil rights" and "against the civil liberties of the American people."

Representative BRAY noted the "striking" similarity between the language used then and now in these two campaigns against the Bureau and its Director. Noteworthy was the fact that the FBI's wiretapping authorization bill of 1940 had been introduced by Representative EMANUEL CELLER and passed by the House by voice vote.

Former President Harry Truman coined the apt expression that if you cannot take the heat get out of the kitchen. Winter or summer, the political heat in Washington is a scorching one. And the FBI Director has been on the receiving end of some searing statements. The Daily World, always quick to publicize a juicy anti-Hooverism, quoted Representative WALTER FAUNTROY as having stated in reference to Mr. Hoover, that he was not in the habit of commenting on the babblings of senile public officials. Mr. Hoover was given a clean bill of health at his latest medical check-up. An attack of this type tells more about Representative FAUNTROY than it does about J. Edgar Hoover.

Ramsey Clark had complimentarily stated in September of 1967 that the great Federal Bureau of Investigation is the lengthened shadow of John Edgar Hoover. For those who have in mind the effective curtailment of America's internal security system, no better way could be found than to undermine public confidence in the FBI. And to achieve this objection one must first destroy its "lengthened shadow," the Director. For others who have added their voices to the anti-Hoover chorus let them be cautioned that regardless of who ultimately follows in Mr. Hoover's footsteps he, too, may expect to be on the receiving end of much vicious vilification. That this is true is evidence in other security areas, for example, in the attacks upon former President Johnson for his Vietnam policies, attacks which were quickly transferred to Mr. Nixon when he assumed the highest office. It is the American defense system, internal and external, which is at stake—not the personalities who command the system except insofar as the latter is the avenue to the former.

## THE M'GOVERN ATTACK

On February 1 and February 10, 1971, Senator McGovern also took Mr. Hoover to task over the Director's handling of a personnel case involving a former FBI agent. Mindful of this admittedly sorrowful episode involving a family man who recently felt keen personal tragedy, the fact is that the Director has the authority to hire, fire, and transfer Bureau employees just as the Senators and Congressmen making these charges have similar authority regarding their own aides.

The disturbing issue in this incident, however, is the treatment accorded the press to Senator McGovern's latest attack on the Director. The Senator's remarks, with accompanying photo, seem to appear in the media with the regularity of a syndicated columnist. On the other hand, one searches in vain for the statement made by Senator ROMAN HRUSKA on February 17, when he revealed notable inaccuracies in Senator McGovern's charges, as follows:

Senator McGovern charged Mr. Hoover with contempt of Congress for refusing a request by the Senate Subcommittee on Administrative Practice and Procedure chaired by Senator EDWARD KENNEDY, to explain his action in the John F. Shaw case noted above. Mr. Hoover's ground for refusal was that—

The Attorney General has advised that since the courts have assumed jurisdiction of this matter it would not be appropriate for me to use any forum to contest Mr. Shaw's charges.

Senator McGovern subsequently learned that Mr. Hoover had previously stated his position on the Shaw matter in a letter to the editor of the Atlanta Journal & Constitution who published it. Senator McGovern's key point in his February 10 remarks, was that the Director had written this letter "after" he had refused to appear before Mr. Kennedy's subcommittee. To the Senator this was an affront to the Congress and an abdication of constitutional responsibility by a high official of Government.

Senator HRUSKA's research on the sequence of events revealed, however, that Mr. Hoover had written to the Atlanta newspaper's editor on January 26, while Mr. Shaw's lawsuit was filed in Federal court on January 27. Therefore, concluded Senator HRUSKA, the Director was not in contempt. The gentleman from Nebraska concluded that the Senate provides proper procedures for assessing the actions of administration officials. The motives of those who prefer, he said, to bypass those procedures for trial on the floor of the Senate should be seriously questioned.

Mr. Speaker, only if one was a reader of the CONGRESSIONAL RECORD would one have been aware of Mr. HRUSKA's comments on Mr. McGovern's research procedures. The press which was so eager to discredit Mr. Hoover gave little or no play to the less bombastic but well-documented rebuttals to these charges.

## THE EARTH DAY CHARGES

And the following is another instance of the omissions of the mass media. On April 14, 1971, Senator MUSKIE delivered

a speech on the Senate floor highly critical of the FBI's presence at an Earth Day rally held on April 22, 1970, in Washington, D.C. The Senator had come into possession of an FBI intelligence report, which he said was unclassified, and which had been written by an agent covering the rally at which Mr. MUSKIE had spoken. The Bureau's report raises far-reaching questions, he said, over the present surveillance operations of the FBI. Mr. MUSKIE's main concern was:

Why does the FBI need to know who attended and what was said at Earth Day rallies across the Nation?

The Bureau's threat to "our privacy and freedom" was "shockingly and dramatically demonstrated" he said, by the intelligence report.

After reading the FBI's report which the gentleman from Maine had placed in the RECORD following his remarks, I was equally shocked—shocked by the stellar cast of societal misfits who had the gall to pass themselves off as Earth Day apostles and who shared the speaker's platform, shocked that an Earth Day program could be perverted into an anti-Navy, anti-Vietnam, anticapitalist, anti-establishment, prodrug rally. But I was especially shocked by the fact that the Senator did not apparently challenge those who shared his platform, neither on the spot, nor subsequently on the floor of the Senate.

Thanks to the coverage of the rally by the FBI, I was able to observe an aspect of that rally which I never would have had by merely reading the Senator's discourse of it. If, for no other reason, his inclusion of the FBI report more than answered the question for me which he had raised, "Why does the FBI need to know who attended and what was said at Earth Day rallies across the Nation?" After reading the distinguished Senator's comments my only concern at the moment is that the dedicated experts in the anti-pollution field who have worked hard to conserve and extend the lives of fish, fowl, plant, and animal life on this planet may have their highly proposed movement polluted by revolutionary radicals and beatniks whose sole relationship to the soil may be found in the gamey apparel they wear.

Senator MUSKIE's comments, like Senator McGovern's were given ample play in the press in keeping with the policy of certain newspapers to print all the news that fits their views. On the other hand, only through recourse to the CONGRESSIONAL RECORD again could one discover the rebuttal of Senator ROBERT GRIFFIN. He noted that the FBI had a "duty and responsibility to keep track of those who have the avowed purpose of destroying our system of government." Referring to the charges made in this House recently, the distinguished Michigan Senator noted that there has been no evidence whatsoever that the FBI has either refused or neglected its responsibilities.

Mr. Speaker, I wish to examine now, Mr. MUSKIE's speech in somewhat more detail because of the construction that he saw fit to place upon warranted and routine FBI practices. If there were even the smallest of tempests in the Senator's

rhetorical teapot, I clearly failed to observe one. But non sequiturs, yes.

First. He said that the Bureau's report was a threat to our privacy. What, one must inquire, could be less private than a public march and rally, beginning on Federal property on the Mall at 9 a.m. and ending at 1 a.m., the next day, attended by hundreds of participants including enthusiastic university students who were addressed by speakers employing microphones and bullhorns.

Second. After asking why the FBI needs to know who attended and what was said at the Washington Earth Day rally, Senator MUSKIE implied that there was no reason for FBI attendance by stating:

No crime or threat of crime was involved nor was any violence threatened.

But the FBI report itself, as the Senator initially volunteered, "mentions no hint of violence, no threat of insurrection, and no foreboding of illegal behavior." All Mr. MUSKIE could support on this point would be that the Bureau accurately reported the event as it and as the Senator observed it; that is, no violence. What the Senator failed to grasp was that the Bureau was there because of the highly developed and tested riot-provoking skills of those who shared the speakers platform with the Senator, such as Rennie Davis. Davis, the Senator should recall, is one of the seven ring-leaders who were convicted for their riotous activities in Chicago in August 1968 in attempting to disrupt the Senator's party convention in Chicago. The Government is right now considering prosecution of Davis for his part in the May 1971 planned disruptions and illegal demonstrations in Washington which resulted in several million dollars worth of damage and added expense to the taxpayers. I would say that the FBI would be negligent to not keep such an avowed troublemaker under surveillance.

But what if there had been violence during the Earth Day program and the Bureau had failed to cover it? Would the Bureau be equally chastised for its absence as it is now for its presence? I think so. Think back to Lee Harvey Oswald, to name only one example. Many of these same liberals were asking why the FBI did not have Oswald under observation at that time or why his potential as an assassin had not been uncovered. Mr. MUSKIE's hindsight inference that because there had been no violence the FBI should not have been there is a fallacious bit of reasoning on other counts. Violence as such, moreover, is the direct responsibility of local police authorities, not the Bureau's which is an intelligence and investigative agency. In this capacity it was fitting and proper, given the circumstances and the types of speakers, that it provide observers and, if need be, gather any pertinent evidence in the event of violence, for its parent body, the Department of Justice, for purposes of possible prosecution.

Third. The FBI report contained no classified designation, said the Senator, and therefore he felt "free to discuss it in detail—which he did not—and insert it in the RECORD"—which he did. Prudence should dictate, it would seem, that not



all unclassified data is necessarily not confidential. Surely "unclassified" senatorial or House memos and letters between the officers or Members thereof are kept in confidence excepting in the case of their release by their authors. Certain correspondence between the executive branch and the legislative bodies, unless otherwise designated, are usually not made the subject of a speech by a Member on the floor without good reason.

Fourth. The Bureau's report was sent to other members of the intelligence community, he said. It being the property of the FBI, why should it not? This revelation is no mystery to anyone who follows national security affairs as the Senator surely is aware. In fact, the exchange of such data among intelligence organizations is sound practice for at least two reasons: (a) it rounds out the picture of certain events of movements for those who have a need to know but lack the facilities to acquire complete information and it assists in eliminating incorrect material present within the intelligence community by the process of comparison and evaluation.

Fifth. The Senator complained that such reports also were sent to persons in policymaking positions. Should those in charge of determining policy make the same in an intelligence vacuum? Would the Senator himself, in making a speech for or against a given policy, do so without the benefit of routine research on the issue?

Sixth. Senator MUSKIE stated that it was his understanding that this was but one of about 40 to 60 FBI reports on Earth Day rallies held on April 22, 1970, in various localities. He did not volunteer how he obtained this bit of information. Nevertheless, if true, it would appear that an approximately similar number of agents or agent sources were assigned to the detail in question. This number is but an infinitely small fraction of 1 percent of the 7,000 or 8,000 agents employed by the FBI. The ranch was hardly left unattended if that is the concern of the distinguished Senator. Nor would the coverage of the various rallies appear excessive.

What possible purpose could this revelation by the Senator have served other than to unnecessarily expose an operational feature of the Bureau's method of operation to many who have no desire to know, and a few who have no need, but an illicit interest, to know everything about our intelligence system for the express purpose of destroying it.

Seventh. The Senator was quick to indicate that the FBI report in his possession was not taken from the Media, Pa., Bureau files and was in no way connected with that heist. In the final analysis, this is little comfort because the net effect was the same; that is, the public broadcast of privileged information. On this score Congressman SAM DEVINE had this to say half facetiously about FBI reports, stolen or otherwise:

But we must do something to protect persons named in FBI reports from having their privacy invaded by ambitious politicians and newspapers which act as fences for stolen documents and spread their confidential information over the entire world.

The Senator from Maine appeared to

be only mildly disturbed that his name was incidentally mentioned as a speaker at a large public rally in the report. What was in this semiconfidential report that he had not already said in public to his audience? Nothing. Had it not been discussed on the Senate floor who would have been the wiser that his name was contained within the report. But he did bring it up on the floor and proved only that he appeared somewhat piqued that the FBI knows what his stand is on the issue of pollution. But who does not? The report said no more, perhaps much less, than a reporter's notes would contain. For what it is worth, I doubt if the Bureau knows or cares what my position or Mr. DEVINE's position is on the pollution question.

Eighth. The Senator's regard for the operational practices of intelligence agents is matched only by his apparent disregard of the behavior patterns of those on whom the agents gather intelligence. What credentials on the subject of antipollution matters did Rennie Davis bring to the Earth Day ceremony? His past activities in the Students for a Democratic Society and in the Communist-influenced Antiwar Mobilization Committee and his frequent visitations to his Vietcong and North Vietnamese coaches in Hanoi and Paris reveal where his heart lies, and it is not in antipollution matters. The Senator should surely be aware at this late date how revolutionaries and radicals, who cannot cut it on their own, insinuate themselves into legitimate causes and movements. It has been observed before in other movements such as labor, student, and civil rights. Their purpose is to penetrate such groups and pervert the aspirations and platforms of persons in them for ends inimicable to American traditions. Would the following qualify as honest concerns for pollution and Earth Day matters?

First. I. F. Stone, who made antimilitary remarks?

Second. Dennis Hays who also made antimilitary remarks?

Third. Phil Pchs who made antiwar remarks?

Fourth. Rennie Davis who said he opposed all pollution except "light up a joint—marijuana cigarette—and get stoned—high; whose interest in matters of pollution could be gleaned from the following:

One way to fight for ecology is to go to New Haven on May 1 to stop Bobby Seale's trial.

Referring to the Black Panther leader; who called for tearing down the capitalist structure, and who believed the ecology issue might divert the attention of the people from the war in Vietnam.

Roger Priest, a Navy journalist, then undergoing court-martial proceedings on charges of making disloyal and seditious statements in his antiwar publication "Off"—read "kill"—also spoke. He said, after his verdict, that the slogan would be "Sink the Navy."

Pete Seeger, perpetual entertainer of antiwar and radical causes.

It must be asked was this a rally on ecology or a rally in support of North Vietnam?

Ninth. Senator MUSKIE stated:

We can continue ahead, brushing aside the delicate and immense requirements of liberty. This choice will cost us much of our freedom. Or we can pause and examine our course to see that it will destroy much of what we value most.

Only in the following context do I share the Senator's viewpoint: The "immense requirements of liberty"—since about 1965 with the rise of the New Left and the black nationalist movements—have severely overloaded the network of intelligence. Liberty requires that a vigilant intelligence complex be maintained at full strength. To choose otherwise would indeed "cost us much of our freedom" and "destroy much of what we value most." Only the most naive person could believe that these radicals have "freedom" in mind. Anarchy at best, communism at worst, would be more accurate.

FBI personnel, it appears reasonable to assume, and its dedicated Director, are as much interested, in their capacity as citizens, in resolving the pollution problems as are the rest of us. But professionally they are charged with monitoring the activities of subversives and potential subversives regardless of where the trail may lead. The Bureau's professional interest in this instance was not in Earth Day or the Senator's presence there, as such, but in the appearance of Rennie Davis and others whose background clearly warranted the presence of Bureau observers. The Senator's inferences noted throughout his speech were unfounded, unreasonable, and most unbecoming an official of that august body of the Congress.

Tenth. Following the summary of the Earth Day program, there appeared two other items in the report both of which were background data on two organizations: the SDS and the Progressive Labor Party, a Marxist-Leninist group which, in the Sino-Soviet estrangement, leans to the former. In the FBI agent's report no connection nor hint thereto was made between these groups and the Earth Day rally.

The Senator from Maine chose, however, to make a connection:

What is the inference? . . . the inference is that Earth Day, Senator Muskie, and many thousands of Americans who gathered together to protest pollution were somehow related to SDA and the Progressive Labor Party.

A reading of the Bureau report could, it seems to me, warrant an entirely different and more logical interpretation than that drawn by the Senator. The first part of the report was prepared on the basis of personal observation. The second and unrelated portion about the two groups was provided by others as stated in the report; for example, "a source has advised" or a "second source has advised." From a point of content nothing appears in the two background documents relating to Earth Day, pollution, or subjects pertaining thereto. The only reasonable inference which could be drawn was that the Senator had an unprocessed report prepared apparently by an agent who had been given three assignments.

Mr. Hoover has been the backbone of America's security system. He is, in a

sense, the George Patton, or the Vince Lombardi of the intelligence industry. If he finds it difficult to compromise with error and inadequacy, it is because of his zeal for perfection and integrity in a thankless profession. He has created an organization which necessarily brushes against the sorry sides of American life, from subversion to seduction, embezzlement to espionage, drugs to dynamite. A steady diet of this fare, day-in day-out, for 47 years would, humanly speaking, try the endurance of a St. Michael. As dean of the intelligence community he has elevated professional excellence above personal popularity or politics.

If those who serve under him selflessly relinquished a portion of their own freedom and family time, it is to preserve a fuller freedom for others. The distinguished Senator's desire for freedom is felt as keenly by Mr. Hoover as the following excerpt from his work, "A Study of Communism," clearly underscores:

America was founded on freedom. It has grown and prospered, spiritually and materially, under freedom. And, in its deep and abiding faith in the ultimate triumph of freedom, America still holds the key to the future of mankind. With faith in the inherent dignity and worth of the individual, America can face the future with vitality and resolute purpose.

#### THE CURRENT RAIL STOPPAGE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. HENDERSON) is recognized for 5 minutes.

Mr. HENDERSON. Mr. Speaker, the National Federation of Independent Business, with five and a half million members, and who employ more than 40 million workers are meeting in convention here in Washington at this time.

Yesterday, they adopted a resolution which I think should be of interest to all Members of the House. The resolution follows:

Whereas, rail transportation is essential to life and commerce in these United States,

Whereas, the 5,500,000 members of the independent business sector and their 40 million employees are endangered by the current rail stoppage,

Whereas, this stoppage is directed against a governmental corporation owned in common by the peoples of this nation,

Be it resolved by delegates assembled at this 1st National Conference called at Washington by this National Federation of Independent Business, that:

1. The Executive and Legislative Branches of Government move with firmness and speed to break the current impasse.

2. Both Branches move vigorously thereafter to promote a greater sense of responsibility on the part of labor unions by pressing for and enacting a national "Right-to-Work" law.

#### QUALIFYING PODIATRISTS FOR FHA MORTGAGE INSURANCE TO CONSTRUCT GROUP PRACTICE FACILITIES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. METCALFE) is recognized for 10 minutes.

Mr. METCALFE. Mr. Speaker, the legislation I introduced today proposes to qualify doctors of podiatric medicine for

mortgage insurance loans under the Federal Housing Administration's group practice facilities program. Designed to assure the availability of credit on reasonable terms to finance construction and equipment costs of group practice facilities, the program fails to include podiatrists among those eligible for such loan guarantees. Only doctors of medicine or osteopathy, dentistry, and optometry can presently qualify as primary applicants for these FHA program benefits.

It is essential that the Nation continue its efforts to develop a sound, coordinated national health policy, one which assures all citizens the availability of comprehensive health care, including podiatric care. In pursuit of this goal, group practice represents one meaningful alternative in the delivery of health care services. Yet the initial capital requirements for constructing group practice facilities are substantial. For this reason, the group practice facilities program was enacted to provide incentives for and further stimulate the development of group practice programs.

The fact that podiatrists do not independently qualify for such FHA mortgage insurance is inconsistent with the program's basic objective, namely, to encourage the provision and delivery of comprehensive health care for all citizens. This inconsistency is further evident when one considers the involvement of podiatrists in other important Federal health programs, including in part medicare and medicaid.

Alongside doctors of medicine, osteopathy, and dentistry, podiatrists are defined as physicians for purposes of medicare, part B, and fully participate in this vital health insurance program for the elderly. And when the Social Security Amendments of 1971 are enacted, added incentives for group practice development are fully expected to emerge, thus challenging all physicians, including podiatrists, to seek improved means of providing high quality, efficient health care services for medicare-medicare beneficiaries.

Equally important are the numerous national health insurance—NHI—proposals now pending in the Congress. Many of these measures stress the importance of group practice and prescribe for it a prominent role in any future NHI program. Podiatrists' services, too, are integral parts of these same NHI measures. Yet podiatrists, unlike other health professionals, are handicapped by their inability to independently qualify for FHA mortgage insurance loans to develop group practice facilities.

I urge the Congress to correct this deficiency and thereby enable doctors of podiatric medicine to qualify for these essential FHA mortgage insurance benefits.

The text of the bill follows:

H.R. 8565

A bill to provide for inclusion of podiatric services among qualifying group practice facilities

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1749aaa-5 of title 12, United States Code, is amended as follows:

(1) In clause (1) at the end of the paren-

thetical phrase and immediately preceding the closing parenthesis, by adding a comma after the word "State" and inserting the following:

"or in the case of podiatric diagnosis or treatment, is under the professional supervision of persons licensed to practice podiatry in the State";

(2) In clause (2) by inserting following the words "or of persons licensed to practice dentistry in the State," the words "or of persons licensed to practice podiatry in the State";

(3) In clause (3), subparagraph (A), by inserting after the words "or dental care," the words "or podiatric care,"

(4) In clause (3), subparagraph (B), by adding a comma after the words "or dental care" and inserting the words "or podiatric care" after such comma.

#### FDA: CONSUMER'S FRIEND OR FOE?

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. ROSENTHAL) is recognized for 10 minutes.

Mr. ROSENTHAL. Mr. Speaker, the Food and Drug Administration has one of the most important consumer protection responsibilities of any agency of government—protecting the food we eat and the medicine we take. Yet its record is largely undistinguished.

Too often the FDA has demonstrated greater concern for the welfare of the industries it is supposed to regulate than with the welfare of the consumers it is supposed to protect.

What began a half-century ago as a classic example of American Government reform at its best, has become a classic example of bureaucratic laxity, lethargy, and failure.

I have fought to preserve the independence and integrity of the Food and Drug Administration. I have introduced several pieces of legislation to put new life into this sleepy watchdog and sharpen his teeth. In the next few days I will be submitting a measure dealing with truth-in-food labeling.

Reporter James G. Driscoll writes in the May 17, 1971, National Observer about FDA "bumbling," "indecisiveness," "slipshod approach," and "dealing almost casually with life-threatening danger"—all of which leads him to conclude that:

Allowing for (its) handicaps, assessment of the evidence compels a largely negative conclusion about the agency.

Mr. Driscoll's article follows:

FDA WATCHDOG DOESN'T BITE

(By James G. Driscoll)

A cutting, angry tone overrides the usual soft accent of Rep. L. H. Fountain, North Carolina Democrat, as he rebukes James D. Grant, deputy commissioner of the Food and Drug Administration (FDA). "We can probably conclude that had the FDA been more diligent," declares Mr. Fountain, biting off his words, "at least one life could have been saved."

Replies Mr. Grant, hunching forward uncomfortably at the congressional hearing: "Well, perhaps, might have been, yes."

Congressman Fountain's ire was aimed at the FDA's handling, or mishandling, of the Spice of Life incident, which ended this spring with the accidental poisoning death of a Maryland man who ate garlic bread and fish smothered in cheese sauce.

Spice of Life was a harmless meat tender-



izer, but at least 12 jars of it contained an entirely different substance, sodium nitrite, a chemical useful in medicines and in improving the appearance of meat and fish—but only if used in tiny amounts. In larger quantities sodium nitrite can be a deadly poison, as it was in this incident when it was sprinkled heavily on garlic bread and fish.

The story of FDA's failure to remove the poison from circulation before it killed Robert F. Hall, the father of six children, illuminates not only the frailties of this vital consumer-protection agency, but the staggering difficulty of its sensitive task.

For meat tenderizers and thousands of other products, the FDA functions at the critical juncture of scientific expertise and consumer safety. It exists to protect you. "Our basic mission is consumer safety," asserts the agency's commissioner, Dr. Charles C. Edwards. "Expressed in the simplest terms, this means protecting American citizens against health hazards and deception in the marketplace."

Your food. Your drugs. Your cosmetics, toys, and flammable fabrics. The FDA is supposed to make sure that those products don't hurt you and, for drugs, that they effectively help you, as advertised.

How good a job is the FDA doing? Not very good, its critics say, though it's getting a little better.

Consumers spend \$240 billion a year on FDA-regulated products, and the agency admittedly is handicapped by a lack of manpower. It has just 4,472 employees to police 60,000 food companies and assure the safety of drugs and other products. (The Agriculture Department has nearly twice as many people inspecting meat and poultry as the FDA has employees.) The FDA also has been hampered by an unimpressive level of scientific competence among many of its own people and by occasional political interference from higher ups in its parent department, Health, Education, and Welfare (HEW).

Allowing for those handicaps, assessment of the evidence compels a largely negative conclusion about the agency. The best-known example of its bumbling is the cyclamate affair, which continues to embarrass the FDA. Recently Dr. Edwards admitted that he had given in to pressure from pharmaceutical companies and had agreed last summer that no recall of the artificial sweeteners, which studies had shown to cause cancer in rats, would be needed. Instead, he permitted the industry to conduct a survey to determine the amount of cyclamate products still on the market. The survey was to be completed by Oct. 1, 1970, a month after FDA's ban on sales of cyclamate products theoretically took effect.

To his chagrin, the FDA discovered in October that the industry survey had not even begun and that the artificial sweetener still was being sold in some areas. Not until April 1971, however, did the FDA finally order a recall of the principal cyclamate sweetener that was still available in stores—Sucaryl, made by Abbott Laboratories. The recall turned up \$350,000 worth of Sucaryl.

"We should have ridden herd on them [the drug companies] harder than we did," Dr. Edwards conceded ruefully to Mr. Fountain.

The cyclamate affair probably cost the job of Dr. Edwards' predecessor, Dr. Herbert Ley, in 1969. He and Robert Finch, then HEW secretary, couldn't seem to decide whether to restrict cyclamates or to ban them, and went both ways in successive public announcements. Amid the confusion, Dr. Ley was replaced.

The FDA has shown similar indecisiveness in other controversies, such as its attempt to ban combination antibiotic drugs and a seven-year, intermittent battle with Abbott Laboratories over cleanliness problems with intravenous fluids. Perhaps no incident, how-

ever, brings the FDA as clearly into focus as the Spice of Life story.

It begins with green meat, continues with a slipshod approach to the recall of a deadly product, and ends in death. It shows the FDA dealing almost casually with life-threatening danger, and the agency's willingness to depend on an offender to clean up his own mess. In fairness, it also illustrates the difficulty of trying to trace a product through a complex chain of wholesalers and retailers, and the inclination of some people to use food products in unexpected ways.

The first danger signal came last Sept. 21, when an Arlington, Va., restaurateur notified the county health department that raw steak turned bright green when sprinkled with Spice of Life Meat Tenderizer. The county department sent a sample of the tenderizer to the Virginia Agricultural and Commerce Department in Richmond, which found it to be almost entirely sodium nitrite. A state health inspector visited the distributor, Skinker Specialty Food Co. of Alexandria, Va., and destroyed 10 jars of Spice of Life there.

#### CONSUMER WARNING

Virginia officials notified the FDA's Washington, D.C., headquarters. Virginia also issued a news release on Nov. 16, warning consumers to beware of 2½-pound jars of the tenderizer. The warning said a small amount of sodium nitrite "could cause serious injury, and a larger amount could be fatal."

The FDA had also issued a public warning, but in softer language, three days earlier. The nitrite "poses a potential hazard to health," the FDA said, not mentioning the possibility of death.

The FDA also began a peculiar procedure called a "voluntary recall." This has no basis in law, or even in FDA regulations; it is an administrative procedure that grew out of a need to "act as rapidly as possible to get a product off the market," Mr. Grant says.

To carry out the recall, FDA relied—as it usually does—on the company that produced the dangerous product. The tenderizer had been packed by Mutual Spice Co. of North Bergen, N.J., a division of Hygrade Food Products Corp., Detroit. Between Oct. 30 and Nov. 2, Mutual telephoned the eight distributors that had received Spice of Life and Country Tavern, another name for the same tenderizer. Spice of Life was sold in the large jars for restaurants and institutions; retailers sold Country Tavern in small tins for home use. On Nov. 2, Mutual sent a follow-up warning letter to the distributors in Virginia, New Jersey, New York, Ohio, Kansas, Michigan, and Minnesota.

It was unclear whether sodium nitrate had been packed in just the Virginia shipment, or in others too; there were no "batch numbers" to help trace it. The tenderizer—made of papaya enzymes and salt—and sodium nitrite look alike, but the tenderizer smells musty. The tenderizer was kept in 200-pound brown drums at the Mutual plant, the nitrite in 400-pound blue drums in another building.

After Mutual's warning, each distributor conducted a "subrecall." "Skinker performed a subrecall [an and around Washington, D.C.] by verbally advising route drivers to check customers' stock for the product," Congressman Fountain says. "No attempt was made by Mr. [Thomas C.] Skinker to advise customers about the recall or the inherent danger of the recall product."

Mr. Skinker says that his drivers "were instructed to contact anyone who might have bought some of the tenderizer." And he asserts that it was "a very slow-moving item: We maybe bought a total of four cases, 12 jars to the case."

#### "A SUCCESSFUL RECALL"

The Skinker company notified Mutual on Nov. 9 that the recall was complete, according to an FDA report. Apparently the other distributors did likewise, because a Feb. 26,

1971, memo from the FDA's New York district field office to Washington said the recall was over. Mutual's efforts, "along with the public warning, we feel resulted in a successful recall," the memo said.

It was not successful. On March 14, Robert L. Hall of District Heights, Md., visited a friend's bar-restaurant in nearby Washington, D.C. His friend prepared a meal of baked halibut seasoned with cheese, salt, pepper, and Spice of Life. He also tasted two "sub" loaves of buttered bread seasoned with garlic salt and Spice of Life. The Spice of Life was being used as a seasoning.

Mr. Hall ate the fish and most of the bread. He died that night of sodium-nitrite poisoning.

The staff of Mr. Fountain's House inter-governmental relations subcommittee heard about the death on March 18, just after listening to FDA witnesses on other problems. The staff called the FDA, which said it would consider issuing a public warning by 3 p.m. that day. At 6 p.m., having heard nothing from the FDA, the staff notified the Washington Post, which published a story the next morning on the death.

That afternoon the FDA again issued a public warning, this time using stronger language: "Some jars and cans of the product contain pure sodium nitrite, a deadly poison at high levels in foods."

And this time the FDA sent its own men scurrying after Spice of Life. They found 12 jars in Kansas despite a blizzard. In Michigan, where heavy snow also was falling they recovered a few jars. In Minnesota they visited 20 restaurants, finding and destroying two partly filled jars. In Virginia, Maryland, and the District of Columbia they canvassed all of Skinker's customers and found no tenderizer. Mr. Skinker sent letters to all the customers, with return cards for anyone who had some Spice of Life; no card was returned.

Though not all the jars were found—and no one is certain that the danger is past—this time the FDA has gone all out to prevent another tragedy. And the Spice of Life story is not over. The FDA is investigating how the nitrite got in the wrong drums, and charges might be filed. Officials of Mutual and Hygrade refused to discuss the matter with The National Observer.

#### RETHINKING RECALL POLICY

The Spice of Life tragedy has jarred the FDA into rethinking its policy on recalls. In an interview, Dr. Edwards and Mr. Grant argued that a recall combined with a public warning as a valuable tool. It's the fastest and most complete way to remove a product if there's a real threat to the public health," Dr. Edwards contends.

Yet they acknowledged that the recall has been used too often: 1,400 times in fiscal 1970, about a sixfold increase in six years. "We've used recalls for such things as upside-down labels on cans of tomatoes," Mr. Grant says, "when there was no health or economic-fraud problem involved." They plan to reduce calls so the FDA can monitor them better.

That may not be enough to come to grips with the important underlying problem—the FDA's relationship to the industries it regulates. The relationship is too cozy, say some critics of the FDA who urge a heavier reliance on prosecutions and legal seizures of suspect goods instead of on voluntary recalls. One such critic is Gilbert Goldhammer, an FDA employee for 32 years who now is a consultant to the Fountain subcommittee.

#### POLICEMEN OR EDUCATORS?

"We prided ourselves in the FDA on keeping an arm's length away from industry," declares Mr. Goldhammer. "It was an adversary relationship, and there was no buddy-buddy stuff. Now the FDA tries to educate these companies that sell dangerous stuff."

Mr. Goldhammer left the FDA five years ago after having been an inspector, chief inspector, administrative assistant to the commissioner, and assistant director of the Bureau of Regulatory Compliance. "We considered ourselves a police agency, not an education agency. We were food and drug detectives," he says, adding that today's FDA has "forgotten its mission. It does little enforcing."

The FDA and the Edwards regime do have their boosters. Rep. Clarence J. Brown, Jr., an Ohio Republican and member of the Fountain subcommittee, contends that Dr. Edwards is "a much better administrator than Dr. Ley, and Dr. Ley was better than his predecessor, Dr. James Goddard." Mr. Brown asserts that Dr. Edwards is "more balanced and fair."

And Mr. Brown has a good deal of sympathy for anyone who is FDA commissioner. "It's a rotten business to try to do a perfect job, because the area is so explosive. The FDA can save lives by letting drugs on the market or by keeping some off. Or they can let one on the market that poisons my kids." He likens the job to "picking your way among the land mines."

Mr. Brown also notes the "dramatic changes in science and technology" that have brought many new drugs and food additives to the marketplace. Dr. Edwards and Mr. Grant cite this same point as evidence of the scientific problems facing the FDA.

Dr. Edwards says he has made "significant strides" in hiring competent scientists for the FDA. In the past, many good scientists avoided the FDA because it offered little opportunity for basic research. Now, however, "there is an element of action at the FDA sometimes too much action," which Dr. Edwards says is attracting high-quality scientists. So is the new FDA-operated toxicological laboratory at Pine Bluff, Ark.

Dr. Edwards, a former management consultant as well as a surgeon, is tightening the FDA bureaucracy in an attempt to anticipate crises before they happen. He expects no more than 75 per cent success in this goal, because he considers a higher expectation unrealistic.

Dr. Edwards' managerial time is sharply curtailed by complaints and inquiries from the FDA's various "publics." Four congressmen telephoned on one recent morning, for example, and he hears repeatedly from drug lobbyists, food industry lobbyists, and consumer groups. His predecessor, Dr. Ley, complained about incessant calls from drug lobbyists, adding that he seldom heard from consumer advocates except for a Ralph Nader group.

Dr. Edwards says that none of his publics is shy, and that consumer groups "always get my ear. In fact, they force us to anticipate problems sometimes." Yet both Dr. Edwards and Mr. Grant assert that consumer lobbies are "fragmented," and seldom seem to work toward the same goal.

Consumer groups are relatively new to pressure lobbying at the FDA. They were rarely heard from during the regimes of Dr. Goddard, who left the FDA in 1968 after 2½ years as Commissioner, and Dr. Ley. Striking in his newly grown full beard and mustache, Dr. Goddard—who works in India for the Ford Foundation—told The National Observer during a trip to New York City that he had to keep reminding FDA people that they were representing consumers. "The problem to avoid, for an agency that is supposed to protect the consumer, is [losing] contact with consumer viewpoints."

Dr. Edwards has not lost this contact, but if consumer groups work at cross purposes, outnumbered and outfinanced by hard-working industry lobbyists, the end result may be the same as if he had. So may it be if the FDA pays little attention to consumers.

At 47, Dr. Edwards is lean, energetic, and, though tempered by 17 rather stormy months on the job, still optimistic about the FDA.

He does not agree with Dr. Ley that the commissioner's job "may be nearly impossible." Rather, Dr. Edwards contends that "given sufficient time and backing, we can make this a pretty highly efficient regulatory agency."

The FDA is a long way from that goal now.

#### CONSUMER PROTECTION NEEDED FOR LOW-INCOME FAMILIES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. JAMES V. STANTON) is recognized for 5 minutes.

Mr. JAMES V. STANTON. Mr. Speaker, in March the Cleveland regional office of the Federal Trade Commission held a series of consumer protection hearings in Cleveland. An overwhelming majority of those who testified came from low-income neighborhoods.

Testimony from 216 residents showed retail food stores and credit were the major source of all consumer complaints.

On the West Side, which includes my constituents in the 20th Congressional District, many residents felt door-to-door sales were an even greater problem than deceptive food and credit practices.

Retail food store complaints focused on first, inferior quality meats and produce sold at inner-city stores; second, increases in prices on "Mother's Day"—the day welfare checks are received; third, inner-city stores often have higher prices than stores in white suburbia; and fourth, advertised specials are frequently not available at inner-city stores.

Witnesses said they tend to shop at nearby inner-city stores not only because of transportation problems, but also because these stores will accept food stamps and welfare vouchers. A majority of food stores in suburban areas will not, according to complaints.

The second major area of complaints concerned credit. Testimony indicated this was the major problem on the city's West Side.

These hearings indicated low-income consumers consider credit a most valuable commodity, largely because it is so difficult for these people to obtain due to their limited financial resources. These people are extremely protective in maintaining an acceptable credit rating. Even if the low-income consumer does understand the truth-in-lending law, he often cannot shop for credit because his credit sources are so limited. Merchants who entice these shoppers to buy at apparently low prices which hide interest rates, actually "sell money" rather than products to many inner-city, ghetto, and low-income consumers, according to the FTC report on the hearings.

In summarizing results of these hearings, Mrs. Carol G. Emerling, director of the FTC's Cleveland office, reported 60.6 percent of all consumer complaints involved misrepresentation—deceptive sales and credit—and food sales—deceptive pricing and quality.

The report concluded that 45 percent of these complaints involved practices that come under FTC regulatory authority. Of 71 specific complaints, 42 involved industrywide practices such as

automobile warranties, computer billing, encyclopedia and magazine door-to-door sales, and tire claims. In other words, nearly half the complaints made at these hearings should have been acted upon by the FTC in Washington.

Thus it was not surprising when Mrs. Emerling observed:

There is a significant amount of consumer distrust of Federal agencies and consumer protection groups, which results in inertia.

#### TWO BILLS FOR THE PEOPLE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. GONZALEZ) is recognized for 10 minutes.

Mr. GONZALEZ. Mr. Speaker, I have introduced two bills today. It is important that we as a Congress assert the individual's right to have at least one possession that cannot be confiscated for Federal income tax purposes.

It is with this conviction that I reintroduce today the National Homestead Exemption Act of 1971 to abolish a section of the Internal Revenue Code that permits the Federal Government to take away a man's home as payment for unpaid taxes.

While I recognize the need for equitable and uniform enforcement of income tax laws, I view as unduly severe the Government's authority to deprive a person of perhaps his most cherished material possession.

Several States, including my home State of Texas, have statutes exempting a homestead from tax liens. State statutes, however, do not protect the individual from Federal tax liens against his property.

I feel it is incumbent upon us to adopt the attitude of respect for a man's home that many States have embodied in their homestead exemption laws. I urge my colleagues to extend this philosophy to the Federal level by acting promptly and favorably on this proposal.

My second bill recognizes that for a substantial number of taxpayers the yearly struggle with complex tax forms and involved regulations is a time of dread, annoyance, and bewilderment.

Eventual reforms of the tax maze are inevitable, but in the meantime there are many small taxpayers who cannot afford the luxury of professional assistance in filing for tax returns. The small taxpayers I refer to are the many millions with incomes under \$10,000 who pay claims they consider unjust because of the frightening prospect of having to contest their claims with the Government.

It is in behalf of these taxpayers that I am today reintroducing a bill to establish a Small Tax Division within the Tax Court of the United States to give a fair and sympathetic hearing to any taxpayer with an assessed deficiency of less than \$2,500.

The division would be comprised of 20 commissioners appointed by the U.S. Tax Court whose function it would be to redetermine an assessed deficiency and allow a tax refund not to exceed \$2,500.

Within a tax system that provides generous breaks and relief for huge



corporations and personal fortunes, there is surely room for a body that concerns itself with a large segment of taxpayers to whom every dollar paid out in Federal taxes involves a personal sacrifice. I urge my colleagues to support me in this attempt to give the taxpayer of modest resources some effective recourse against a huge bureaucracy that disposes of 85 percent of its contested tax claims without court adjudication.

#### WCBS ENDORSES DRUG CONTROL BILL

(Mr. MONAGAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous material.)

Mr. MONAGAN. Mr. Speaker, no one disputes the severity of the drug abuse problem in the Armed Forces, or the need for Congress to act quickly to fashion effective remedial programs to enable the services to cope with the addiction epidemic.

On May 10, 1971, I introduced H.R. 8216, the Armed Forces Drug Control Act of 1971 which I believe presents a practical approach to treating drug addiction among members of the Armed Forces. In addition to providing for comprehensive treatment-rehabilitation-prevention programs in each of the Armed Forces and containing a uniform amnesty-treatment provision, the bill states that no member of an armed force who, during his active duty, is determined to be addicted to a narcotic drug may be separated from service until such time as he is adjudged to be free of any habitual dependence on drugs. The retention provision of H.R. 8216 is an innovative provision and I am pleased that it has had a favorable reception by other Members and by the press.

On May 13, and 14, WCBS radio broadcast an excellent editorial on the critical nature of the drug abuse problem in the military, and endorsed my approach to solving the problem. I am inserting the text of the WCBS editorial in the RECORD at this point for the benefit of my colleagues:

#### DRUGS IN THE MILITARY

Today, more on the problem of drug abuse within the Armed Services.

The Defense Department points out that the problem is not peculiar to the military, but is a reflection of the increase in drug abuse that is afflicting American society, civilian and military.

That is probably correct. Nevertheless, we believe the Armed Services have an obligation to those who become addicted to narcotics while serving in the military: to treat and we hope cure the ailment before the men are discharged.

The military is reneging on a moral obligation when it discharges veterans with a dope habit, a habit that is easy to come by in Vietnam. Furthermore, it's bad social policy. An addicted veteran discharged into civilian life is very likely to become a criminal to finance his habit.

This week, Congressman John Monagan of Connecticut introduced a bill in Washington that would establish a Drug Abuse Control Corps to set up and supervise a drug abuse control program for the Armed Services.

Within the bill is a provision that states no member of the Armed Services addicted to

a narcotic drug may be discharged until his habitual dependence on the drug is gone.

While Congressman Monagan's bill is not necessarily the only legislation that can be designed on this subject, it does have the right basic idea—and that is to charge the Armed Services with responsibility for treatment of its addicts before returning them to civilian life.

#### TURBO TRAIN TOUR

(Mr. MONAGAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MONAGAN. Mr. Speaker, a significant test program which Congress recently initiated is the High Speed Ground Transportation Act, the legislation which has led to development of the New York-to-Boston Turbo Train and the New York-to-Washington Metroliner. Both runs have provided significant information and operational improvements. They have a foundation for future improvements in train service for Connecticut citizens, and for citizens throughout the country.

The Turbo Train, which is made by Sikorsky Aircraft, is now venturing from its New England home to display its qualities to the West. On May 15, the train left Providence, R.I. for a week of demonstrations and performance tests in Pueblo, Colo. The train will highlight the week by carrying Secretary of Transportation John A. Volpe the last 60 miles of the trip to Pueblo for the dedication of the Department's new High Speed Ground Test Center.

In light of the significant role which the Congress has played in the success of the whole Turbo Train project, I should like to enter into the RECORD for the information of my colleagues the summary and schedule of events for this western trip.

Stratford, Connecticut—The TurboTrain, Sikorsky Aircraft's high-speed intercity passenger train, leaves its home base of Providence, Rhode Island, Saturday (May 15), for Pueblo, Colorado to participate in the dedication of the U.S. Department of Transportation's (DOT) High-Speed Ground Test Center.

Newly refurbished inside and out and with a number of technical modifications, the train will be on display at the Pueblo Center May 19th and 20th. It will begin its journey home on May 21st.

The second TurboTrain will continue its daily scheduled trip between Boston and New York. It is also scheduled soon to undergo refurbishment after two years of service as part of the DOT's Northeast Corridor high-speed ground demonstration. The TurboTrain project was extended for an additional two years by the DOT in January 1971 in a program which includes adding two more cars to each train next year to increase capacity from 144 seats to 240 seats. The trains are leased by Sikorsky to the DOT.

The TurboTrain, highly advanced mechanically, utilizes aircraft-type gas turbine engines for power and has a pendulous banking suspension system which causes it to bank inward on curves instead of outward, enabling it to round curves at speeds 30-40% faster than regular trains with passenger comfort and safety. The suspension system also enables the train to operate with highly improved performance on existing tracks. The train is streamlined and has a luxurious interior. It has been tested at speeds of more than 170 mph, and regularly reaches speeds

of more than 100 mph in operational service, depending on track conditions.

The TurboTrain is the only new non-electrified intercity passenger train to be developed in this country in the past 15 years.

The newly refurbished train, painted white with red and black stripes, will leave the Providence maintenance facility at approximately 5:30 A.M. Saturday. It will arrive at Buffalo in late afternoon around 5:30, where it will remain for the night.

It is scheduled to depart from Buffalo at about 8:00 A.M. Sunday, and will pass through Cleveland, Ohio; Fort Wayne, Indiana and other cities on route to Chicago where it is expected at about 4:00 P.M.

It will leave Chicago Monday at about 7:00 A.M. The train will arrive at Kansas City at about 3:00 P.M. It will arrive at La Junta, Colorado at about midnight. It will lay over in La Junta until Wednesday morning when it will carry Transportation Secretary John A. Volpe and his party to the dedication ceremonies at Pueblo, about 60 miles away.

The train will leave Pueblo for Providence Friday, May 21, but the exact schedule is not yet firm.

#### EARLY YEARS, A NEW MAGAZINE FOR TEACHERS OF PRESCHOOL CHILDREN

(Mr. BRADEMAS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BRADEMAS. Mr. Speaker, a growing number of Americans share an awakening interest in the problems and opportunities of early childhood. Educators and noneducators have more and more become aware that in the first 5 years of life, many children gain or lose the chance to achieve in school. Nutritionists are more and more concerned about the impact of the early years of life for growth in later life.

Indeed, Mr. Speaker, citizens in all walks of life have come to believe that equality of educational opportunity must rest upon early initiatives in child development—initiatives which supply adequate cognitive and effective learning, good food for growth of brain and body, mental and physical health care and, when necessary, good family counseling.

At the time when this interest in early childhood is burgeoning, Mr. Speaker, I am pleased to note that a new magazine has appeared, a magazine which will serve the interests of teachers, administrators, researchers, and others concerned with the very young.

Early Years is the name of the magazine, and it is published and edited by Allen Raymond, a man of great ability and high dedication to the cause of education.

Mr. Speaker, the distinguished chairman of the editorial advisory board of this new journal is the former Assistant Secretary of Health, Education, and Welfare for Education and U.S. Commissioner of Education, Dr. James E. Allen, Jr., now of the faculty at Princeton University.

Mr. Speaker, at this point in the RECORD I insert the text of Dr. Allen's editorial in the initial—spring 1971—issue of Early Years:

#### EDITORIAL

Everyone who shares concern for children—and the schools that seek to serve them—must be heartened by the growing em-

phasis on the early childhood years. Research and experience are producing a greater understanding and more precise knowledge of the growth and learning processes of these years—knowledge that is, in turn, reinforcing the belief in their crucial importance in the life span.

Not only does more development of intelligence take place in the early childhood years than in any other similar period of life, but it is in these years that a foundation is built for future physical and mental health and for the eventual full development of the potential of each individual. In relationship to the total school experience, it is becoming ever more apparent that the character and content of the learning of these early years will significantly and lastingly affect the ability of children to benefit from their future educational opportunities.

Of obvious and fundamental importance is the effect of these beginning experiences on the acquisition of the basic learning skills. For this reason, the opportunity provided for the early years is a matter of great concern in the current nationwide Right to Read effort. It was while I was serving as United States Commissioner of Education that I initiated and President Nixon endorsed this campaign. Its immediate aim: To eliminate from the schools of America the totally unjustifiable reading deficiencies that affect one out of every four students. Its long-range goal: That, by the end of the 1970s, no child shall be leaving school without the skill and the desire to read to the limits of his capability.

The growing emphasis on the early childhood years will find expression and implementation in a variety of ways. Public education will expand its responsibility to include earlier years in the framework of formal schooling. Day-care centers, likely to increase greatly in number in the years ahead, will give more attention to their educational responsibilities and opportunities. Parents will seek new ways to help.

Because of the extremely sensitive and formative nature of the early childhood years, it is imperative that all programs be of the highest quality, using to full advantage new approaches, new technology, new ideas, new understandings. The emphasis should be on flexibility and freedom. Learning activities must not be so formalized as to inhibit natural inquisitiveness and the excitement of discovery.

Parents and teachers alike will be seeking new sources of guidance and practical help. To provide such help is the goal of this magazine.

The growing emphasis on the beginning years of life provides a tremendous opportunity to improve education and to realize for many more the satisfaction of a fuller use of abilities and talents.

WASHINGTON REPORT: CONGRESS IS MOVING TOWARD A CHILD DEVELOPMENT PROGRAM FOR CHILDREN, BY CONGRESSMAN JOHN BRADEMAS

Mr. Speaker, in addition to the editorial by Dr. Allen, I insert in the RECORD an article of my own in the first issue of *Early Years*. My own essay is a brief description of the outlook for passage by this Congress of the Comprehensive Child Development Act, which enjoys widespread bipartisan cosponsorship in both the House and Senate and which the House Select Education Subcommittee, which I have the honor to chair, is now considering.

The article follows:

WASHINGTON REPORT: CONGRESS IS MOVING TOWARD A CHILD DEVELOPMENT PROGRAM FOR CHILDREN

(By Congressman JOHN BRADEMAS)

The 92nd Congress may see Americans setting up early childhood programs for the

sake of children. In my judgment, it's about time.

Let me explain why I speak of childhood programs for the sake of children. The fact is that since the Civil War, there have been schools and school-like institutions for the very young in America. But they have been started, and sometimes federally supported, with the interests of mothers and of the government, rather than the child, in mind.

During World War II, for example, hundreds of thousands of women went into war plants as welders and assemblers to take the places of the millions of men who went to war. Their children were taken care of in federally-financed play schools (Lanham Act), either right in the war plants or near their mothers' homes. When the boys came home from the war we wanted the women out of the plants so the men could have those well paying jobs. Shutting down the day care centers was a help in getting the women back into the home.

Just as Maria Montessori's methods, originally pioneered in the slums of Rome, were taken up by the well-to-do in America, so the provision of day care centers for working women has lent impetus to the growth of the kindergarten movement for the children of the middle and upper classes. And, though we discontinued the Lanham Act schools during the years immediately after World War II, we have come to see in the years since that the programs we had started out of expediency were valuable in their own right.

Now we are on the verge of having child care and development programs for the sake of the children. Today we are driven not by the urgency of war but by concern for the well-being of the young.

#### CARE AND DEVELOPMENT

Psychologists recently have come to learn significantly more about the way children grow and, as a result, we have a deeper appreciation of what *intelligence* and *development* mean. Traditionally, it was easy to conceive of a child care program: the creche and the orphanage represent its paradigm—food, a roof over the child's head, a bed to sleep on at night—the basic needs of life viewed as the basic needs of childhood. But with our new understanding of intelligence as protean and evolving, we have started to look for ways in which to affect its formation.

Not surprisingly, we have found them. Emotional security, stimulating environment, good food and health care all contribute to the development of a child's intelligence, ability, creativity and interest in the world. So does the social situation into which a child is placed. In recent years, and particularly since the monumental studies made under the direction of James S. Coleman, it has become clear that children from poor surroundings develop much more quickly when they mix with children from homes of higher socio-economic status—it broadens their horizons beyond what the late Oscar Lewis called the "culture of poverty."

Child development, then, has come to mean those programs for children that are based on the notion that a child's potential is fulfilled, not in some set proportion, but in accordance with the opportunities supplied by parents and the society in which he lives.

#### WHAT WE HAVE

The kind of child care that can tap a child's potential in the ways we now think possible, is not widely available. For the rich, of course, there are some schools—often they charge more than \$2,000 per child per year—that approach child care in creative and scientifically sound ways. But they don't nearly meet the need.

Neither do available federally-supported child care and development programs. Most are financed by Titles IV-A and IV-B of the Social Security Act and Titles I, II-B and III-B of the Economic Opportunity Act. These programs accommodate only 641,000

children, representing only a fraction of the 4.9 million preschool children of working parents. We have only begun to make child development programs available to the children of welfare recipients and the very poor.

Head Start is probably the closest thing we have to comprehensive child development programming, and it is available to only 89,000 children. Yet even Head Start, our best attempt, is embedded in the culture of poverty, is limited in scope and, all too often, supplies little more than custodial care.

#### ACTION IN THE HOUSE

In August 1969, Patsy T. Mink (D-Hawaii), Ogden R. Reid (R-N.Y.) and I introduced the Comprehensive Preschool Education and Child Day Care bill in the House. Our proposal provided voluntary programs of early childhood development, open to all children but with priority for disadvantaged children. The bill sought to eliminate the arbitrary divisions among "day care," "preschool" and "child health" programs, and sought to set up standards of programming for such operations. The bill also would have made it possible for programs to be operated by public or private nonprofit or profit-making organizations.

Later, in February 1970, Congressman John Dellenback of Oregon and several of his colleagues introduced the Comprehensive Head Start Child Development bill of 1970. This bill was in many ways similar to the Brademas-Mink-Reid bill, but is specifically extended services upward to 14-year-olds.

Because of the similarity between the Dellenback and the Brademas-Mink-Reid bills, final testimony in February and March involved both bills. By the end of March, our subcommittee had held a total of 17 days of hearings and collected over 1,000 pages of testimony.

After a number of hard-working markup sessions in May and June, we combined many features of both bills and, in September, the Select Education Subcommittee favorably reported a new bill, H.R. 19362, to the full House Education and Labor Committee.

#### STILL ANOTHER BILL

Because the 91st Congress adjourned without further action on this subcommittee bill, it represented the point from which we started work in the 92nd. After a number of meetings and discussions to improve on the 1970 bill, on March 24, 1971, on behalf of myself and a bipartisan coalition of ten members of the House of Representatives, I introduced the most up-to-date version of the bill.

Other original sponsors of the bill are: Patsy T. Mink (Hawaii), James H. Scheuer (N.Y.), Lloyd Meeds (Wash.), William Clay (Mo.), Albert Quie (Minn.), Ogden R. Reid (N.Y.), John Dellenback (Ore.), Alphonzo Bell (Cal.) and Orval Hansen (Idaho).

A major provision of the bill calls for establishment of Local Policy Councils, composed of parents of children in the neighborhoods to be served. The bill also establishes the Office of Child Development in the Department of Health, Education and Welfare to coordinate all federally-supported child development programs. (The present Office of Child Development was created by executive order only.)

Other key features of the bill are: authorization of construction of day care facilities; training for personnel to operate the programs, and funds for the actual operation of such programs so long as they meet established requirements.

At this writing, some 80 members of the House have joined me as co-sponsors of this legislation and, under the able leadership of Senators Walter Mondale (D-Minn.) and Jacob Javits (R-N.Y.), we expect coordinated action on a companion measure in the Senate.

For the millions of American children for



whom there are at present no adequate day care and development services, this bill offers new hope. To President Nixon, who in February 1969 committed his Administration "to providing all American children an opportunity for healthful and stimulating development during the first five years of life," this bill represents a way to keep a promise.

As bipartisan legislation for a high public purpose—the lives of children—the Comprehensive Child Development bill of 1971 merits the support of all Americans. I believe that it will gain that support and become law during the 92nd Congress.

**REMARKS OF TOM WICKER, NEW YORK TIMES, AT THE ROBERT F. KENNEDY JOURNALISM AWARDS LUNCHEON, WASHINGTON, D.C., APRIL 28, 1971**

(Mr. BRADEMAS asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. BRADEMAS. Mr. Speaker, few persons within this generation have made so great an impact in so short a period of time on the people of the United States as did Robert F. Kennedy.

I believe that most observers of the life of Robert Kennedy would agree that one of the characteristics we most identify with him was his extraordinary sensitivity to, and compassion for, those in trouble or in suffering.

It was, therefore, most appropriate that in December 1968, a group of journalists established the Robert F. Kennedy Journalism Awards to give recognition to outstanding achievement on the part of journalists who most effectively describe the kinds of concerns which were Robert Kennedy's.

Mr. Speaker, I was privileged to have been present on April 28, 1971, at the John F. Kennedy Center for the Performing Arts for the Third Annual Robert F. Kennedy Journalism Awards, and I take this opportunity to pay tribute to the recipients of the award this year. I should like to insert in the Record the text of the program on this occasion, containing both the names and works of the awardees.

Mr. Speaker, I should also like to insert at this point in the Record the eloquent remarks of one of this Nation's most effective journalists, Tom Wicker of the New York Times, who was the keynote speaker on April 28.

I do not believe I have heard a more powerful discussion of the role of the press in a free society than Mr. Wicker's address on this occasion.

The materials to which I have made reference follow:

**REMARKS OF TOM WICKER**

What were the virtues of Robert Kennedy? Those who knew him better than I can answer for themselves, but perhaps we might agree on two; perhaps we might agree that he was sensitive and tough. By sensitive, I mean that he was a man of compassion, but of anger, too; and I mean that he not only had generosity in his heart but an openness in his nature that allowed him to see, to feel, to learn and grow. He was sensitive to all about him; there was nothing oblivious about Robert Kennedy.

And when I say he was tough, I don't mean in that cheap and cliché fashion too often

celebrated in these precincts as "hard-nosed." I mean he had the courage to judge things for himself, the determination to act as best he could, the resourcefulness and the knowledge of things that enabled him in his brief hour to do more than most can achieve in a lifetime. Those who called him ruthless misjudged the quality of his toughness, not the fact that he had it.

So although he was frequently enough at odds with newspapers and newspaper men, I think it's fitting that the awards to be presented later should be made in his name; I think Robert Kennedy in his sensitivity and toughness held up a light we of the press, in an hour of trial of our own, would do well to follow. That's true here in Washington and it's true for reporters elsewhere, particularly for those who find themselves involved in or exposed to stories like those to be honored here today.

**THE SAME PROBLEM**

We really all have the same problem. Whether it's Nick Kotz on the inequities of Jamie Whitten or Tony Ripley on the monolith of the A.E.C. or Jack Nelson on the failures and distortions of the F.B.I. or Peter Arnett on the vast shapeless horror of Vietnam, NBC on migrant labor or CBS on the selling of the Pentagon—any of these stories require for understanding a sensitivity to life—compassion and anger and generosity and openness. And to tell them as they should be told takes toughness—the courage to judge, determination and resourcefulness.

But today almost any example of that kind of sensitivity and toughness in the press or on television leads to an outcry, an attack from high places, or perhaps, a whining protest cloaked to appear as not a protest or even a subpoena; and, I'm sorry to say, not infrequently the sensitivity and toughness of one part of the press leads to an attack from another. In these circumstances, I think reporters and editors need to recall another of Robert Kennedy's virtues. We need to know who we are and what we must do, as I think he came to know those things about himself.

After all, there are a lot of people in and out of the profession, in and out of government, who're trying to tell us who and what we are. We are even being told at exalted levels that the American press has something of a Marxist function—that it's our duty to serve the interests of the state. More specifically and absurdly, that it's our duty to serve the interests of a briefly authorized national Administration and of a particular policy.

**THE COURAGE TO JUDGE FOR OURSELVES**

Let's have the courage to judge for ourselves who we are and what we must do. Let's make it clear, and I believe we never have fully done so, that the press of America is not an adjunct of politics or an appendage of the government but an estate of its own, with its own responsibilities and its own commitments. And those responsibilities and commitments are only the greater because, in a very real sense, we are a privileged class—endowed with a Constitutional position, a close vantage point, and, that rare thing in American life today, something useful to do.

Let's mistrust the fatal lure of the pressbox mentality—that voice that tells us it's enough, as one of Conrad's heroes was advised by his father, to "look on—make no sound!"

Let's not succumb to the truth-machine syndrome version the notion that somewhere there's a perfect and unassailable version of what happened, and that anything deviating from that immaculate—but usually self-serving—account is a disservice to the Republic. If reporters don't know that truth is plural, they ought to be lawyers.

Let's beware of elevating the "official source" to an exaltation that only its official standing, not its substance or its meaning, could give it. Neither truth nor understand-

ing is reserved in this country or any other, to people elected or appointed.

Let's have objectivity if it kills us, and someday it might, but not that objectivity that persists in treating all facts as if any one is the equivalent of any other—not that objectivity that operates on the mindless assumption that to think and judge and evaluate is original reporter's sin.

**THE PRESS IS NOT THE ROOT CAUSE OF THE TROUBLE**

Let's be firm in the knowledge that whatever our sins—and they are many—and whatever our deficiencies—and they are myriad—the press is not the root cause of the trouble in this country or in the world. The press sent no troops to Vietnam and if the New York Times ceased to publish tomorrow, the war still couldn't be won or justified. The real question is—what did we do, when we had the chance, to prevent the nightmare? We listened to the official sources.

The press did not create the poor and the downtrodden in America and if NBC went off the air tonight, they would still be with us in their miserable millions. The real question is—how shall we meet our responsibility to nag and ceaselessly prod the conscience of the rich? I don't think we're doing it.

The press did not divide the races in America, and if the Washington Post abandoned its editorial page tomorrow, the races wouldn't be reconciled, far from it. And the real question is—are we doing enough to document and convey the shame and danger of the situation to those within and without the government who don't know or don't care? I doubt it seriously.

**OUR REAL WORK OF LOOKING FOR THE TRUTH AND SETTING IT DOWN**

Those are the questions before us—these and many others like them—and if Robert Kennedy is not here to help us find the answers, his light is all around us, his sensitivity and toughness and knowledge of himself are there as models. And if we see by such a light, we'll scarcely trouble to defend ourselves against false charges and self-serving demands; and we'll discern without such difficulty that those who want us to report "good news" or "what is right about America" are simply those who are afraid we might do our real work of looking for the truth and setting down what we find, harsh and beautiful on the page and on the screen.

And by the same light, I think we could continue to know the truth of my great colleague, James Reston, once said in my hearing to a very high official of the government. I had been threatened by that personage, or so it seemed to me, and I reported that to Mr. Reston, then our bureau chief, and he picked up the phone immediately and called the man. "Listen," he said, "there's one thing you ought to understand. We're going to be here long after you're gone."

And so we are. And so we always will be, I believe, if we have the sensitivity and the toughness to know who we are and what we must do.

**THE THIRD ANNUAL ROBERT F. KENNEDY JOURNALISM AWARDS**

As Robert Kennedy saw and listened to the poor—Blacks, Indians, Chicanos, Appalachians, migrant workers, the unemployed, the disabled—so did the journalists who traveled with him.

The Robert F. Kennedy Journalism Awards program was founded by a group of these journalists in December, 1968, to encourage and recognize outstanding achievement in portraying those aspects of American Life which occupied so much of his attention—the victims of economic conditions, racial prejudice, malnutrition, governmental abuse or neglect—or simply the indifference of the more fortunate.

The awards honor working journalists whose work illuminates the life styles, handi-

caps and hopes of the disadvantaged with insights into the causes, conditions and remedies of their plight.

The awards program is sponsored by the Journalism Awards Committee on the Problems of Poverty and Discrimination, which maintains full responsibility for its impartiality and integrity. The Journalism Awards Committee is assisted in its work by the Robert F. Kennedy Memorial.

THE THIRD ANNUAL ROBERT F. KENNEDY  
JOURNALISM AWARDS

The John F. Kennedy Center for the Performing Arts, April 28, 1971.

Master of Ceremonies: Bill Cosby.

Keynote Speaker: Tom Wicker, The New York Times.

Awards Presentation: Richard Harwood, Washington Post.

Journalism Awards Committee: Richard Harwood, Chairman, Washington Post; Hays Gorey, Time; Jules Witcover, Los Angeles Times; Dan Blackburn.

Judges: David Halberstam; Frank Jordan, NBC; Nick Kotz, Washington Post; Hal Walker, CBS.

AWARD WINNERS

Best television coverage—1970

The National Broadcasting Company for *Migrant: An NBC White Paper*. Accepting the Award: Martin Carr, Producer.

Westinghouse Broadcasting Company for *When You Reach December*. Accepting the Award: Marvin L. Shapiro, President of the Station Group.

Best newspaper coverage—1970

Ralph Looney for his series in *The Albuquerque Tribune* on the Navajos.

Jerome Watson and Sam Washington for their series in the *Chicago Sun-Times* on Illinois State Schools for the Mentally Retarded.

Special Awards—1970

Ruben Salazar for his columns in the *Los Angeles Times* which communicated effectively and compassionately the culture and alienation of Chicanos. Accepting the Award: Mrs. Ruben Salazar.

The New Thing for *This is the Home of Mrs. Levant Graham*. Accepting the Award: Topper Carew, Producer.

WHEN YOU REACH DECEMBER

The Westinghouse Broadcasting Company. Produced, written and reported by Dick Hubert. Directed by Paul Galan. Narrated by Rod MacLeish.

The opening scene of *When You Reach December* makes you sit up in your chair—and from that moment on, your attention never wavers as this hour show explores in poignant detail the special and sad problems of the ailing aged. Filmed mainly in and around the nursing homes of Maryland, the documentary nevertheless is an indictment on a national scale of our neglect toward this citizen group—an indictment made all the more damning by its understatement. Broadcast: The week of November 31, 1970, Group W Stations.

MIGRANT: AN NBC WHITE PAPER

The National Broadcasting Company. Produced and directed by Martin Carr. Correspondent: Chet Huntley. Written by Martin Carr and Marilyn Nissenson.

This hour show is in all respects a worthy successor to Edward R. Murrow's *Harvest of Shame* which brought the plight of the migrant worker to the attention of America a decade ago. Producer Carr's use of interviews is particularly revealing and effective. *Migrant* is everything a television documentary should be—factual, timely, hard-hitting and extremely visual. Broadcast: July 16, 1970, 7:30 p.m., NBC Television Network.

THIS IS THE HOME OF MRS. LEVANT GRAHAM  
The New Thing.

Produced and directed by Topper Carew. Filmed by Claudia Weill and Eli Noyes.

*The New Thing*, an arts workshop in the inner city of Washington, D.C. has produced an unusual, delightful and fascinating documentary. Producer Carew's film crew spent three months with the Grahams while the family, their relatives and friends became accustomed to the camera. When the camera was turned on, out came this wonderfully warm, *cinema verité* treatment of family life in the Black ghetto.

Broadcast: October 9, 1970, 7:00 a.m., WTOP-TV, Washington, D.C.

THE ROBERT F. KENNEDY JOURNALISM AWARDS  
CIRCULATING LIBRARY

The winning documentaries and those from previous years are of continuing importance in contributing to our knowledge about the problems America faces and the steps we must take to correct long-standing grievances.

The Robert F. Kennedy Journalism Awards Committee has obtained some of these films which it will lend to interested groups.

Other films can be rented from the networks or their distributors for a nominal fee.

(By Ruben Salazar)

A Chicano is a Mexican-American with a non-Anglo image of himself.

He resents being told Columbus "discovered" America when the Chicano's ancestors, the Mayans and the Aztecs, founded highly sophisticated civilizations centuries before Spain financed the Italian explorer's trip to the "New World."

Chicanos resent also Anglo pronouncements that Chicanos are "culturally deprived" or that the fact that they speak Spanish is a "problem."

Chicanos will tell you that their culture predates that of the Pilgrims and that Spanish was spoken in America before English and so the "problem" is not theirs but the Anglos' who don't speak Spanish.

Having told you that, the Chicano will then contend that Anglos are Spanish-oriented at the expense of Mexicans.

They will complain that when the governor dresses up as a Spanish nobleman for the Santa Barbara Fiesta he's insulting Mexicans because the Spanish conquered and exploited the Mexicans.

It's as if the governor dressed like an English Redcoat for a Fourth of July parade, Chicanos say.

When you think you know what Chicanos are getting at, a Mexican-American will tell you that Chicano is an insulting term and may even quote the Spanish Academy to prove that Chicano derives from *chicanery*.

A Chicano will scoff at this and say that such Mexican-Americans have been brainwashed by Anglos and that they're Tio Tacos (Uncle Toms). This type of Mexican-Americans, Chicanos will argue, don't like the word Chicano because it's abrasive to their Anglo-oriented minds.

These poor people are brown Anglos, Chicanos will smirk.

What, then, is a Chicano? Chicanos say that if you have to ask you'll never understand, much less become a Chicano.

Actually, the word Chicano is as difficult to define as "soul."

For those who like simplistic answers, Chicano can be defined as short for Mexicano. For those who prefer complicated answers, it has been suggested that Chicano may have come from the word Chihuahua—the name of a Mexican state bordering on the United States. Getting trickier, this version then contends that Mexicans who migrated to Texas call themselves Chicanos because having crossed into the United States from

Chihuahua they adopted the first three letters of that state, Chi, and then added cano, for the latter part of Texano.

Such explanations, however, tend to miss the whole point as to why Mexican-American activists call themselves Chicanos.

Mexican-Americans, the second largest minority in the country and the largest in the Southwestern states (California, Texas, Arizona, New Mexico and Colorado), have always had difficulty making up their minds what to call themselves.

In New Mexico they call themselves Spanish-Americans. In other parts of the Southwest they call themselves Americans of Mexican descent, people with Spanish surnames or Hispanics.

Why, ask some Mexican-Americans, can't we just call ourselves Americans?

Chicanos are trying to explain why not. Mexican-Americans, though indigenous to the Southwest, are on the lowest rung scholastically, economically, socially and politically. Chicanos feel cheated. They want to effect change. Now.

Mexican-Americans average eight years of schooling compared to the Negroes' 10 years. Farm workers, most of whom are Mexican-American in the Southwest, are excluded from the National Labor Relations Act unlike other workers. Also, Mexican-Americans often have to compete for low-paying jobs with their Mexican brothers from across the border who are willing to work for even less. Mexican-Americans have to live with the stinging fact that the word Mexican is the synonym for inferior in many parts of the Southwest.

That is why Mexican-American activists flaunt the barrio word Chicano—as an act of defiance and a badge of honor. Mexican-Americans, though large in numbers, are so politically impotent that in Los Angeles, where the country's largest single concentration of Spanish-speaking live, they have no one of their own on the City Council. This, in a city politically sophisticated enough to have three Negro councilmen.

Chicanos, then, are merely fighting to become "Americans." Yes, but with a Chicano outlook.

DILEMMA: UNFIT IN TWO LANGUAGES

(By Ruben Salazar)

"A Los Angeles Police Department officer was beating a Spanish-speaking motorist calling him a dirty Mexican. Occupants in the motorist's car yelled out to the police officer that the person he was beating was not a Mexican, but that he was a Nicaraguan.

"At that moment the officer stopped beating him and obtained medical help for him."

So testified a psychiatric social worker at a hearing before the U.S. Commission on Civil Rights in December of 1968.

The testimony gives some insight into the complicated subject of the differences among the Spanish-speaking people in the United States.

Mexican-Americans, about 8 million of the 10 million Spanish-speaking people in the country, are, ironically, among the most abused of this minority simply because they're Americans. This holds true for Puerto Ricans who are also Americans.

Non-American Spanish-speaking people, like Nicaraguans, Argentinians and Colombians, are as the police officer knew instantly, treated with more respect.

The reason may be that Americans, originally immigrants to this country, show more consideration for other immigrants than they do for indigenous people like Mexican-Americans and Indians.

Because of the civil rights movement, there has been an intense search for Spanish-speaking teachers, journalists, social workers, salesmen, etc.

Invariably, when found, these specialists turn out to be non-American Spanish-speak-



ing people—Cubans, Central Americans, South Americans and native Mexicans.

The reason is simple. Non-American Spanish-speaking people have a better education—and so speak good Spanish—and assimilate well into Anglo society because they came here expressly to do this.

The Mexican-American, meanwhile, many of whom speak neither good Spanish nor good English, are victims of an educational system which purports to "Americanize" them while downgrading their ethnic background.

For instance, the first truly bilingual education program in this country was set up not for Mexican-Americans but for Cubans in the wake of the Cuban crisis. Bilingual education was made available to Cuban refugees at Florida's Dade County schools in 1963.

Yet, as late as December 1968, educators testified before the U.S. Commission on Civil Rights that Mexican-American children were being punished for speaking Spanish on school grounds in other parts of the country.

Cubans today, then, have a better chance of obtaining jobs requiring bilingual people—now that Spanish has been discovered as an asset instead of a liability—than do Mexican-Americans.

Bilateral bilingual education programs for Mexican-Americans are geared toward using the Spanish language as a tool only until the Chicano kid has learned enough English to overcome the "problem" of speaking Spanish. These are not truly bilingual programs, which should be the teaching of both languages on an equal basis.

The truth of the matter is that despite our talk in the Southwest about "our great Spanish heritage" and the naming of our towns and streets in Spanish, the Spanish language has never been taken seriously by American educators even in areas where both languages could be learned together and correctly.

Too often the difference between a Mexican-American and a non-American Spanish-speaking person is that the non-American can speak better Spanish than the Mexican-American—and so is more qualified for the emerging bilingual job.

And the difference between the Mexican-American and the Anglo-American is that the Anglo speaks better English than the Mexican-American and so is better equipped for the more conventional jobs.

The pattern could change when the American educational system is as considerate of Mexican-Americans as it was of Cubans in 1963.

#### THE NAVAJO—HIS LIFE, HARD TIMES

(By Ralph Looney)

In a Navajo hogan amid the pink sand dunes four miles north of Kayenta, Ariz., Jim John waits for death.

Over 80, he is gaunt and pallid and has been bedridden for four years.

He lives in a gray twilight world encompassed by the eight sides of his pinon log hogan, which is shielded against the elements by a thick layer of dirt. The earth makes the outside of the hogan look like an enormous anthill.

By day, light enters Jim John's world from the smokehole in the center of the hogan roof. By night, illumination is the yellow glow of a rusty kerosene lantern and the fire flickering in the stove made from half an old 55-gallon oil drum.

The walls of his world are lined with other cots on which his wife and five children sleep. Pots, pans, clothing and a conglomeration of other items hang on the walls. The floor is sand.

Jim John surrendered four years ago.

The white man's doctors and hospitals failed him, he says. And so did the Navajo medicine man, who came and made paintings in the sand and chanted to drive out the evil spirits wracking his body. So John

quit trying to get help for the arthritic-like pain.

The Johns share a herd of 150 sheep and goats with a daughter who lives in a hogan nearby. Because they own a grazing permit the family is ineligible for welfare. Their only income is the few hundred dollars they realize each year from the wool and lamb crop.

But they get free surplus commodities at the Kayenta chapter house every month.

The Johns must pay someone to haul wood and coal for their fire from Black Mesa, five miles south, and water from Kayenta, four miles away. There is no water closer.

The Johns have no toilet, no bathtub, no electricity and none of the other conveniences most Americans take for granted.

It would probably surprise the John family to know that last year the United States, four states and the Navajo Tribe spent about \$1,200 cash for each of them—\$8,400 for the seven.

And this year, the spending will probably average about \$1,350 apiece!

The Johns are among an estimated 125,000 Navajos scattered across a reservation larger than West Virginia.

In fiscal 1968-69, the sum spent on the Navajos totaled at least \$151,503,305. In the current fiscal year it probably will top \$168,795,363.

This year alone, the Bureau of Indian Affairs is spending \$76 million of its \$311,440,000 budget in the Navajo area.

The Navajo Tribe's budget this year is \$17.7 million, a figure matched by the spending of the Indian Health Service of the U.S. Public Health Service on the Navajos.

Public schools in three states this year are spending more than \$20 million to educate Navajos—in addition to a sum more than twice that size spent on education by the BIA.

Most revealing of all, New Mexico, Arizona, Utah and Colorado spend nearly \$10 million a year on welfare for Navajos—most of it from the federal government.

The Navajo problem is representative of the entire situation of the Indian in America in 1970. The Navajo has been a ward of the government for more than 100 years. As in the case of other Indians, each year the Navajos has to have more help from the government.

Yet, it is obvious that money alone is not the answer.

Very little of the vast sum being spent on the Navajo is visible in the Johns' hogan.

And as you travel the vast and lonely reaches of the Navajo World, you realize that the situation is similar everywhere.

Walk into practically any hogan and you find things much the same. Often, the inhabitants don't even have beds but sleep on sheepskins or blankets on the dirt floor.

This is the Navajo World in 1970. It looks like a retarded, poverty stricken country, similar to the underdeveloped "emerging" countries of Africa. Here, the standard of living trails the rest of America by at least 100 years.

It is a world where only 25.5 per cent of the homes have electricity. A world where nearly 80 per cent of the population lives in homes without running water and residents often haul water for many miles. Surveys show that less than half of the water available is fit to drink. Only 15 per cent of the homes have flush toilets.

A world in which only 15 per cent of homes have refrigeration, where you may run across an Indian woman stolidly butchering a sheep in the shade of pinon tree.

Where roads are unpaved, often rutted or buried in sand or muck and frequently impassable. Where most school children are herded into barracks-type quarters in boarding schools because bad roads make it impossible for them to get to school every day.

A world where nearly half (46.1 per cent)

of the nearly 40,000 people in the work force are jobless and have little prospect of finding work, at a time when the national unemployment rate averages five per cent.

It is an overwhelming world. And the enormity of its problem is staggering.

In spite of the huge sums being spent on the problem, little of the money seems to be filtering down to the people.

In fact, at the moment, the problem is only getting worse. Even knowledgeable BIA officials are skeptical of solutions.

The Navajo birthrate is twice the national figure. Population jumped from 83,000 in 1960 to an estimated 125,000 now. The present rate of population increase is around 3 per cent, which means population will double in 22-26 years.

The Navajo country is a welfare state where if it weren't for relief, Social Security and food handouts, starvation would be rampant.

Income is frequently below \$500 a year. The average for all is only \$1,700.

It is a hard world. Hard and rugged and mostly bone dry, sorely equipped to support a fraction of its population.

The reservation is desperately overgrazed.

The sheep and goats that once were the Navajo mainstay struggle to survive. They eat the grass, then the weeds, then the sagebrush and finally even the green foliage on the pinon and junipers. Sometimes they drink water only every second or third day.

A land of violent, sometimes unbelievable scenery, tormented by the elements. Seared by sun and frozen by bitter cold, burnished by the wind and gashed by downpours.

It contains about 28,000 square miles, on reservation and off. Not enough to support the 125,000 Navajos who live there.

For centuries, the "Dine" or "People" as Navajos call themselves, supported a life with sheep and goats. Then in the 1930's the federal government cut herds in half to protect the eroding and overgrazed land.

Today there are still too many sheep for the land but far from enough to support The People.

But they cling to their herds, even though it is almost impossible to make a living from them because herd size is so restricted. A survey of 750 sheep-raisers in the Kayenta, Ariz. area revealed annual per capita income averaged only \$850.

New industries like Fairchild at Shiprock, General Dynamics at Ft. Defiance, Ariz., or the tribal sawmill provide some jobs. But the BIA is the biggest employer. Nearly 3,000 of the 5,800 BIA payroll are Navajo.

The Navajo Tribe, the Office of Navajo Economic Opportunity and the BIA are making efforts to improve housing and provide job training in various programs. For instance a Tribal Housing and Training Program has completed 150 homes. ONEO programs have improved 3,462 homes and have 287 under construction.

But this is as insignificant as a scratch on the enormous bulk of a mountain like Shiprock.

The BIA estimates that the Navajo labor force numbers 38,165. In 1969, 46.1 per cent—17,606—were unemployed.

The plants, the BIA and Public Health offices create islands of relative prosperity in an ocean of depression. Go a few miles in any direction from one of the islands and you'll find the situation grim.

Kayenta, Ariz. is such an island. Two miles to the north and about two miles west of Arizona 464 live Betty Holiday and her husband, a medicine man.

They are surrounded by beauty. West of their hogan looms a rugged bulwark of crimson cliffs. To the southeast, the black monolith of El Capitan, a volcanic plug similar to Shiprock, marks the horizon.

Mrs. Holiday is 88 and sick. She can't weave because her eyes are failing. The Holidays survive on a small welfare check and the commodities they get once a month.

The hogan is heated by a stove made from half a 55-gallon oil drum, a typical Navajo device. On its top is an old tea kettle. Nearby, on the dirt floor, a battered dishpan contains two lumps of coal. The coal or wood has to be hauled about five miles from atop Black Mesa, south of Kayenta.

Mrs. Mary C. Black, a daughter, lives in a little one-room house nearby. She is also married to a medicine man. The Blacks' sixth grade son, John, 13, had to drop out of school to tend the Blacks' sheep herd of 82.

The nearest water is in Kayenta.

Such conditions exist everywhere.

Torreón, N.M., about 80 miles northwest of Albuquerque, is typical. It consists of a small BIA boarding school, a Navajo Chapter House, an air strip and a trading post.

It is lost in a bleak, rocky, hostile landscape. Water is scarce. The water in the trading post well is too salty to drink. The 3,000 Navajos who live in this off-reservation part of the "checkerboard" area haul water at least 20 miles.

Leonard and Louise Dale live near Torreón. He is 65 and she 66. Neither speaks English and depends on the trader to handle business like income tax and the mail.

They live in a one-room house and a hogan. They raise a few sheep, getting about \$60 to \$65 from the wool, plus \$150 to \$200 from lambs. Most of their income is from old age pensions—\$25 for Mr. Dale and \$45 a month for his wife—a grand total of \$852!

Any part of the Navajo country is the same.

Jim Brown, 95, lives in a small hogan in the rolling sanddunes outside Tuba City, Ariz., 225 miles to the west. He is blind. His daughter, Elsie Dixon, lives in a frame tarpaper covered house nearby.

Together they get \$100 a month—\$60 in welfare for her and \$40 in Social Security for him. They survive on free food through welfare.

The conditions of poverty that afflict the Navajos lead to some of the most serious conditions of health existing in the United States today.

The statistics are shocking.

One hundred seventy-five out of every 100,000 have tuberculosis, while only 23 out of every 100,000 among the general population are similarly afflicted.

About 7,800 Navajos out of 100,000 have strep infections, compared to 229 generally; 2,013 with gonorrhea, compared to 207 generally, and so on.

Life expectancy for the Indian is 64 years—six and a half below the 70.5 years for the general population.

Read these case histories from the U.S. Public Health Service Indian Hospital at Tuba City, Ariz.:

H.C.—Born May 1, 1968. Admitted to hospital a year and five months later weighing only 15 pounds, normal weight of baby of five months. Diagnosis: severe protein deficiency, malnutrition, kidney infection, severe iron deficiency anemia and head injury suffered two or three weeks earlier. Brain surgery required.

Or:

D.H.—Born April 23, 1969, 7 pounds, one half ounce. Admitted to hospital 2 months later with weight down to six pounds, 14 ounces. When discharged a month later, weight up to nine pounds, 6 ounces. Back in hospital two months later, baby had gained only two ounces.

"The only time this child's weight could be considered normal was at birth..." (Two other children in family died in 1963 and 1969, both of malnutrition.)

They are not unusual.

The facts are that some Navajo children aren't getting enough to eat and a great many others aren't getting the proper kind of food.

Meanwhile, in the fiscal year ending last June 30, Public Health spent \$17,134,203 on Navajo health care.

But malnutrition is rampant.

Two nutritional diseases almost unknown in modern America crop up with disturbing frequency. Both are generally associated with hunger and malnutrition in "emerging" countries like those in the African bush.

One disease is called kwashiorkor, an African name. It is a protein deficiency widely publicized as a child killer in Biafra.

Its victims develop a distended belly, bulging eyes, loss of hair, lethargy and weakness. If the disease is untreated, the child will die.

The other ailment is called marasmus. It is generally caused by a lack of food, or the body improperly using food. Its victims show bad weight loss and a wasting away of body tissues.

Peter MacDonald, former director of the Office of Navajo Economic Opportunity, said that three cases of kwashiorkor turned up at the Kayenta clinic in two months this year.

Dr. Jean Van Duzen, pediatrics chief at Tuba City Hospital, with three Vanderbilt University researchers, studied children admitted to the hospital between 1963-67.

Out of the 4,355 children under age 5 some 616 suffered from malnutrition, and 587 had heights and weights below normal for their ages.

Fifteen of the children suffered kwashiorkor and two of these died. Fourteen (48 per cent) of the 29 children suffering from marasmus died.

Similar studies show that children from throughout the Navajo Reservation are smaller in both height and weight than other equal age American school children.

Dr. Robert C. Vanderwagen, softspoken assistant Indian Health Service director for the Navajo area, said that in 1968—the most recent figures—42 out of 1,000 Navajo babies died before reaching the age of one year. Why?

Dr. Vanderwagen calls it a "reflection of the environment."

Auto accidents are the leading cause of death among all Navajos. Dr. Vanderwagen blames this on many factors, such as poor vehicles, lack of training, lack of experience in driving on paved roads and alcohol.

Office of Navajo Economic Opportunity figures estimate that there are 5,000 Navajo alcoholics.

Number 2 cause of death is infectious disease. A big factor in this is lack of sanitation.

Dr. George E. Bock, who heads the Indian Health Service for the Navajo, says that the \$17,134,203 appropriated last year is inadequate. In a report to the tribe he said that hospital admissions and outpatient treatment are increasing, yet health service workers have been reduced because of Congressional fund cuts.

Lack of education lies at the nub of the poverty and backwardness that afflict the Navajos.

A hundred and two years ago the United States promised the Navajo Tribe by treaty to educate its children. Today, an estimated 40,000 Navajos—a third of the tribe—may be unable to read or write English.

The education plight of the Navajo symbolizes that of the American Indian generally. The average educational level for all Indians under federal supervision is five school years. National tests given in 1965 show that Indian children score lower than whites at every grade level, in both verbal and non-verbal skills.

Bureau of Indian Affairs statisticians figure that 60 per cent of Navajos age 14 and over have below a sixth grade education. As recently as 1945, 66 per cent of the tribe had no schooling at all.

This year, American taxpayers are spending more than \$62 million to educate Navajos. The BIA alone is spending \$42 million—more than half of its total Navajo budget—on education.

Public schools in Arizona, New Mexico and Utah are spending \$20,643,439 to educate Navajos.

This figures out to \$1,350 per year for each of the 46,000 Navajo children in school. And this is almost three times the national average cost of \$536 to educate a child each year.

There's no doubt more Navajos are learning to speak, read and write English each year.

Since 1955 the percentage of Navajo children attending school has been increased from 82 to 91 (in 1968). This represents a jump in numbers of from 22,741 to 42,457.

During that same period high school graduates among the Navajos have increased from 139 to 1,800, and the number of college students among the tribesmen from 160 to 495.

The figures are impressive. But a question remains as to whether the Navajo youngsters are being prepared to compete in mainstream America.

Most authorities agree the education system is lacking.

Language lies at the heart of the matter. Ninety per cent of Navajo youngsters speak no English when they enter school.

Suppose you were raised in an English-speaking home and when you started school found the teacher speaking only Chinese. From then on, you'd hear only that language. All subjects would be taught in Chinese.

Until recently, when BIA schools began giving an hour's instruction daily in English as a "second language," this was the exact position of the Navajo youngsters. And even now, practically all the child's instruction is in English—which to him is a foreign language.

That's why a Senate Subcommittee on Indian Education last year found that Navajo children are automatically a year behind their white counterparts when they enter school.

The older they get, the farther behind they fall.

Subcommittee investigators found that Navajo students "are older at every grade level" than non-Indians.

Often, the result is that when Navajos get out of school they find it hard to compete. Most return to the reservation, where there aren't enough jobs. Some wind up in the streets and gutters of towns like Gallup and Winslow and Farmington, seeking solace for their inadequacy in a cheap bottle of wine.

The BIA is turning over education to public schools as rapidly as possible as roads are improved. But now, most BIA schools are the boarding variety, where youngsters are housed and fed.

Educators and psychologists have attacked the boarding schools as damaging to children because they separate them from parental love at a critical time in their development.

The problem is compounded by lack of sufficient staff.

A boarding school counselor reported he spent most of his time chasing down AWOLs, supervising housekeeping and other service jobs and no time counseling. But he was working a 10 to 16 hour day!

A teacher at Tuba City BIA Boarding School—largest on the reservation—described the situation like this:

"Because of the shortage of personnel, there is a pronounced tendency to 'herd' rather than guide. The boys and girls are yelled at, bossed around, chased here and there, told and untold, until it is almost impossible for them to attempt to do anything on their own initiative—except, of course, to run away."

The runaways sometimes end in tragedy. As recently as this Jan. 19, Johnson Kee West, 12, died of exposure on the rocky slopes of Black Mesa, south of Kayenta, Ariz., while trying to reach his home.

But in spite of the sad history of Navajo education, faint rays of light are beginning to peek through chinks in the darkness.



Rough Rock Demonstration School at Rough Rock, Ariz. In its fourth year, is breaking new educational ground with programs of bilingual education, and community involvement including an all-Navajo school board.

Similar experiments are taking place in the Navajo Community College at Many Farms.

And the BIA, recognizing the inadequacy of past programs, has adopted a universal program of teaching English as a second language among Navajo students.

A BIA elementary school at Rock Point, Ariz., under the direction of Wayne Holm, brilliant young principal, has made real breakthroughs in developing programs for bilingual instruction.

The Rock Point programs, in fact, were rated superior to those at Rough Rock in one study.

So there is hope—at long last. But the clock is ticking.

As Wayne Holm puts it: "If a program isn't started within the next five or six years, it will be too late for the Navajo."

One of the tragic ironies of the Navajo problem is that while we spend millions on the problem and get nowhere, projects which would create jobs and income for thousands are delayed for years.

The most graphic example is the Navajo Irrigation Project which would make jobs for 6,600 Navajos and create another 2,200 job opportunities.

Launched with much fanfare in 1964, the big project was to irrigate 110,000 acres of arid land near Farmington by 1979 and remove thousands of Navajos from the relief rolls.

The first 10,000 acres were to get water this year.

It now appears that fund cutbacks have so slowed the project that water may not reach that land before 1980!

Funds have been cut back steadily for the project. The reason has been attributed by various sources to heeldragging by the Interior Department, or the BIA, by Congress or the Indians themselves.

Sen. Clinton P. Anderson says the Navajos themselves didn't push very hard for it.

"If the Navajos had gone to town and worked on this project I'm sure they would have had it by now," he says.

Recently, more funds have been voted because of publicity and increased lobbying by the tribe.

The giant Navajo Irrigation Project has a price tag of \$175 million, a figure as meaningless to the average Indian as the equation for a nuclear bomb.

The average Navajo is concerned with the problem of eking out an existence from day to day.

And the ironies of things undone extend to the family level among the Navajos. To the Navajo, water is life.

There is precious little of it. And much of that isn't fit to drink.

But if water is life, so is the land, and the soil is vanishing with the restless wind and the rainstorms that strip the ground to the bare rock.

The Navajos know that the "beligaana" from Washington, the white men of the BIA, are supposed to take care of all such problems. But sometimes the ways of the white men are strange to behold.

Clifford and Clara Singer could tell you. They live almost in the shadow of the towering, gaunt gray-yellow cliffs of White Point, at the edge of Black Mesa, about 15 miles south of Kayenta, Ariz.

Around their hogan grow the gnarled and twisted shapes of pinon and juniper trees. Most of the foliage on their lower branches is gone—eaten by the hungry sheep and goats in the Singers' flock of 150.

Living with the Singers is a pretty daugh-

ter, Ida Mae, 20, who has been to school and speaks English. Another daughter, Mrs. Rena Jeff and her two children, Ronnie, 6, and Dorfina, 2, live in a little house nearby.

Julia Big Singer lives in another little house just around the point.

The Singers see very little of the vast amount of money being spent by public agencies on the Navajos.

Life is not easy for the Singers. They see little cash. Because of the flock they can't get welfare. Neither of these warm, friendly people is eligible for Social Security. Once a month they hook up the team to the wagon, or hitch a ride, to go to Kayenta to get free food commodities.

A couple of years ago the beligaana helped them get a simple earth-fill dam to save the land from eroding and provide water for the sheep. But instead of putting the dam in a place where it would catch runoff from the mesa rocks, the white men put it where it would catch runoff from bare ground.

The very first season the rain washed the dam full of mud and it has been useless ever since.

Water is the Singers' biggest problem.

"We get it at Owl Spring, at a mesa about two miles away," said Mrs. Singer. "But in the summer the spring dries up."

She showed us a can full of Owl Spring water, it is green and murky, almost as if filled with dye.

Mrs. Singer pointed to a field dotted by dried corn stubble. In it were some tiny stunted peach trees protected by cones of small logs.

"The corn died last summer it was so dry," she said in Navajo. She extended her hand just below waist level. "It grew this high and then it died. . . ."

In the summer, with Owl Spring dry, the Singers drive their flock up a precipitous trail onto the top of Black Mesa to a spring. It is five miles away.

"When we have to do that the sheep drink only every second or third day," she said.

Eight or nine years ago some white men from an oil company came and drilled holes in the rock near the Singers' place, apparently for seismograph exploration.

Later, Mr. Singer dropped rocks in the holes they had drilled and heard them splash in water. Two years ago the Singers told their white friend, Jack Crowder, about it.

Crowder is a small earthmoving contractor, as well as a writer and photographer, who works out of Kayenta. He brought out a fish line and dropped it into one of the holes. "Twenty-six feet down I hit water," he said. "It measured 12 feet deep."

Crowder said he reported this to the BIA in Window Rock. Neither Crowder nor the Singers heard any more about it. The water is within a few hundred feet of the Singers' hogan. But it might as well be in far-off Washington for all the good it does them. They shrug it off stoically. They are used to the white men's ways.

But irony and contradiction are as common to the Navajo World as the shifting pink sands of Monument Valley. Consider—while Navajos live in the most abject poverty, the tribe is probably the richest in America with about \$50 million drawing interest from U.S. securities.

It sounds like a lot. But if you split it equally among all the Navajos it would amount to only about enough for a down payment on a pickup truck for each tribesman. The Navajo Tribal Council figured it that way and has tried to use the money for tribal development. The cash pool results from royalties, rentals and bonuses on oil, gas and uranium discoveries. In 1964 alone the tribe earned \$34 million from these sources.

The tribe has invested in chapter houses, community centers, ranch land and buildings

to house industries as an inducement for them to come to the reservation. Money has been invested in vocational and college scholarships.

Some success has been registered in the tribe's drive to attract industry. But not enough.

Now, the Navajos face the problem of declining income from minerals. Few new discoveries have been made in recent years.

The alarming implication is that if mineral income continues to dwindle and the tribe continues its present trend of overspending its budget, the cash reserve will disappear.

Is there an answer to the Navajo problem?

Knowledgeable people have widely divergent views. Some say there is none.

A few, like Graham Holmes, the BIA's veteran area director, think the answer lies in a radical new approach to education. Schooling would start for both mother and child at the time the child is born. The mother would be taught English, sanitation and hygiene at the same time as the child.

Others, like Raymond Nakal (former) Navajo chairman, believe the answer lies in bringing more industry and jobs to the reservation.

Peter MacDonald, former Office of Navajo Economic Opportunity director and a Navajo, thinks the Navajos must solve their own problems. Industry is fine, but the Indians must become businessmen and eliminate the socialistic aspects of the reservation.

Another Navajo, Joe Watson Jr., agrees that the Navajos have to solve their own problems. Former assistant BIA area director, Watson says Navajos must learn to think for themselves, learn to "stand on their own feet" and provide the leadership.

Glenn L. Emmons, a Commissioner of Indian Affairs from 1953 to 1961, offers a plan to terminate U.S. trusteeship of the Indian after eight years and integrate them into American society.

Emmons' plan would make Indian property tax exempt for 20 years after termination and give Indians a \$60 a month cash payment for life. This would average \$300 a month for the average family of five, Emmons says.

Whatever the solution, it must be found soon.

The cost in terms of sickness, human degradation, thwarted opportunity, and dollars is intolerable.

And it is rising every day.

*The Navajo bill*

Bureau of Indian Affairs.....	\$65,437,000
Navajo Tribe .....	15,100,000
Arizona welfare .....	5,474,593
New Mexico welfare .....	2,930,923
Utah welfare .....	1,309,700
Colorado welfare .....	10,000
Social security .....	6,875,451
Office of Economic Opportunity..	10,999,754
U.S. Public Health Service.....	17,134,203
Economic Development Admin- istration .....	2,244,000
Small Business administration..	200,000
Department of Agriculture.....	4,786,000
Arizona public schools.....	6,287,039
Utah public schools.....	839,865
New Mexico public schools.....	9,671,477
Interior Department (excluding BIA) .....	679,300
Housing, Urban Development...	1,524,000
<b>Total .....</b>	<b>151,503,305</b>

Based on estimated budgets for 1969-70 for BIA (\$76,2784,000), Navajo Tribe (\$17,700,000), Arizona, Utah and New Mexico public schools (total, \$20,643,439), if all other amounts remained the same as in 1968-69, total Navajo expenditures this fiscal year will amount to \$168,795,363.

## A LINGERING NIGHTMARE

(By Jerome Watson)

They are nightmare fragments of a lingering past.

Places where the least of society's children live in wretched conditions provided by the State of Illinois.

They have been called "snake-pits," "rat-holes," "warehouses" and the "shame of Illinois."

They are the "back wards" of the Dixon and Lincoln state schools for the retarded.

For the hundreds of children and adults who must live in the widely decried degradation of these wards, "schools" is a euphemism heavy with irony. There is little or no schooling provided for these social discards, severely and profoundly retarded persons whose lives commonly were broken at birth or before.

The schools are not only overcrowded and understaffed by every conceivable standard, but the hard-pressed child-care aides who have charge of the students 24 hours a day are, most of them, paid substantially less than animal keepers at Lincoln Park Zoo.

And the conditions in which animals live at the zoo seem less offensive to the eye than those in which many "students" at Dixon and Lincoln must waste their days and nights—and lives. In fact, state officials admit neither Dixon nor Lincoln would be licensed by the state if they were private facilities. But the state does not license itself.

A Sun-Times reporter and photographer who visited the warehouse wards, in this eighth decade of the 20th Century, discovered these appalling conditions:

1. Children and adults spending hours wandering around crowded "day rooms" in the nude with nothing to do and receiving little attention because of the severe staff shortages.

2. Scores of severely and profoundly retarded males, with IQs ranging up to about 35, penned in small, crowded, hot, befouled cement areas for "recreation."

3. A hospital ward for the critically ill which, a nurse said, is often left unattended because of a lack of staff. The nurse angry, dispirited.

4. A naked youth sitting on the floor of a day room spreading feces on his body. Nearby a second youth chewing a rag that appears to be smeared with feces. The face of a third youth covered with a slimy, milky substance.

5. A man lying naked for hours on a dirty floor close to a toilet that lacks a seat. A few feet away, a bath tub filled with dark, scummy water.

6. Child-care aides so lacking in help they tie women to chairs for hours at a time as a convenient means of restraining those who are overactive or excited. One of the women crying.

7. Aides and administrators who acknowledged that depressant drugs are used not only for medical purposes, but, in the absence of adequate staff, to make crowded wards manageable. Wards with one aide for scores of "students."

8. Aides complaining that there are sometimes only one or two working toilets to serve 80 to 100 or more "students," and citing cases of students drinking water from toilets because of a lack of attention from harassed workers.

9. Reports of perverted sex acts occurring, again because of insufficient staff to monitor student activities and keep them busy in training, recreational and rehabilitative programs.

10. Bed-fast patients developing huge, painful bedsores because aides do not have time to turn them in bed. The same patients lying in soiled linen for hours at a time while one or two aides clothe, change, feed and medicate scores of non-ambulatory residents.

11. One aide complaining he suffered a hernia attempting to lift a heavy teen-age youth out of a wheelchair without help. Another blaming a heart attack on the strain of overwork.

12. Windows repeatedly punched out by hyper-active or disturbed students, but replaced and left unscrubbed. Meanwhile, students suffering injuries, some of them severe, from the shattering glass.

13. Blind students mixed with sighted students and often left to fend for themselves in the bleak, crowded-but-lonely climate of the wards.

14. Some aides, seemingly a minority, sitting in offices reading while scores of unattended "students" wander aimlessly about day rooms.

15. The stench, the pervasive, heavy, repulsive stench of urine assailing visitors to the worst of the warehouse wards.

Conditions for the mentally retarded are not uniformly horrible in Illinois. The state has several small institutions that are considered good. There also are some programs at Dixon and Lincoln that are considered good, and there are dedicated employees in these huge institutions who work long and hard to attempt to meet the needs of the retarded.

But the litany of degradation at Dixon and Lincoln remains, for hundreds, even thousands of residents, a long one, indeed: no dignity, little independence, inadequate attention, poor or no training, scarce affection.

Workers at Dixon tell of the state legislator who visited the school and departed, nearly "sick" after one look at a crowded ward. And yet, the General Assembly this spring killed a proposal of Sen. Harris W. Fawell (R-Naperville) to provide \$24 million for enough new workers to bring Dixon and Lincoln up to the staffing standards set by the American Assn. on Mental Deficiency. The standards are widely acknowledged by school officials to be "minimal."

Dr. Edward Eagle, first vice president of the Illinois Assn. for the Mentally Retarded, said inadequate staff is a chief reason why, according to statistics he has compiled, Illinois has the fourth worst death rate among all the States in its institutions for the retarded.

Eagle said that taking Dixon and Lincoln alone—the state's several small institutions for the retarded are generally considered good—Illinois ranked 33d among the states in 1969 in the number of full-time workers per 1,000 residents, or students. In per capita expenditure, he said, Dixon-Lincoln would give the state a ranking of 31st.

Under AAMD standards, both Dixon and Lincoln have less than 60 per cent of the recommended staff.

Worse, in the area of direct care, each institution has less than 50 per cent of the needed help. David Edelson, nationally acclaimed superintendent of Dixon, said the institution has 857 child-care aides, nursing assistants, practical nurses and registered nurses engaged in direct care, while AAMD standards suggest a need for 2,197 such employees.

Edelson said Dixon has 28 special educators, who provide training for "students" in the 5-to-21 age range, but the school needs 193.

Reflecting a pattern at both Dixon and Lincoln in all areas of care, Dixon is most short-handed in the number of special educators available to teach the severely retarded (IQs ranging from 20 into the lower 30s) and profoundly retarded (IQs under 20).

Edelson said he has 9 of 15 special educators needed for the so-called educable students (IQs of roughly 50 or 52 and above), 15 of 34 needed for the trainable (IQs ranging from the low 30s to about 50), but only 2 of 32 needed for the severely retarded, and none of 138 needed for the profoundly retarded.

In all, he said, 1,023 students aged 5 to 21 receive no special education at all. As a re-

sult, some deteriorate after their admission to the schools, according to workers and parents.

The severely and profoundly retarded account for 76 per cent of the "school-age" students at Dixon, and the proportion of severely and profoundly retarded is growing at both major institutions, as the state seeks to return the more competent retardates to their home communities.

At Lincoln, which is divided into a main campus and an annex several miles away, some housing units have less than 20 per cent of the number of direct-care personnel they should have to meet the "minimal" AAMD standards.

At the annex, which in a recent headcount had 1,391 of Lincoln's 3,183 students, the number of direct-care personnel is only 35 per cent of the recommended total. One cottage had 17 per cent, another 19 per cent, of the needed direct-care employees.

New standards also are being developed by the recently created Accreditation Council for Facilities for the Mentally Retarded. And Dr. Kenneth Crosby, director of the council, and offshoot of the Joint Commission on Accreditation of Hospitals, said the new standards probably will be "tougher" than the existing ones when they are announced at about the end of the year.

Complicating the understaffing problem is the overcrowding problem.

Dr. William Sloan, director of the mental retardation division of the state Department of Mental Health, said that under new U.S. Public Health standards, Dixon is about 68 per cent overcrowded, Lincoln about 58 per cent. The two schools house some 75 per cent of the mentally retarded who are in state institutions.

Sloan said that under the standards, neither school should have more than 2,000 or so beds. Dixon has 3,350 and Lincoln 3,150, even though the combined population of the schools has been reduced by some 500 residents in the last year. The reductions are part of a long-range plan of Gov. Ogilvie to bring the populations at the schools toward the 2,000 mark.

These plans to cut the enrollment at the two huge installations—they are among the half dozen or so largest in the nation—apparently were the rationale behind an abortive effort by the Ogilvie administration this spring to slash the staff at Dixon and Lincoln.

The plan was abandoned in the face of intense, widespread opposition, and Ogilvie aides, suggesting the whole thing was a mistake, said the governor has made care for the retarded a top priority item. He boosted spending in some retarded-care areas and pledged to push ahead with plans to construct seven new 400-bed facilities in the Chicago area.

Critics say they will believe what comes to pass, that the record of broken promises in the field of mental retardation is long.

Dixon and Lincoln officials stress that a steady reduction in residents, even if staff-student ratios were adequate today, would not permit a proportionate reduction in jobs. This, they say, is because the patients being moved out of the institutions are the most intelligent and require the least care. Thus, a steadily increasing number of staff will be needed to care for and train a given number of students.

In addition, the officials say, a large number of those students being discharged now work at the institutions, assisting staff members in various housekeeping and student-care chores.

Complicating the understaffing-overcrowding problem, at Dixon especially, is the dilapidated condition of many of the "cottages" in which the students live. Edelson said 50 to 58 residential buildings need to be torn down, replaced or rehabilitated.



"Some of these buildings really are snake-pits," he said.

Efforts to cut the population at the schools are slowed because of a waiting list of more than 4,100.

Dr. Albert Glass, acting director of the Department of Mental Health, insists that the list includes only about 212 emergency cases. He said many families put their children's names on the list as "insurance" to facilitate admission in the event they could no longer care for them. Others on the list are now in private institutions, their tuitions partly paid by the state, he added.

Critics concede many retardates on the waiting list do not need immediate admission to a state facility, but they challenge Glass's estimate of the number of emergency cases. Don Moss, executive director of the Illinois Assn. for the Mentally Retarded, contends, for example, that up to 2,000 cases should be judged "emergency." Fawell agrees. Edelson estimates the emergency caseload at about 800.

In any case, if Glass meets his goal of reducing the total populations of Dixon and Lincoln by another 1,100 students in the coming year, the gain will be offset by admission of 200 or more waiting list cases to the schools. And everyone acknowledges that the incoming students will require more care on the average than those being discharged.

Fawell said he had "no real high hopes" of winning passage of his \$24 million amendment to upgrade care at Dixon and Lincoln. But he said he had to make an effort on behalf of the children and adults languishing in the institutions.

The mind went back to an afternoon spent at Dixon, when a teen-age youth followed visitors around his "cottage," mumbling something that didn't come through right away.

The visitors walked out of the cottage, and the youth followed them to their car, and tried to get in it, and he continued to mumble. An aide and a couple of students restrained him, and the visitors began to drive away. It was then that the boy's words came through.

"Go home," he was saying. "Go home, go home."

#### AMID THE HORROR OF DIXON

(By Sam Washington)

I worked three weeks as a child-care aide in one of the worst, most degraded of the state's snake-pit wards for the retarded.

I saw conditions at Dixon State School that give definition to the terms "inhumane" and "disgraceful."

What I saw is indelibly imprinted in my mind.

I was first shocked, then sickened. After that; I began to care.

And it was in caring that I came to realize that even the most profoundly retarded persons are capable of learning and need love and affection. Need some attention. Need to be considered fully human.

They have personalities, life styles.

Many are degenerate. But few if any need be. The horror could be erased with added programs, better facilities and an elimination of overcrowding and understaffing problems at institutions like Dixon.

At Dixon, I worked in Cottage A-12, a barren, crowded, foul-smelling building housing some 136 adult, profoundly retarded males.

I saw these men, day after day, relegated to a meager, impoverished, humiliating, sometimes painful existence.

I saw adolescents and old men crowded together and suffering from the physical and psychological wounds that had left scars on their bodies and minds.

I saw patients ingest their own excrement because there was not enough staff to attend them.

I saw men whose teeth were coated with stains that indicated long neglect, and I learned that dental care often consisted of pulling front teeth as an abominable means of preventing frustrated retardates from biting workers and other patients.

I saw a number of Dixon residents with open sores, and saw them crowd against other naked residents, passing along their infections in the overcrowded cottage.

I saw residents sedated to reduce their youthful exuberance and make them more "manageable," a practice condemned as drug abuse by the National Assn. for Retarded Children.

I saw workers made ineffective because of administrative neglect, and too few workers to carry out the simplest training problems, including toilet training and eating.

I saw potentially dangerous medication administered to residents of the cottage by child-care aides because of a shortage of nurses and other medical personnel, and I saw pills spit out by some retardates picked up and swallowed by others.

I saw students hit and kicked and brutalized by working (retarded) residents used as cheap labor to assist the overworked employees.

I saw patients, or students, herded from place to place without sympathy or concern.

I saw students who were incapable of feeding themselves fed so hurriedly they had to gulp their food without chewing it.

I saw retardates who had "acted up" tied so tightly to their beds that their hands became swollen.

I saw blind and deaf patients left to fend for themselves among retardates who might push or hit them.

I heard of workers injured and fearful of further injuries as a result of being hit by retardates when they were working alone in crowded "day rooms."

And I saw an elderly patient who had fallen and gashed open his chin given 1 or 2 stitches and returned to his cottage, while the medical attendant acknowledged the patient needed at least three stitches to adequately close the wound. The attendant gave up because the student, who had not been given a painkiller, thrashed about and made it difficult to work on him.

I saw these conditions and others, and I sympathized with workers who were often dedicated and concerned about the welfare of the cottage residents but were completely frustrated in their efforts to provide care and training.

I left Dixon after three weeks of working with dozens of overworked and underpaid workers.

Many of these employees have worked there—in the stench that clings to you even after you have showered, and showered again—for years, and many will continue in their jobs for years to come.

But they have the option of getting out. Hundreds, even thousands, of the so-called students have no such option.

It is one reason they have been known to "act up" on returning from an outing on which they have enjoyed themselves to the inhumane conditions of Dixon cottages.

My introduction to Cottage A-12 at Dixon took place on a sunny afternoon in early July.

The door to the cottage was locked, and only after insistent ringing of the bell it opened from the inside by a white-shirted attendant.

As it opened, a rush of warm, foul air rolled over me, and my first day as a child-care aide at Dixon had begun.

I had gotten the job after making a 100-mile trip to the school, undergoing four interviews, psychological tests and an Illinois Department of Personnel examination.

I discovered what might be called the Dixon law, or maybe the Dixon-Lincoln law

that bad experiences in the wards tend to crowd out good ones. They dominate the mind, inflame the passions.

You want to see changes made. Big changes. Now.

In Cottage A-12—"cottage" is a pathetic misnomer for the barren, sometimes dilapidated housing units at Dixon—I was shown a fenced-in cement floored area outside one door. A plastic and steel sun shield partly protected the area.

This place, I was told, was the "patio" the outdoor recreation area for the cottage residents. It measured perhaps 30 by 50 feet.

And there were about 100 naked, tanned or sunburned men sitting or standing under the shield or in the sun. The men—any male over 13 is called a man at Dixon—ranged in age from 16 to 69. All were severely or profoundly retarded, with IQs under about 35.

These men were incapable of coherent speech and they were not toilet-trained or capable of caring for themselves in other minimal ways. Retardation experts contend that such persons can be trained not only to perform self-help skills, but to do other limited tasks.

And derive some enjoyment from life.

The men on the sun-heated patio walked about aimlessly, sat staring or lay sprawled on the concrete.

Even if a few of them had been toilet-trained, they would have had to relieve themselves on the patio, because once outside, they were blocked from coming back in until overworked aides were ready to permit them, for example, to have lunch.

The heavy stench, which also pervades the cottage itself, is combatted by having working residents continually shoveling, scrubbing and washing down the patio and floors. The battle is never won.

Another battle that is not won—scarcely even joined—is the struggle to keep the residents from hurting themselves and each other.

Sedative drugs are administered to most of the men in A-12, as a means of keeping them quiet, but pushing, slapping, kicking, biting and destructive behavior among them is still common.

Residents have been known to have their ears bitten off, and one A-12 patient had a deep scar from having his nose nearly bitten off by another patient.

Some residents are heavily scarred from injuries suffered in falls or other accidents because of mobility problems that are often the result of retardation.

Others suffer cuts, sometimes severe, from knocking out windows with their fists or heads. Despite such behavior, Dixon officials have only recently received authorization—in the face of mounting protests from the Dixon Parents Assn.—to install added window screens in some cottages.

Child-care aides, whose thin ranks I joined, use a few of the more capable residents to help them carry out some of their basic responsibilities.

These "work boys," who are less retarded than their fellows, perform such tasks as cleaning up wastes from the floors and patio, showering excrement-soiled patients and helping feed and clothe them.

Under a fairly recent program, the work boys are "paid" \$1 and more a week for their labors. Most of them are proud of their "checks," which are issued weekly and used to purchase candy, pop and other extras from the Dixon commissary.

However, the number of these working residents can be expected to decline steadily—making more difficult the jobs of the child-care aides if additional staff is not authorized. Under a philosophy that has gained wide acceptance in the nation in recent years, officials have initiated programs of returning as many moderately retarded persons as possible to their home commu-

nities. Thus the number of such persons kept at Dixon hopefully will dwindle over the next few years.

The idea is that such people can be trained in most cases to live in the community and, perhaps, in such facilities as sheltered workshops can contribute to society. It is thought that retardates who are capable of working full or part time in a state institution such as Dixon or Lincoln don't belong there.

I found the child-care aides, despite the discouraging conditions in which they work, to be generally dedicated and genuinely interested in the residents.

Aides are strictly warned against brutalizing the patients, and I was advised repeatedly when being interviewed for a job at Dixon that employees accused of abusing a patient can be dismissed after a hearing.

The few "abuses" I saw were minor. One aide, for example, pushed a patient after the patient had punched a fellow resident.

On other occasions, I heard aides—and resident workers—speak abusively to the adult "students" in the cottage.

But I saw no real cases of physical abuse, and marked this as one tiny candle in the vast sea of darkness that is Dixon.

Other "candles"—of affection and concern—were lit and carried by a few aides with whom I worked.

Mrs. Daisy Wetsel, for example. A woman in her early 50s and a hard worker, Mrs. Wetsel jokes with the residents and shows an affection which is usually returned by her charges.

She summed up her personal philosophy for me one day, and I remember her words.

"What they need most is to know somebody loves them," she said.

#### BRIGHT SIGNS IN JUNGLE

(By Jerome Watson)

Illinois, the expert said, has been "the disgrace of the nation" in its treatment of the mentally retarded.

And yet, said Dr. Gunnar Dybwad, internationally known specialist in the field of mental retardation, budding developments in the state are earning it a reputation as an innovator.

"Attention," he added, "is focusing on Illinois."

So, it would seem, the state has it both ways.

On the good side, some of the children and adults in state institutions for the retarded receive good care and participate in modern, adequate programs.

In addition, Gov. Ogilvie has taken a series of steps designed to expand the good at the expense of the bad and the ugly. Nor are the bad and the ugly as bad and ugly as they once were.

But the point is that the bad and ugly conditions still dominate the mental retardation picture in Illinois.

Said State Sen. Harris W. Fawell (R-Naper-ville), a leader in the fight for improved care of the retarded:

"It does not help the parents of a child languishing in Dixon or Lincoln to know that someone else's child is receiving good care somewhere else. And it does not help the child, either."

In interviews, parents said they feel anxiety and depression, worrying over the welfare of their children in Dixon and Lincoln. Imagine, they would say, that it was your child who:

Contracted pneumonia sleeping next to broken windows in the winter. Suffered repeated injuries, often requiring sutures, in clashes with other students and through frustrated, self-destructive acts. Wandered aimlessly day after day, soiled and naked, through a crowded, smelly, barren "day room." Was sedated regularly to discourage him from being "too active." Received no training and gradually lost the table man-

ners he had learned at home. Had front teeth pulled to keep him from biting, in his frustrated existence, other students.

There was a time when things were worse. State officials, sometimes patronizingly, make this point. Yes, they say, the schools have always been understaffed and overcrowded, and waiting lists for admissions have existed for 105 years.

But, they add, in the last 20 years, the staffs at Dixon and Lincoln have more than doubled (the increase is partly deceptive, because the average child in a state school today is more retarded and needs more care), while the number of residents has been cut 40 per cent or more.

Confronted by anguished parents who find the degradation of their children hard to accept, some of these officials smile, therefore, and say the complaints must be put "in context."

A signal time in the history of the mental retardation movement in Illinois came in 1967, when former Gov. Otto Kerner's administration proposed building a 400-bed facility for the profoundly retarded who are bedfast. Later, Park Forest was chosen as the site for the facility.

Republicans, brandishing a study that suggested the state needed at least 12 additional facilities of this type, pushed through legislation for six of them.

But the Kerner administration, according to many sources in the Mental Health Department, dragged its feet on acquiring sites for the seven institutions. The Ogilvie administration, however, has declared construction of them to be a "priority" matter, and Dr. Albert Glass, acting director of the Mental Health Department, pledges to have all seven—providing up to 2,800 beds—ready by 1975.

The first, at Park Forest, is scheduled to go under construction this year. It will include 50 four-bedroom, one-story, brick ranch-type homes in a park-like setting. Each home will house eight youngsters, and—significantly—two child-care aides will attend the youngsters in each home during the day.

This would be roughly equivalent to having 25 child-care aides in a Dixon or Lincoln cottage housing 100. Such cottages now sometimes have only one, two or three aides.

Ogilvie committed himself to a rapid upgrading of care in a gubernatorial primary campaign speech at Dixon in May, 1968. He expressed then the view held by retardation experts that providing care for retarded children at early ages can prevent the need for lifetime care in many cases.

As Ogilvie well knew, children in Illinois often languish for years at home before they are able to get into institutions, and when they do gain admission, they frequently receive care that, at best, can be described as "custodial."

Ogilvie's view was the rationale behind his decision to rapidly and substantially increase the amount of state funds channeled to private facilities, such as day care nurseries. The idea was threefold: relieve pressure on state institutions, provide care at an earlier age and keep children in or closer to their homes.

As a means of reducing the population of Dixon and Lincoln and keeping children closer to their homes, Ogilvie aides decided to open additional units for the retarded in unused wards of state mental hospitals. Another assist in cutting the population of the two giant schools will be provided by a private firm that is converting an Aurora hotel into a facility of about 450 beds for the moderately retarded.

Ogilvie, in the wake of his announced commitment to improve care for the retarded, stunned many specialists in the field this spring when he proposed cutting the Mental Health Department budget, a slash

which would have included reductions at Dixon and Lincoln.

An intense political fight broke out, and Ogilvie backed down substantially on the cuts and promised to maintain the then-existing staff levels at the two huge institutions.

Mr. Glass, who took over the mental department April 1—after the budget had been drawn—encouraged Ogilvie's backdown.

He openly said the cutbacks would have damaged the already gross inadequate system of care and training.

Ogilvie aides had sought to justify the planned cuts by pointing to plans to transfer about 1,100 students out of Dixon and Lincoln and into the mental hospital retardation units and the Aurora facility.

However, most of those students scheduled for transfer were the less severely retarded, and such persons not only require less care than the more profoundly retarded, but often work full or part-time in the schools, helping the hard-pressed corps of child-care aides.

Glass predicts the state will reach recommended levels of staffing and programming in its facilities for the retarded by 1975. The superintendents of Dixon and Lincoln, while expressing hope that this goal will be reached, were cautiously skeptical. Some officials doubted the goal could be reached inside 10 years, even if the matter is not placed on a back burner. They also noted that new care standards being devised by a unit of the Joint Commission on Accreditation of Hospitals are expected to be tougher than existing ones.

Employees at Dixon and Lincoln take some heart from the fact that the administration is talking firmly about eliminating inhumane conditions and providing adequate care and training for the retarded. Good care now is provided at the relatively tiny state institutions at Dwight, Harrisburg and Centralia.

Whether the goal of good care is achieved on a broad scale probably will depend on how determined the governor is to keep his commitment, and how much the General Assembly—and the voters—want to see the warehouse wards at Dixon and Lincoln, where a few good programs exist for a minority, abolished.

The superintendents of these schools—Dr. Louis Belinson of Lincoln and David Edelson of Dixon—speak in interviews like embattled men who have been fighting for a long time against high odds to achieve something they know to be desirable and necessary.

Edelson, his admirers say, has launched several first-of-their-kind programs, creating island of hope in the wasteland warehouse.

One of these was the foster grandparents program, in which older persons—volunteers—spend a certain amount of time each week with a specific child.

The evidence is clear. Dr. William Sloan, director of the retardation division of the Mental Health Department, summed it up in this example of special programming:

"We took 30 severely retarded residents (at Lincoln) who were grunting and aimless and shiftless and gave them special programs, and 19 of them now have jobs in the community. We're still training the others."

Gene Patterson, consultant in program services to the National Assn. for Retarded Children in Washington, said:

"The profoundly retarded are a great deal more sensitive than we had thought. One reason we doubted their sensitivity in the past was that we warehoused them, and so they behaved (accordingly)."

And Glass, in an interview, said: "The severely and profoundly retarded (with IQs under about 35) need a lot of affection. Their need for affection is like that of small children."

"We know now that we can exploit the potential of even the profoundly retarded."



They can be taught to play and get pleasure, to communicate and make things . . . How can we determine how much the quality of living is worth to them. "Why are their lives not worth something . . .?"

A current report of the President's Committee on Mental Retardation charges that far too many institutions have impoverished living environments "not distinctly different from the environment experienced by prisoners of war during the past three decades." It adds:

"The general public becomes highly incensed and concerned—and rightly so—when learning of abuses to prisoners of war. Unfortunately, the same public expresses little or no concern about inhumane living conditions that exist in their own communities."

Such conditions do exist. Today, in Illinois. One who has visited the warehouse wards can hardly help, hearing about plans for the future, thinking about the realities of 1970:

Naked, sedated, injury-marked, gloomy and befouled children. Sitting alone and unattended.

And smiling, suddenly, at an unexpected visitor.

#### RECIPIENTS OF THE SECOND ANNUAL AWARD

ABC: "Black Fiddler: Prejudice and the Negro." Howard Enders, Producer.

NBC: "Between Two Rivers" from the First Tuesday series. Tom Pettit, Reporter.

WRC-TV: "Perspective: New Set of Eyes." Bill Leonard, Producer.

WJR-Radio: "I Am Not Alone." Phil Jones, Reporter.

Linda Rockey: Series on the problems of hunger. Chicago Sun-Times.

Dallas Kinney and Kent Pollock: "Migration to Misery" series. Palm Beach Post-Times.

Fred C. Shapiro: "The Whitmore Confessions." The New Yorker.

#### JUDGES

Simeon Booker, Ebony.  
Charlayne Hunter, The New York Times.  
Nick Kotz, Des Moines Register and Tribune.  
Stanley Tretick, Look Magazine.

#### RECIPIENTS OF THE FIRST ANNUAL AWARD

CBS: "Black History: Lost, Stolen or Strayed." Andrew A. Rooney, Producer.

WMCA-Radio, for continuing special coverage of the problems of poverty and discrimination in New York City and New York State.

Nick Kotz, for his continuing coverage of poverty in America. Des Moines Register and Tribune.

David Nevin: "These Murdered Old Mountains." Life.

#### JUDGES

John Chancellor, NBC.  
Michael Harrington, Hugh Sidey, Time.  
William Small, CBS.

### PROTECTION FOR AMERICAN FISHERMAN

(Mr. PELLY asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PELLY. Mr. Speaker, I am today introducing a joint resolution providing for the protection of U.S. fishermen from unlawful harassment on the high seas and to protect their vessels and gear from malicious destruction by fishermen of foreign countries which refuse to abide by international law and custom.

During the past 2 weeks, U.S. lobster

fishermen have reported numerous incidents in which Soviet and other Eastern European fishing vessels have caused extensive damage to their lobster pots and gear by sweeping through fishing areas along the Continental Shelf between 50 and 100 miles off the U.S. coast.

This is not a new occurrence, Mr. Speaker. Similar events have taken place with regularity in the North Pacific where U.S. fishermen have lost crab pots to Soviet and other fishing vessels which either refuse to alter course or deliberately cause crab pot losses when entering waters established as pot sanctuary areas and rightfully used by American crab fishermen. There is no excuse for this type of conduct. The lobster pots off the east coast and the crab pots off the west coast are clearly marked. No other conclusion can be reached but that the Soviet, Polish, and other Eastern bloc fishing vessels off our Atlantic coast and in the west in the Bering Sea and elsewhere have adopted a deliberate policy of running down and stealing or destroying the gear of our crab and lobster men.

Mr. Speaker, it has been stated by certain officials of the U.S. Government that they have protested this infraction. They seem to believe that only the rules of the road and normal concepts of courtesy apply in this situation. While I am not an international law expert, I must dissent from this weak view of the U.S. right to intervene on behalf of our fishermen. The United States has agreements with each of the offending nations. The provisions of the agreement are enforced by each government against its own nationals and vessels; no authority is provided for enforcement against nationals and vessels of the other country. In view of this, and since the area in question is part of the high seas beyond U.S. jurisdiction, the Coast Guard contends it has no authority to seize the offending vessels.

However, the 1958 Convention on Fishing and Conservation of the Living Resources of the High Seas contains a number of relevant provisions which I believe support the right of the United States to take strong and positive action to protect our fishermen on the high seas. Article 6 of the Convention states:

A coastal State has a special interest in the maintenance of the productivity of the living resources in any area of the high seas adjacent to its territorial sea.

While the Convention does not define the term "adjacent to its territorial sea," it seems entirely reasonable to me that the waters over our Continental Shelf at least should be construed as adjacent areas of the high seas. Certainly the United States has a special interest in maintaining the productivity of the lobster resources of the Continental Shelf off the east coast of the United States and the crab resources off the west coast of the United States. How can the productivity of these resources be maintained if foreign fishing vessels are permitted with impunity to systematically destroy the gear of the U.S. fishermen?

The fact that the convention recognizes our special interest in these fisheries necessarily implies that the United States may take reasonable action to

protect that interest, including the use of reasonable force to stop these piratical acts.

Mr. Speaker, article 13 of the same convention recognizes that a coastal State may regulate the conduct of fisheries in the high seas adjacent to its territorial sea which involve the use of fixed devices placed on the seabed. I interpret this article to encompass lobster pots, crab pots, and their related gear. If the United States has the right under this article to regulate the taking of fishery resources by the use of fixed devices, it must necessarily have the right to enforce its regulations, and even in the absence of affirmative regulations, it must have the right to protect that gear which its fishermen have lawfully placed on the sea floor. Any other interpretation of these articles of the convention would render them meaningless.

Based upon the authority given the United States by the 1958 Fisheries Convention, the legislation which I am introducing today declares it unlawful for any vessel to harass a U.S.-fishing vessel or interfere in any manner with such a fishing vessel lawfully engaged in fishing on the high seas adjacent to the territorial sea of the United States. It also declares it unlawful to remove or destroy any fixed fishing gear, including lobster and crab pots, or to conduct any fishery activity in disregard of marked lobster and crab pots or other fixed fishing gear imbedded in the floor of the sea in the high seas adjacent to the territorial sea of the United States.

The legislation further provides that the Coast Guard shall conduct necessary surveillance and patrol on the high seas in order to protect U.S. fishermen, their vessels, and gear and that the penalty provisions of the act prohibiting fishing in our territorial waters and the contiguous zone shall govern the prosecution of violators of this legislation.

Finally, Mr. Speaker, the legislation defines the term "adjacent to the territorial sea of the United States" as encompassing a belt of sea extending 100 miles seaward from the United States.

I believe this legislation is necessary and entirely reasonable given the provocative acts which we have witnessed during the past several weeks. It would be a national disgrace for the United States to permit this type of harassment and malicious destruction of property to continue, or to do nothing but sit down and talk about it on board a Soviet mother ship as though we were dealing with reasonable men. Those who command the Soviet and other eastern bloc fishing vessels off our coasts have proven time and again that they are not reasonable men and are not primarily interested in conserving the fishery resources off our coasts. They are not even willing to share these fishing grounds with our own fishermen on a basis of fairplay and international good will.

I hope that the Committee on Merchant Marine and Fisheries will act promptly to consider this legislation and will report it favorably to the House.

Mr. Speaker, the following communications received by me are examples of the complaints of infractions by foreign fishing vessels against our fishermen:

SEATTLE, WASH., March 31, 1971.

Congressman THOMAS M. PELLY,  
House Office Building,  
Washington, D.C.

DEAR CONGRESSMAN PELLY: Enclosed you will find affidavits concerning recent violations of treaties governing the pot sanctuary commonly referred to as the "Slime Bank" on the North side of Unimak Island, Alaska by Soviet and Japanese trawlers. A treaty has been ratified by both the Soviet Union and Japan, that this area is off limits to all drag gear as a resource conservation measure. On many recent occasions, particularly March 20 and March 22, 1971, Soviet and Japanese vessels were observed and photographed in this area by the M/V "Sea Spray" and the M/V "Viking King", in blatant violation of the treaty. The violators are identified by name and number in both the affidavits and photographs.

In addition to the ecological destruction to this rich preserve by the use of trawl gear, the activities of the Soviets resulted in the destruction and loss of expensive crab pots, lines and buoys belonging to our vessel, the "Sea Spray". The pots were clearly marked by two orange, 60" inflated buoys and one smaller buoy of a contrasting color. The damage was done in calm weather, with excellent visibility, in fact, suitable light for photography as we have a number of pictures of the violations in progress. Both the photographs and charts, fixing positions, and times, are available for your inspection.

The circumstances surrounding these incidents would indicate that the violations of the treaty are most certainly intentional, and the resulting destruction of our fishing gear was purposeful. We have no idea of the strategy of their actions, but feel that we are most certainly entitled to damages for the cost of replacing this gear, and the lost income resulting from the destruction of nearly 25% of our gear.

This letter will treat the damages suffered by our vessel, "Sea Spray", however we are sure you will be hearing from the owners of the "Viking King" under separate cover.

With respect to our damages, we have tendered a statement for these losses to the Soviet Embassy, and will provide them with whatever additional information they may need to prosecute this matter.

With respect to the incidents themselves, both the treaty violations and the aggravation of our fishing effort, we would expect this to be an area of grave concern to your office.

The "Sea Spray" and the "Viking King" are similar, in most respects to the rest of a fleet of about 25 new steel vessels which have been constructed in the Puget Sound area in the past four years for use in the North Pacific. We have had three such vessels built, at a cost of over one million dollars; "Ocean Spray", "Aleutian Spray" and "Sea Spray". It has taken us many, many years to be in a position to do this, and up to this point, we have done it entirely on our own, with the assistance of commercial banks.

Several years ago, when we were contemplating the construction of these vessels, we considered the alternative of applying for a construction subsidy. It was a big decision for us, as we were committing ourselves to the operation of vessels costing nearly \$400,000.00 each, whereas we were then operating vessels worth approximately \$100,000.00 each, but not entirely suited to the trade. We learned that the requirements of the construction subsidy would increase the costs of the vessels substantially, while reducing the net cost to us. However, we felt that increasing the cost of the vessels to \$550,000.00 to reduce our cost to \$300,000.00 to \$325,000.00 would be self-defeating from both a personal and patriotic viewpoint. Having achieved whatever success we enjoyed through long hours, at hard work, in a dan-

gerous trade, we felt we could take the risk ourselves, and upgrade the fleet. This is what we did.

We still feel self sufficient, but realize that repercussions from any independent action that we, as fishermen, might take to protect our investment and our livelihoods, may have international significance. Therefore we are presenting our problem to you for your consideration and response. If the problem is . . . "complex in its ramifications with relation to international agreements affecting trade, other fisheries, the balance of payments, cultural exchanges, arms limitations and defense postures to an extent that a direct approach, in view of its overall impact, may not serve the national interests" . . . as has been paraphrased before, then that is simply another way of saying that our problem, which is of immediate concern to us, can't be worked within the system.

We note that considerable government attention has been directed towards the problems of those who have, rightly or not, taken direct action on their own behalf with respect to their own particular grievance. We possess both the resources and the determination to focus attention in this manner, but also the judgment to exhaust the alternatives prior to such action.

We have paid the taxes which have enabled our government to concern themselves and take action on the problems of the poor, the disenfranchised, the unemployed, the uneducated, the illegitimate, the addicted and the overqualified here at home. Our taxes have also enabled our nation to come to the assistance of the underdeveloped, the overpopulated, the impoverished and the oppressed throughout the world. Now we'd like to have our problem accorded the same attention as those of the rest of the minorities.

We await your early reply.

Sincerely,

THORLEIF PETERSEN.

VITA FOOD PRODUCTS,  
Seattle, Wash.

Representative TOM PELLY,  
Washington, D.C.:

U.S. king crab fishing vessels report severe pot losses and harassment by Russian trawlers in pot sanctuary area of the Bering Sea. Request immediate assistance from Coast Guard to patrol sanctuary area and assistance from Russian Embassy in instructing their vessels to cease trawling in the area. Russians should be required to reimburse U.S. fishermen for all pot losses incurred as result of trawling activity.

RICHARD FACE.

PAN-ALASKA FISHERIES, INC.,  
Monroe, Wash., March 24, 1971.

Hon. THOMAS PELLY,  
U.S. Representative,  
Washington, D.C.

SIR: As you are no doubt aware, we have been having serious problems with the flagrant violations of the Japanese and Russians in the negotiated pot-sanctuary area in the Alaska Bering Sea.

Two days ago, one of our vessels, the M/V Endeavor, lost 42 king crab pots that were dragged off of their original locations by these foreign vessels. These pots have a value in excess of \$350.00 per pot, which made this vessel sustain a loss of over \$14,000.00.

Other vessels, such as the Viking King, Viking Queen and Sea Spray, have had similar experiences in the last three weeks which have been protested but have not seemed to produce results on the trawling operations in this area. Major concessions were given in the negotiations with the Russians to restrict the crab quota in the Bering Sea raising the size limitations and prohibiting trawling operation in the pot-sanctuary area, but needless to say, the concessions that were given to them such as, calling at U.S. Ports for refueling, supplying and R & R have been

one-sided as they have not stopped and obviously, do not intend to stop fishing with the illegal gear in this area. We as the largest packer of King Crab have whole-heartedly supported the Alaska Department of Fish & Game in all the conservation methods recently taken, such as (quotas, pot limits, registration area, and Season.)

Now, we find ourselves having to take necessary steps to protect the King Crab Fishing Industry being abused by these international violations.

This has got to stop. If we can't have protective measures, such as Coast Guard Surveillance of these areas, then these fishermen should be reimbursed for their pot losses. It seems to us that protection of one's resources is equally as important as protecting one's Country.

I can only impress on you, that we need all the help possible and all the pressures brought to bear on stopping this problem, or the individual companies and fishermen will be forced to revert back to taking the matter into their own hands in protection of their property, which could lead to serious consequences.

May I please hear from you on behalf of Pan-Alaska Fisheries, Inc. and also, as President of Northwest Fisheries Association, which represents all the major fish processors in Alaska, Washington, Oregon.

Sincerely,

RONALD JENSEN,  
President.

#### THE NATIONWIDE RAIL STRIKE: A TEMPORARY SOLUTION FOUND

(Mr. HARVEY asked and was given permission to extend his remarks at his point in the RECORD and to include extraneous material.)

Mr. HARVEY. Mr. Speaker, although the Nation's trains are rolling once again, we have yet to tackle the major problem involved in settling national transportation strikes. The need for legislation that would provide for permanent settlements in these strikes remains unchanged.

The action taken last evening by this Congress is, at best, only a temporary solution. The critical need for permanent legislation remains. And, the events of the past 2 days have served to further underscore the urgency of this need.

On Thursday last, I introduced legislation that would provide for permanent settlements in nationwide transportation strikes—such as the one we have just experienced. This bill, H.R. 8385, would eliminate the need for emergency action by the Congress by providing the President with enough legislative flexibility to insure that there will be no repetition of a crippling nationwide walkout.

As Members of this great body, we all realize our need to protect the public interests, as well as the national interests. And this is exactly what H.R. 8385 would help us accomplish—and without the need for last-minute emergency legislation.

Mr. Speaker, a most timely editorial appeared in today's Christian Science Monitor. I include it following my remarks:

#### WANTED: A NEW RAILROAD ACT

Once again a nation of 200 million people has been victimized by a tiny fraction of its population, in this instance 13,000 railroad signalmen, who have manipulated a complex economic-political situation to gain a selfish advantage.



The strike that paralyzed the nation's railroads was called by only 2 percent of the 600,000-man railroad labor force. It cut off rail transportation for 350,000 commuters and 60,000 inter-city travelers, halted the vital transfer of 41 percent of the nation's freight, and threatened shutdowns of steel, automobile, and other major national industries.

Clearly a situation where so few can, for their own ends, cause so much disruption and impose such an economic cost on so many, is ethically insupportable. It should not be possible. And it would not be possible without tacit support of other interests.

The railroad industry itself, which has deliberately erected a monopoly situation over the decades, has allowed the unions to gain a strangle hold in which they cooperate. The signalmen could not effect a national rail shutdown without the consent of their railroading brethren. Finally, the Congress must take its share of blame for its failure, in the face of union opposition, to rewrite the outmoded Railway Labor Act and come up with some fundamental new legislation.

For more than a year the House Interstate and Foreign Commerce Committee has sat on permanent legislation requested by President Nixon. His emergency public interest protection act may not be the best, but it is better than nothing. Had it been enacted, for lack of a better solution, Mr. Nixon could have set up a three-man panel with authority to impose a final settlement on unions and management in the industry.

Granted, the signalmen may have a just grievance that they are underpaid relative to other rail unions. But their demand for a 54 percent pay increase over 36 months, or 18 percent a year, is outrageous in the face of the current inflationary crisis. It is made even more so by the fact that they turned down a management offer of 42 percent over 42 months, or 12 percent a year.

Congress has thus been forced into another emergency action situation, which is no answer at all to the basic challenge, that no tiny group of citizens, for whatever just cause, has a right to paralyze the nation. A new and workable railroad law is in order. Let the Congress see that it is done.

#### NEW ADMINISTRATION FACES FUTURE WITH DETERMINATION TO REVITALIZE A CITY

(Mr. PRICE of Illinois asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PRICE of Illinois. Mr. Speaker, on May 7 the Honorable James F. Williams, Sr., the newly elected Mayor of East St. Louis, Ill., delivered his inaugural address to the community. In it Mayor Williams clearly outlines the tasks he, the city council, and the citizens of East St. Louis face.

A message of pragmatism and hope, Mayor Williams underlines the critical nature of the urban crises affecting all our metropolitan communities. If cities are the most advanced form of human civilization, as one observer has suggested, we would do well to reflect on Mayor Williams' comments.

For the benefit of my colleagues, I request unanimous consent to insert the Mayor's remarks at this point in the RECORD.

INAUGURAL ADDRESS BY JAMES F. WILLIAMS, SR., MAYOR, CITY OF EAST ST. LOUIS, ILL., MAY 7, 1971

"Let's live together, work together, and together make East St. Louis a Great City.

My fellow citizens of East St. Louis, honored guests, and friends, this is the most important speech of my life, for God, a devoted family, and thousands of trusted and committed voters have elected me to the highest official position in the City of East St. Louis, Illinois. Perhaps as your Mayor, I owe to you my aspirations and my dreams.

I can only say to you thanks and that in return I shall exhibit the highest degree of integrity with which God has endowed me to reach just decisions that benefit the maximum number of East St. Louis people and burden the fewest number of our people. Except for today, and as deemed necessary, my motto shall be "Don't talk—demonstrate and prove your ability beyond question."

In the days, weeks, months and years ahead, I and members of your City Council shall put into effect specific plans and details directed toward the good and for the benefit of all the citizens of East St. Louis.

First, may I say to you that we, the City Council and I in particular, want the City of East St. Louis to be secure in every respect. I want people to be secure in their homes. I want people to be secure on the streets, and I want businessmen to be secure in businesses.

If our streets, our homes, our schools and our businesses are not safe, then you and I know there is no hope for East St. Louis. Friends, this is not a fear tactic, but stark reality, and for correction I have a plan. Specifically, we, The City Council, shall direct our effort towards national recruitment of a Chief of Police. The Council wants a man that is a professional, for police work is a profession, and let us never forget these men are professionals. We must have an officer with proven administrative ability, an officer who has walked the beat, an officer who knows inner-city problems, and above all, an officer who cannot be bribed and who will enforce the law against all offenders, but who understands and practices justice to all people.

As to our present police force, I am certain there are excellent men, desirous of upholding the law, trust-worthy, and men who can follow the direction and control of superiors they can respect, and I salute these men and encourage them to dedicate their duty hours, energetically and conscientiously on behalf of 69,000 citizens that are depending upon them.

And now, our next aspiration. Fellow citizens, you and I know we are bankrupt as a city, and our economy is on the verge of being federally subsidized. Many East St. Louisians are being barely sustained on General Assistance, ADC and Social Security. Many others, about 20%, between the ages of 18 and 34 cannot find a job. Recreational facilities are so few that our youth are confined to the streets or indoors.

We need jobs, we need private capital investment for industries, we need our present business and we need new businesses, but we cannot expect new business, expansion of present businesses and new industrial investment until we, the citizens provide an environment where businesses, businessmen, their families and our families can be secure. We can and we must change our image. We must change our attitude, and I believe in a change of attitude.

We must also remember that businessmen look carefully at the type of government and the type of schools a community has to offer. Gordon Bush and Bob Mays, newly elected Commissioners, and myself signed a code of ethics that I never want you to forget. We pledged to devote full time (40 hours per week) to our official duties; we promised to accept no contributions, gifts, money or any other inducement in return for preferential employment of persons with the City of East St. Louis. We further pledged to hire on the basis of merit and qualifications

without regard to race, creed, color, sex, national origin or political affiliation and to implement all existing ordinances regarding Civil Service as approved. Wednesday we began enforcing Civil Service ordinances, and you can be assured more enforcement will be forthcoming. We also pledged that as City officials, we shall not own nor have interest in any firm, company or partnership engaged in contracts with the City. I am equally certain Mr. Elmo Bush and Mr. Edward Horrigan support us in our pledges.

Friends, I am not seeking a pie in the sky, because you are worthy of the best government. This Council can provide it for you. As Mayor, it is not my intention to preside over a decaying City, but to avoid a decaying City. I and the City Council need and ask for your help. We will receive help from Belleville and Springfield. Mr. Foley, Township Supervisor, has graciously extended data processing expertise to our City. He did so to help us out and he sought out the entire Council to offer this service. Governor Ogilvie has promised us the Regional State Office Building, the services of the Business and Economic Development Administration, and I know Governor Ogilvie intends for Metro-East to play a major role in the State's economy. Lt. Governor Paul Simon has promised us help, for he, like Governor Ogilvie, believes our community must become viable economically.

So, my friends, we need excellent police protection, responsible government officials, and a cooperative and hard-working citizenry. We can succeed.

But we need private and public housing where our citizens can live with dignity and security. Private housing provides us with a higher tax base, and therefore the City can provide you with better services. Also, friends, we want a clean city. We want a city in which filth, dirt, tin cans, bottles and garbage are removed from your property. We want clean yards and clean homes, but we need the cooperation of citizens to have a clean city. Of one thing you can be certain, we, the Council and Bob Mays in particular, will make certain you have adequate garbage and refuse collection.

Friends, I want to eliminate any petty jealousies that may exist between the great community of East St. Louis and the people across the river, those to the North and those to the South. In other words, my friends, I intend to cooperate with all municipalities and to give to them respect, honesty and responsible government. Friends, you know that planning is a significant part of an elected officials job. However, we need your ideas, we need you to help us plan, and we need your help in everything we do. So when we call upon you to serve, do so conscientiously with all the ability you possess.

East St. Louis is the biggest city in Southern Illinois, and we shall set the pace. But friends, as I mentioned earlier, let's live together, work together, and together make East St. Louis a great city. Remember as Mayor, I and your City Council need your continued prayers and your help.

Thank you.

#### MASCOUTAH, ILL., CENTER OF U.S. POPULATION

(Mr. PRICE of Illinois asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PRICE of Illinois. Mr. Speaker, this past weekend it was my pleasure to participate in the ceremonies officially designating the Mascoutah, Ill., area as the center of our national population. The Honorable Maurice H. Stans, Secretary of Commerce, delivered the principal address.

In his speech Secretary Stans noted that "A census is an inventory of people" and that "Mascoutah is an ideal city for this honor because it is very obviously a progressive, live and vital community with attractive homes and prosperous farms, typical of the heartland of America."

An inventory of people is more than facts and figures. As Secretary Stans suggested, "the Nation's moral and spiritual strength" of its people has led to our greatness. Noting that the "Prophets of Despair" have not built America, Secretary Stans declared that our problems will be worked out "by the will of the people and the responsiveness of the American system, under able leadership."

This is as it should be and because of the timeliness and importance of Secretary Stans' remarks I request unanimous consent to include his May 16 speech at this point in the RECORD.

ADDRESS BY HON. MAURICE H. STANS

Today we mark another 10-year milestone in the history of our growing Nation.

Equally distributed in all directions from Mascoutah are the country's greatest assets—the human resources of our Nation. When our Decennial Census was taken on April 1 a year ago, the nearby farm of Mr. Lawrence Friederich was the Center of Population of the United States.

I am very happy to be here to participate in this event, which certainly is historic, recognizing the center of balance of the Nation's population.

By this circumstance, Mascoutah is in the Nation's limelight, and it turns out that Mascoutah is an ideal city for this honor because it is very obviously a progressive, live, and vital community with attractive homes and prosperous farms, typical of the heartland of America. In the last ten years, its own population has gained 40%.

A census is an inventory of people, and the census that we took last year told us much more than just how many individuals there are in this country. It told us about their origin, their families, their income, their housing, and the condition of their living.

In this sense, because these things change, the census is a landmark of progress.

Because it is an inventory, and because it is a landmark, a census tells us many things about our country.

On this occasion, therefore, I would like to use that thought as a text for some remarks about the state of our Nation.

#### PRINCIPLES

One hundred and fifteen years ago, a tall man came to St. Clair County from his home in Springfield, and spoke eloquently about freedom.

He talked about the principles on which this Nation was founded—liberty, justice and the rights of man as advanced in the Declaration of Independence.

He told the local farmers, merchants and mechanics, many of German descent, that he was glad they stood on freedom's side.

In that year of 1856, the shadow that was spreading over our divided land was growing darker. But Abraham Lincoln, speaking here in St. Clair County, could see beyond the darkness, beyond the coming clash of arms.

#### LINCOLN'S FORESIGHT

He could see that if this "last, best hope of earth" was sustained, the future of this united nation was limitless.

He saw the growing power, wealth, and vitality of a people pushing westward into the continental expanse.

He saw the vast potential of the Mississippi Valley, one of the richest stretches of farmland on the face of the earth.

He saw the growing skills of our industrious farmers and workers.

He saw the new managerial abilities of our manufacturers and the marketing skills of our traders.

He saw that American competitive enterprise was the greatest system ever devised for raising man's standard of living and for offering opportunity and rewards to those willing to work and to venture.

Above all, he had faith in the Nation's moral and spiritual strength.

#### OUR CONFIDENCE

In the century and more since Lincoln, his vision of the American future has always been shared by the overwhelming majority of the American people. They have believed with him that as long as we adhere to our Constitutional principles and at the same time shape the forces of change to our advantage, then the achievements of this Nation would have no ending.

This confidence has been one of the foundation stones of our national greatness.

It is the reason why the census reports show a higher proportion of home ownership, higher incomes, more appliances, more automobiles, more vacationers, and more college enrollments than ever before.

And a higher proportion in each of these, by far, than anywhere else in the world.

#### PROPHETS OF DOOM

But all during this century of the greatest progress of any nation in world history, each generation has had its prophets of doom marching in the opposite direction. Their common theme, from Lincoln's day to this, has always been, "America is finished! There are no new horizons. There is no future."

They speak in sonorous tones and somber slogans. But the American people are not fooled. We know the prophets of doom for what they are.

They are men of little faith with merely a pretense of wisdom.

They are carping critics who find fault with everybody but themselves.

They are Prophets of Despair who devote their lives to the building of bigger and bigger doubts.

But they did not build America.

They did not sail with Christopher Columbus.

They did not winter with Washington at Valley Forge.

They were not with the pioneers pushing beyond the Appalachians to open up the rich land of Illinois and the Midwest.

In our own day, they did not believe we could put the first man on the moon.

They did not believe we would achieve history's first trillion dollar economy.

They never thought the American farmer would become the most productive in the world, with each worker producing enough to feed himself and 42 others. In France one farm worker can feed about 6. The ratio is about 5 in Italy, and is one farm worker for only one other person in China. Productivity on our farms has tripled in the past 20 years.

No, as Theodore Roosevelt said, this country doesn't owe its greatness to the critics—but "to the man who is actually in the arena; whose face is marred by dust and sweat and blood; who strives valiantly; who knows the great enthusiasms, the great devotions, and spends himself in a worthy cause."

#### OUR WEALTH

We are now more than 205 million strong and by far the wealthiest nation on earth. In the past 30 years, the output of our goods and services has more than tripled. Last December, their annual value passed the historic

\$1 trillion mark. As a nation, it has taken us 194 years to build to this fantastic rate. But such is our strength today that it will take us only about 18 more years to reach the \$2 trillion mark, in today's prices.

Among our farm population, personal per capita income has more than tripled, increasing from \$805 to \$2,670 in the past twenty years.

#### COMPARISONS

How do we compare with the rest of the world? Here are the facts:

Last year we produced as much in goods and services as all of Russia, Japan, West Germany, France and the United Kingdom combined, with a population 2½ times ours.

With 6 percent of the world's population, the United States possesses almost half of the world's supply of automobiles and telephones, and produces one-third of all electric power and approximately one-fourth of the world's steel.

The average man in Moscow must work an average of seven times as long as the average man in New York City to buy basic consumer foods.

He must work 204 hours for a washing machine, as against 53 hours in the United States.

To buy a good suit of clothes in the Soviet Union takes 183 hours of work. In France a comparable suit takes 75 hours; in Great Britain 40 hours; and in the United States only 24 hours are needed for the same item.

#### CRITICS

The next time you hear from the critics and the doomsayers, remember some of these facts that I have just mentioned.

Remember too, how far we have come as a people and how great the advantage is to live in our country.

When the critics immerse themselves in their slogans of the day, remind them of our bounteous history.

When they express distrust of their government, point out how well their government has served them through the years.

When they criticize business, point out to them that it is the capability and incentives of American free enterprise that created all the material wealth that we have.

When they say we are too materialistic, remind them that what we have is exactly what the whole world strives for; everything held as a goal by the poor and striving people of the earth, is what we have achieved through American enterprise and industry.

And when they indict the system or the people, or put class against class, say to them that it was the unity created from diverse peoples that built a great nation, and this is no time to abandon unity of purpose.

#### PROBLEM SOLVING

Today, debates persist about the course of the economy, about inflation, about consumerism, about pollution.

In the scale of history these are not large problems. They will all be worked out in reasonable time, as other problems of the Nation have been worked out, by the will of the people and the responsiveness of the American system, under able leadership.

The real fact is that the prospects for our future well-being have never been brighter—if we stay on track.

So here in Mascoutah today, our Nation marks not only the progress of the past, but dedicates itself to the even greater achievements of the future.

Lincoln's vision of an America that can live through all time is our guiding star. As free men, let us continue this journey with his same courage and confidence, moving firmly and surely to the day of the ultimate society—a society in which man everywhere will have all he needs or wants, with comfort, leisure, health and long life, and his world will be at peace.



### ACCOMPLISHMENTS OF ARTHUR D. JENKINS, MASCOUTAH, ILL., PUBLISHER

(Mr. PRICE of Illinois asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PRICE of Illinois. Mr. Speaker, few men can equal the accomplishments and achievements of Arthur D. Jenkins of Mascoutah, Ill. A close personal friend of mine, Art Jenkins, epitomizes the type of man we refer to as the civilized man or the renaissance man. Writer, publisher, civic leader, and art collector are a few of Art Jenkins' attributes.

Recently, the Metro-East Journal, East St. Louis, Ill., carried a story of Art Jenkins. His story is well worth reading. I request unanimous consent to include the May 9 article at this point in the RECORD. [From the East St. Louis (Ill.) Metro-East Journal, May 9, 1971]

JENKINS: AT TOP OF MOUNTAIN THE VIEW IS WONDERFUL  
(By Leonard Busen)

Arthur Darwin Jenkins is past retirement age (and he won't tell how much past) but he's not thinking of retiring.

He's a hardpushing civic leader, editor, lifelong bachelor and millionaire. His career spans varied interests, many of them still pertinent.

He says he'll never retire, that his best work has been in the past 15 years.

"When you're at the top of the mountain, the view is wonderful."

Jenkins came to Mascoutah 40 years ago, in one of those thousands of shifts in the country's population that has made Mascoutah Middle America.

The center of U.S. population is on the Lawrence Freiderich farm five miles southeast of Mascoutah, and next Sunday a marker will be placed in Mascoutah to celebrate it.

Jenkins is editor and owner of the Mascoutah Herald and New Baden News, both weekly newspapers.

He also does a national business printing forms used in the mobile home industry at the Jenkins Publishing Co., 306 W. Main St., Mascoutah.

In the 1950s he was chairman of Mascoutah's plan commission three years, helping develop city-manager government.

"We were first in St. Clair County with a zoning system," he said.

He has worked and editorialized toward a new city hall, a city park, widening of Sixth Street.

He was once a heavy stockholder in Looking-Glass Prairie Telephone Co., since sold to Continental Telephone Co., and helped install the first dial phone system in the county.

He also served on the library board, and organized a Mascoutah Businessmen's Assn.

He's optimistic about Metro-East, and foresees "a great growth in Mascoutah area due to Kaskaskia River development."

The major airport near Waterloo "is going to make Mascoutah more important for suburban housing, give it emphasis," he says.

He's not particularly excited about being in the population center.

"As a boy at Indianapolis I recall when the center was just south of there," he says.

(Census charts from 1790 on show the population has drifted west each year from Maryland, via Indiana, to Illinois.)

But he likes being in the center of business.

"This phone of mine rings from the four points of the U.S. all day long. This is the nerve center of the mobile home industry," he says.

Jenkins 12 years ago began designing legal-sales and office-management forms for the industry after noting that dealers were using made-over auto forms.

As an attorney, and already in the printing trade, he was able to "write, design and create all of their forms."

He has copyrighted 110 forms and sells millions a year to close to 7,000 dealers.

"If you want to buy a mobile home, you'll use that form," he says, whipping out a sample from a wall pigeonhole. "There is no other."

Jenkins lectures to trade groups (three times this year in Washington, D.C., twice in California) and in 1970 started the Jenkins Mobile Industry News Letter.

For \$24 yearly it gleams what's happening in the field, laws to watch for, tells where the mobile home trade is heading. Issue No. 7 came out this month.

For it Jenkins writes a "partyline" column, a heading he uses over his columns in his own weeklies.

In the '50s he met Russian Premier Nikita Khrushchev's tour group on a farm in Iowa, and traveled along into Nebraska and Minnesota.

He's a past president of the Southern Illinois Editorial Assn., and was a committee vice chairman for the National Editorial Assn.

Southern Illinois University-Carbondale yearly awards a plaque named for Jenkins to an outstanding Illinois journalist.

Fortune Magazine in May, 1968, did a story about his collection of oriental rugs at his former home in Indianapolis. It called the collection the best west of the Appalachian Mountains.

He had, too, "the largest library known on oriental rugs." He since has donated the collection—to the Textile Museum at Washington, D.C.

Jenkins is also writing a book about Tecumseh, a Shawnee Indian warrior who fought against the white man in the War of 1812.

The battle of Ft. Mieg, 30 miles south of Toledo, is of special interest of Jenkins since his great-grandfather was a U.S. Army sergeant in it.

The fort is now being rebuilt by the state of Ohio and Jenkins is writing the book with help from the Ohio state historical society.

It may have been Jenkins' heritage that led him into journalism.

His grandfather, William H. Jenkins III, founded the "Iowa Evening Statesman" at Des Moines in 1868. His father, William H. Jenkins IV, founded two or three weeklies in the 1800 and 1890s in Michigan.

### ADMINISTRATION'S PING-PONG DIPLOMACY

(Mr. WAGGONER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. WAGGONER. Mr. Speaker, I have spoken before concerning the administration's ping-pong—or as one commentator has suggested pink-pong—diplomacy.

Well, a new ping-pong affair has come to light which much more closely reflects the realities of our efforts to deal with Communist China.

On April 26, two Chinese refugees swam to freedom in Hong Kong with the aid of a bag full of ping-pong balls. According to news dispatches in Hong Kong, an 18-year-old youth told of how he and a young friend fled a commune in Kwan-tung and spent 4 nights hiding along stream banks and in thick bushes, avoid-

ing Communist authorities who were accompanied by trained dogs.

The two young men carried an old inner tube and a plastic bag of ping-pong balls to keep them afloat until rescued. These two were among 13 who swam to Hong Kong from mainland China that very evening.

Mr. Speaker, this ping-pong story gives a true reflection of what is happening on the mainland of Communist China.

The 18-year-old who fled persecution had not been born yet when the Communists took over China. He has lived his entire life under Communist domination. Not even the communes, not even total control of China's education system, not even Chairman Mao's daily recitations prevented this young man and thousands like him from seeking something called freedom.

In fact, the widely respected China expert, Raymond de Jaegher, who interviewed some 20,000 refugees from mainland China who had escaped to Hong Kong during the cultural revolution, said these young people had never even heard of Chiang Kai-shek and know nothing of the politics of Taiwan. They told De Jaegher, who interviewed them for an Asian affairs magazine, that the Communists had warned them so sternly and so many times not to come near Hong Kong because of the supposed "evil" influence there, that they knew conditions had to be better in Hong Kong than on the mainland.

Speaking recently to an Asian seminar in Washington, de Jaegher told of having breakfast with a young girl who had escaped from the mainland to Hong Kong last December. De Jaegher quoted the girl as saying:

We didn't care that we didn't have good clothes to wear; we didn't care that we were poor and didn't have enough to eat. We left because we couldn't take the control of the mind, the constant control of our minds.

It is because of this control of the minds of the people of China that the friendliness of those who greeted our ping-pong team is utterly meaningless.

The people who spoke with these Americans did what they were told. Had they been ordered to be hostile, they would have responded in that fashion. It was for the ordinary Chinese citizen a matter of survival.

The smile of Chou En-lai might be viewed with greater significance because presumably no one ordered him to make the gesture. However, that smile, which cost him absolutely nothing, and which created the impression of "good will" in the American media, must be viewed against the background of continuing Chinese policy.

On April 27, just a short time after the visit of our famous ping pongers, Communist papers printed the "May 1 Labor Day" slogans, seven of which are exclusively devoted to urging the peoples of the world to crush "American imperialism."

The slogans are as follows:  
Peoples of the world unite to crush American aggressors and their running dogs.

Support Indochinese war against American aggression.

Support the heroic Korean people against American aggression.

Peoples of China, Japan, Korea and Indochina resolutely oppose the reactionary American and Japanese move to revive Japanese militarism.

Resolutely oppose American imperialistic support for Israeli aggression against the Arabic countries.

Support American people against American Government's aggressive policy.

Support Cuba against American aggression.

These slogans hardly reflect any thaw in United States-Chinese relations. Indeed, while some segments of the American news media continue to promote a one-China policy—Red China, of course—for the United States, the Chinese Communists themselves are actively telling their captives to support the Indochinese war "against American aggression." So while we try to play games with the Communists, including ping-pong, Peking continues to play the real game by aiding the North Vietnamese in their efforts to kill American boys.

President Nixon has wisely cautioned both the press and other political observers not to read too much into our limited moves on China. Yet reports persist that this limited initiative on the part of the Nixon administration is part of a grand scheme designed by the National Security Council.

When reporters have questioned State Department and other American officials on the subject, these officials have always denied that our China initiatives are designed to play the Soviet Union against Red China.

Yet, as recently as the May 9, Washington Post, syndicated columnist Jack Anderson says:

The United States according to the secret studies (of the National Security Council) should be able to play off China and Russia against each other, tipping the balance of power in whatever direction is most beneficial to Washington at the moment.

Mr. Speaker, I include the Anderson article in the RECORD at the conclusion of my remarks.

Far be it from me to suggest that Jack Anderson is an objective source of information. On the other hand, all Members of Congress are aware that Anderson has had remarkable success in obtaining the cooperation of inside sources at the White House who readily leak memos and inside information on discussions between the President and congressional leadership. Therefore, unfortunately we cannot simply dismiss Anderson's comments as mere speculation. Very probably the National Security Council has made such studies.

I cannot believe, however, that President Nixon or his advisors will accept the preposterous view that the United States can materially effect internal disagreements between Red China and the Soviet Union.

There are serious differences between mainland China and the Soviets. However, these differences are secondary to the desire of both nations to see the United States defeated.

As a matter of fact, one of the first

moves Red China made back in February 1970 when Chou En-lai determined that it was time to begin to extend Peking's influence beyond the shores of Mainland China was to exchange Ambassadors with Moscow following a long lapse. Clearly, Moscow and Peking are working in closer consort today than at any time in the past decade.

The thought that the United States can play the Soviet Union against China, or China against the Soviet Union, is nothing short of ridiculous. Were we in a position to intervene in that fashion we could have prevented either Red China or the Soviet Union from supporting North Vietnam. Yet both continue to support the war against our American boys with everything but their own men. Several years ago, however, we were told by leading administration figures that the Soviet Union was anxious for a settlement in Vietnam, and that Russia would help us to make such a settlement, presumably because the Soviets feared the influence of China in Southeast Asia. Today we are continuing to pay for believing that strange line of reasoning.

Of course, Columnist Anderson indicates that the National Security Council studies are based on complete American withdrawal from Southeast Asia. This withdrawal apparently includes more than just U.S. combat forces. Our presence in Southeast Asia is to be sacrificed so that we might play referee between Russia and Red China. If the United States abandons Southeast Asia completely, then the Communists will control it.

It hardly seems likely that a nation who has withdrawn from the scene completely could become much of a force to intervene and "tip the balance" between Russia and Red China.

Mr. Speaker, the point which needs to be emphasized at this time is that the United States cannot afford to abandon our allies in Southeast Asia to take advantage of the elusive smile of a Chinese dictator.

If we continue to engage in wishful thinking regarding the intentions of Red China we will surely invite disaster.

If we encourage close ties between the United States and Red China, then we can expect—and indeed it is already happening—that our allies will likewise turn to the Chinese mainland. We can lose Southeast Asia by default.

As a matter of fact, a good case can be made for the proposition that the North Vietnamese are incapable—even with Soviet and Red Chinese support—of achieving a military victory in Southeast Asia at this time, especially considering the success of the Vietnamization program. It would not be surprising then, if the latest moves by Red China are part and parcel of the Communist plan to win Southeast Asia by any means possible. Their spirits having been dampened on the battlefield, they now turn to the diplomatic field.

Mr. Speaker, I can only join with those who are urging extreme caution in our China policy. And, Mr. Speaker, I wish to reemphasize the need to continue to back our allies in Southeast Asia, includ-

ing Taiwan. More than a decade ago some of the same forces agitating for recognition of Red China were urging us to give up Quemoy and Matsu. We held firm, and look what has happened since since 1960. Let us look to the future by being resolute on our commitments of the present.

The editorial follows:

#### ASIAN RIVALS

(By Jack Anderson)

The secret studies of the National Security Council, if they should be converted into official foreign policy, indicate that the United States will withdraw from Southeast Asia and leave those strategic countries to the mercy of the great Communist powers.

The secret assessment is that the United States, moving cautiously of course, can safely cut bait in the warm waters of Southeast Asia. The rivalry between Russia and China, it is suggested, will prevent the area from becoming a threat to the United States.

In other words, the United States increasingly will be able to play the role of spectator as Russia and China struggle for pre-eminence in Southeast Asia. The secret assessment acknowledges that eventually the nations of Southeast Asia may have to choose between Moscow and Peking.

Washington can continue to encourage these nations at least to remain neutral. But as American power is withdrawn from the area, these nations will be tempted to side with one of the great Communist powers that will dominate Southeast Asia.

The United States, according to the secret studies, should be able to play off China and Russia against each other, tipping the balance of power in whatever direction is most beneficial to Washington at the moment.

#### A GUIDANCE COUNSELOR TALKS ABOUT JUVENILE DRUG USERS

(Mr. PRICE of Illinois asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PRICE of Illinois. Mr. Speaker, there has been a great deal of discussion about drug abuse and addiction. One of the most insightful commentaries I have read has been an interview with Mrs. Phyllis Wallace of Collinsville, Ill., in the May 9 edition of the Metro-East Journal, East St. Louis, Ill.

Mrs. Wallace, whom I have had the pleasure of meeting, is a guidance counselor for the Collinsville, Ill., Unit 10 schools. As she notes, the drug problem is very complex—

If you get rid of all drugs tomorrow, you'll still have troubled kids.

For the benefit of interested readers I am including Mrs. Wallace's interview at this point in the RECORD:

#### GET RID OF DRUGS—YOU'VE STILL GOT TROUBLED KIDS

(By Vandy Brewer)

"Whenever newspapers write about drugs, they tend to go to extremes and emphasize sensational kinds of things," Phyllis Wallace said.

"There's nothing sensational in what I do. I just talk to kids."

And kids talk to her, too.

Mrs. Wallace is a guidance counselor for Collinsville Unit 10 schools and an authority on drug abuse. Teen-agers have found in her a sympathetic friend who will listen and try to help.

"I try to offer them alternatives to drugs, to show them that they are important as



individuals and that they do have something to contribute that is worthwhile."

That self-discovery sometimes comes in unexpected ways.

A 15-year-old girl who had been taking LSD for about a year helped Mrs. Wallace make up a crossword puzzle on drugs to go with a research paper.

"She really did a fine job on that puzzle and just the realization that she had been able to do something well was enough to turn her away from drugs."

The girl, now off drugs completely, has sent numerous other young people for help.

Teenagers telephone or drop by the Wallace home at all hours to talk.

Lately, parents have begun to call, too. "This is something different," Mrs. Wallace said. "A parent of a drug user will call and ask 'How can I help fight drugs?' Tell me some programs available for kids—I'll provide transportation."

Alternatives to drugs are being offered in varying programs in Metro-East.

Mrs. Wallace is interested in a group called Crossroads to Communications, Inc., in Collinsville.

"These Crossroads kids are exploring vital issues of the day, holding discussion sessions, truly trying to meet problems without drugs."

The way young drug abusers play around with pills disturbs her. She told of "fruit salad parties" where young people bring pills taken from family medicine chests, place them in a bowl, then "everybody takes one—maybe green to match a dress, or blue to match a mood. But nobody really knows what he's taking."

Then there are "Contac feedbacks" where cold capsules are broken open, the particles separated according to color and taken separately for various kinds of "highs."

It's remarkable the energy, and perseverance these kids have—and a shame we haven't found a successful way to channel that energy."

However, the drug scene is changing, Mrs. Wallace believes.

"I don't really think we'll have this same problem in a few more years. Kids are turning to other things—some are experimenting with sex, now. Others are turning to religion."

While peer group influence to try drugs is still strong, not all young people are succumbing, although some will fake addiction to be accepted by the "in group."

Phyllis, 30, is the wife of lawyer Richard Wallace.

She holds a master's degree in guidance from Southern Illinois University, Edwardsville, and did research at Pere Marquette State Camp in Grafton, a state school for delinquent boys.

Mrs. Wallace thinks, "it's too easy to try to blame drug abuse on any one thing—parents who don't care enough to listen or schools that pressure kids into conformity. There are just too many individual reasons."

What she tries to emphasize, is that drug abuse can be combated in older youth and prevented in younger children.

"I have a 2½-year-old daughter. I'm starting now to give her accurate information about drugs. When she sees us take a pill, she is told why we are taking it. Kids get too used to seeing parents take pills for too many things. Children should be taught early to respect drugs. After they reach junior high school age, it's too late."

She has a three-point program for dealing with drug abuse:

"One: Treat the whole drug scene as the symptom, not the problem.

"If you get rid of all drugs tomorrow you'll still have troubled kids."

"Two: Understand the Now Generation as they see themselves and as they see us.

"Some kids think very little of themselves and are so down on themselves they need a whole self-concept revamping; the problem

with other kids is they see themselves as invulnerable to the dangers of drugs. They see their parents as having lied to them about a great many things.

"Three: Interpret the scene with them. Sit down with the kids and find out what they think about drugs and life, and why. Above all, ask why. Don't judge. Listen."

#### RAILROAD STRIKE

(Mr. LLOYD asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. LLOYD. Mr. Speaker, Congress has again stepped in to avert a national emergency by a labor dispute in the rail industry. So far as extending a "cooling off" period is concerned, I would be willing to grudgingly support such a simple extension without reference to the issues involved between labor and management if that were the only question we were called upon to decide. I say "grudgingly" because the fact of a national emergency would justify this limited congressional action.

What we are asked to do now, however, is to go beyond merely extending the bargaining time, and we are asked to establish a wage settlement. In so doing, the Federal Government takes over a seat at the bargaining table. The Nation faces an emergency as the railroads are tied up, and it has been said on the floor that this emergency has been created as a result of action which we took last December in which we also established a tentative wage settlement. In other words, our action at that time, which I opposed, is now given both as the reason for our present dilemma and as a further excuse for repeating the same action.

I am voting against this particular action by the Congress because while it may contribute to solving a national emergency today, it establishes precedent upon which greater national emergencies will be created in the future, as illustrated by the emergency facing us at this time.

As a cosponsor of the administration's proposed permanent legislation which would establish machinery for resolving disputes in the transportation industries, I deplore the fact that the appropriate standing committee has not called this legislation up for a hearing.

It is not the business of the Congress to participate as a negotiator at the bargaining table traditionally occupied by representatives of labor and representatives of management. It is the business of the Congress to modernize Federal laws pertaining to labor-management disputes and to establish permanent mechanics for resolution of disputes resting on permanent, fair, and responsible legislative foundations.

#### REMARKS OF SENATOR HUBERT H. HUMPHREY AT TESTIMONIAL DINNER, BARRY COLLEGE, MIAMI, FLA., ON MAY 10, 1971

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, on the

evening of May 10, there was a great testimonial dinner for Sister Mary Dorothy, president of Barry College, at Barry College in Miami. There was an outpouring of hundreds of friends of Sister Mary Dorothy and Barry College to do honor to her and to raise funds for Barry College, a great private institution, dedicated to all that is fine in higher education. On this occasion Senator HUBERT H. HUMPHREY delivered a magnificent address on the real meaning and significance of higher education and the essential role that the private higher educational institution, bearing so many burdens today, must play in the field of higher education. Senator HUMPHREY displayed a deep understanding of what education has meant and should mean in the perfection of American democracy and in affording basic strength to our Republic. I commend this address by Senator HUMPHREY, which so much stirred its listeners, to my colleagues and to those who will read this Record and include Senator HUMPHREY's address in the Record following my remarks:

#### REMARKS OF SENATOR HUBERT H. HUMPHREY, TESTIMONIAL DINNER, BARRY COLLEGE, MIAMI, FLA., MAY 10, 1971

Sister Dorothy, Maurice Ferreri-David Walters, tonight we honor a devoted servant of the Church and a distinguished leader in the field of higher education. Sister Dorothy, the remarkable success of Barry College truly reflects the high caliber of your accomplishments. Your dedication to nurturing the spirit and the mind of young women merits far more than this brief moment of sincere respect expressed or quietly felt by all of us gathered at this dinner and by your many friends throughout Florida and the Nation.

The teaching activities of the Dominican Sisters go back to the creation of the Order some seven-and-a-half centuries ago.

Dominic saw the central need of the faith, in his time, as being effective preaching and the achievement of the highest scholarship in bringing ethical demands to bear upon the affairs of men. But one vital fact too often overlooked by historians is that these goals were not to be achieved through monastic withdrawal. The ideal was not contemplation apart from the world, but access to people in their needs.

Certainly, in this time of profound human need, it is essential that education should mold not only the skills of men, but that it should also reach out to their spirit and will, challenging them with the opportunity and demand for a better world in which all our people can enjoy lives of meaning, of purpose, and of fulfillment.

It must have been true that the Dominicans, as well as the Franciscans and Jesuits, who began missionary work in Florida in the late 1500's, had this vision of a better world, where the vision of men could be raised to a new horizon, and their faculties developed to their full potential.

But this vision, this opportunity for educating the whole person, is facing a severe challenge today. Our institutions of higher education are confronted by a financial crisis. Hundreds of American colleges need help now if they are to survive, much less undertake the major expansion demanded in the present decade.

The U.S. Office of Education has reported that enrollments in America's public and private colleges and universities increased by over 115 per cent during the last decade. We have yet to grasp the implications of this fantastic rise in college enrollments.

It demands a total redefinition of institutional purposes, a sharp upgrading in the

quality of curriculum and methods of teaching; and a total reevaluation of the administration and employment of resources by our centers of higher learning.

But we cannot begin to address these demands unless we solve the problems related to escalating enrollments and potential bankruptcy facing many of our colleges.

There will be between 9 to 10 million students enrolled by 1975—a further increase, beyond that of the past decade, of over 25 per cent.

But other statistics reveal special problems that ought to trouble us deeply.

First, the student enrollment increase in public institutions has been far higher than the total increase I have cited—from 1960 to 1970, it was 163 per cent.

Private institution enrollments rose by only 44 per cent over the same period. This is only one of the statistics that clearly establish the fact that our private colleges are in trouble.

Second, while the proportion of young people from our low-income families, who have been entering college has increased over the past decade, it is still true that only 7 per cent of all our college students come from poor families.

We have a long way to go in providing higher education opportunities for the black and the poor.

Many of our colleges are straining their financial resources to expand these opportunities, but it is deeply disturbing that our predominantly black colleges are generally in extremely poor financial condition.

Diversity and full access to opportunity ought to be the hallmark of American higher education.

As the President's Task Force on Higher Education stated in its report in August, 1970:

"The diversity of American higher education is central to its strength. This diversity has grown from a tradition that encourages institutional initiative, creativity, self-determination, and autonomy.

These characteristics are vital to the strength of our institutions and should explicitly be encouraged and strengthened by national policy."

That brief paragraph in the Task Force Report should be seared into the mind and conscience of every American who cares at all about what happens to education beyond the high school level.

But then the Report moves right on to the second concern I have raised here this evening.

The Report states:

"American institutions are not serving large numbers of qualified young people who could benefit from post high school education. The structure of our society and the patterns of financing higher education for the individual have operated to exclude large numbers of qualified young people from higher education."

I read this as saying that a college education remains primarily the prerogative of the young person from an upper income family, and I find this to be morally, socially, and economically wrong.

The immediate answer to both these problems—the threatened decline of diversity and autonomy in American higher education, and the continuing denial of access to higher learning opportunities for youth of our poor families—is money, which means—greater private support and substantial Federal assistance to all our institutions of higher education.

Now let me spell out my immediate concern about sustaining the private, liberal arts colleges of America.

I strongly believe that a heterogeneous population, a pluralistic society, demands that there be an equal pluralism in the opportunities for higher education.

But secondly, I believe that the richness

of diversity in American higher education is seriously threatened.

Freedom from legislative supervision has made American higher education strong and exciting.

The competition between the forms of institutions of higher learning has insured continuous updating and reform.

But of late we have experienced a swing in the pendulum away from an emphasis upon a liberal arts education and toward an obsession with professionalism and technocracy.

In 1828, the Yale College "manifesto" defined education as being strictly non-technical and non-professional. In 1852, Cardinal Newman defined the "Idea of a University" as being broadly to prepare young men "to fill any post with credit, and to master any subject with facility."

It was his belief that a university ought not attempt to provide a professional and technical education.

But today we too often have replaced this sharp boundary for higher education with an equally high fence that sees the demands of a technological society coupled with the sources of financial assistance which these demands generate, as defining in advance what an American college or university should be all about.

Of course, we must continue to expand opportunities for professional, technical, and vocational education in America.

One case in point is the serious need to substantially expand the health manpower resources of America—providing more doctors and nurses and para-professional personnel.

But we must also come to recognize again the vital importance of the education of the whole man, which is the genius of the liberal arts curriculum of our private colleges. That is really what we mean when we talk about maintaining the three branches of knowledge for the "A. B. generalist": The humanities, the physical and biological sciences and mathematics; and the social sciences.

Certainly, Monsignor Barry's dedication to the education of the total person to play a responsible role in the betterment of society, was in the mind of the founders of Barry College 30 years ago.

And we must not let that sense of dedication be sacrificed today.

We must not confuse means and ends in our educational purposes.

What do we seek for man on earth? We seek human dignity, personal expression and fulfillment, freedom, and justice.

Technology is one instrument by which to achieve these ends. And the value of that tool depends on the intelligence, the judgment, and the creativity of man himself.

Education ought to involve man in ideas as well as things; in ethics as well as engineering.

We need a society of compassion as well as comfort; of humanism as well as hardware; and of freedom as well as food.

Now, more than ever, the liberal arts are needed to humanize man, to stimulate what Shakespeare called the "better angles of our nature."

And the liberal arts are the fountain of idealism—from which spring the goals which technology should serve.

It is when ethics and morality shape our environment that science and technology will be seen as an invention to be welcomed, rather than a threat to be feared.

A free society requires more than power and wealth.

It must be based on justice and opportunity.

The modern industrialized nation needs above all, a sense of compassion and concern—that sense, if you will, of heightened moral sensibility which stems from the arts and humanities, and from religion.

A true liberal education infuses an element of humility and compassion, of humanism and social consciousness.

That lesson is centuries old, as we read in the Book of Micah: "And what does the Lord require of you, but to do justice, and to love mercy, and to walk humbly with your God."

It is for these reasons that I am so deeply concerned that the freedom, the autonomy, and the diversity of America's colleges and universities be maintained. I do not believe that government should attempt to dictate the aims of university education. In a democratic society those who govern, can govern well only if they recognize that the university serves society by pursuing the true aim of the university—the pursuit and dissemination of truth.

It is precisely the independence of the university and the college that enables them to stand in judgment over the actions of government and to speak to the course demanded of a free society.

To maintain a balance between the university's independence and the need for social stability requires a self-disciplined and well-educated citizenry. The general education offered by the liberal arts college and university is the best guarantee that this balance will be maintained.

I call for the establishment of a major commitment by our Federal Government to maintaining the strength and diversity of America's institutions of higher education.

I call for substantial Federal financial assistance to all our colleges and universities. It is estimated that the resources available to our colleges and universities must more than double during the next decade. And the respected Carnegie Commission on Higher Education has called for a decisive effort to eliminate racial and economic barriers to higher education by 1976.

I believe it is time to inaugurate a major new source of financial assistance—one that follows the student to the college of his choice. This is why I joined in the sponsorship of vital legislation, that will provide direct Federal assistance to students as a matter of right, and on the basis of need.

And, of special importance, student assistance under this legislation would be coupled with cost-of-instruction aid to the respective institution.

This is the decisive new direction we should be taking in Federal aid to higher education.

Let us resolve here and now to make higher education in America—private as well as public institutions—the finest in the world.

We in Congress need your help now if this job is to be done. But you will be committing yourselves to a task of the highest importance to all the people of this great land of opportunity.

The charge is laid before us by Thomas Carlyle, in those well-remembered words:

"That there should one man die ignorant who had the capacity for knowledge, this I call a tragedy."

#### A BILL TO CONTROL THE MANUFACTURE, SALE, AND DISTRIBUTION OF HEROIN PARAPHERNALIA IN THE DISTRICT OF COLUMBIA

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, I am pleased to announce that today, I and my colleagues of the Select Committee on Crime, have introduced a bill to control the manufacture, sale, and distribu-



tion of heroin paraphernalia in the District of Columbia.

I am particularly pleased to announce that in addition to the unanimous co-sponsorship of the members of the Crime Committee, our esteemed colleague, the chairman of the House District Committee, Mr. McMILLAN, has joined us in introducing this needed legislation.

Mr. Speaker, I am proud that the House Select Committee on Crime has played a major role in alerting the Nation to the menacing role which paraphernalia pushers play in the odious heroin trade.

Just as specialized businesses spring up to cater to the needs of a particular industry, so too are there businessmen catering to the needs of heroin pushers. Heroin is not injected into the bloodstream in its pure state. Such an injection would kill any man. Instead, both for safety and for profit, heroin is diluted or cut to lesser potency and then packaged and sold in small dosage units. The materials used to dilute and package heroin, as well as the needles and other such devices used to inject heroin, have come to be known as heroin paraphernalia. Although many ethical business firms are unwittingly duped into supplying the trafficker with such items, many other unethical businesses are profiting greatly from the sale of heroin paraphernalia.

The materials usually used to dilute heroin to its injectable level of between 6- and 15-percent pure heroin are quinine hydrochloride, mannite, mannitol, dextrose, and lactose.

Quinine hydrochloride—The heroin in its pure state is a white crystalline powder with a bitter taste. Quinine hydrochloride—usually referred to simply as quinine—the classic antimalarial drug, has a similar appearance and taste. But it is not used as the exclusive cutting agent because it is too expensive—between \$20 and \$35 an ounce on the black market—and because the body could not tolerate large amounts of quinine over long periods of time. Our committee heard testimony from experienced narcotic agents that quinine may have a synergistic or enhancing effect on heroin.

Mannite and mannitol—Mannite is an almost inert, tasteless substance imported primarily from Italy. It is sometimes used as a mild laxative. A synthetic substitute, mannitol was developed in the United States during World War II. It has the same properties as mannite. It is commonly used as a binder in chewing gum. Either mannite or mannitol is an ideal substance for cutting or diluting heroin.

Lactose and dextrose—once both products were widely used in the preparation of infants' formulas. These simple milk sugars are a cheap diluent for heroin. The sweet taste they impart to a heroin mixture is largely canceled out by the addition of the bitter quinine.

Although these ingredients are commonly employed, there is no "regular" or "accepted" formula for cutting heroin. Every pusher has his own "recipe." The primary concern of the addict is that

the mixture contain a sufficient percentage of heroin.

After the heroin is diluted to dosage strength, it must be packaged for street sale. In the past, the two most often used packages were 1½- by 1½-inch glassine envelopes and empty No. 5 gelatin capsules. The envelopes are of the type, but not the size, used by stamp collectors to store stamps. The capsules are the smallest capsules produced for medication in this country, less than one-half inch long. Other more colorful but less common containers are balloons, tinfoil, and aluminum foil. From the small glassine envelope filled with heroin and selling for about \$5, the drug world gets the term "nickel bag."

Despite the fact that the heroin trade could not exist without the necessary paraphernalia, the sale and distribution of all these items is neither illegal or controlled, with one exception. The State of Maryland in 1970 enacted legislation that makes possession, sale, or distribution of these items with evidence of involvement in the drug trade a crime. In fact, the hypodermic needle and syringe the addicts needs to inject his fix is controlled by law in only three States—New York, New Jersey, and Illinois—although various States and the District of Columbia utilize broad "implement of crime statutes" in an attempt to deal with this problem. The easy availability of these items and the lack of specific criminal sanctions against those involved in the trade has lured more than one honest businessman into the easy money of the heroin paraphernalia trade.

Just how important paraphernalia is to the heroin trade can be seen in the lengths those who need it will go to obtain it. Crime Committee investigators uncovered the following tale of the paraphernalia trade:

Meyer Oxman is president of Reyman Drug Co., a Baltimore, Md., wholesale drug supplier. Until May or June of 1969, his firm did not stock empty No. 5 gelatin capsules or quinine hydrochloride. According to Mr. Oxman, the following situation occurred: A Reverend Kenney, accompanied by an assistant, Dr. Hakeem Sham Su Deen, and a chauffeur, paid Reyman Drug Co. a visit. Dr. Kenney said he was associated with a rehabilitation program for the blind, operated by the Washington, D.C., Pentacostal Church. The blind persons in the program made crucifixes and love beads and decorative charms. Dr. Kenney explained, using empty No. 5 gelatin capsules filled with clay. Mr. Oxman said Dr. Kenney showed him pictures of the products and of his congregation wearing these love beads.

After this initial contact, Mr. Oxman said Dr. Kenney came back six or eight times before finally buying any capsules. Each visit he showed Mr. Oxman brochures, newspaper clippings, and pictures of the church's activities. In July 1969, Reverend Kenney ordered 100,000 empty No. 5 gelatin capsules from Mr. Oxman.

But before Mr. Oxman was willing to accept the order, he asked Reverend Kenney to sign the following contract:

It is hereby agreed that the seller, Balto. Vitamin Sales, and the buyer, Dr. Rev. Kenney, have entered into a contract of agreement in which the buyer received from the seller empty hard gelatin capsules to be used only for making decorative charms and beads, and not to be used in any way shape or form for medicinal or pharmaceutical use. This contract is binding.

Reverend Kenney, according to Mr. Oxman, said the program was so successful that he would have to increase his order to sometimes as many as 500,000 capsules at a time. The success of Reverend Kenney's program was such that in the 1 year period from July 1969 to July 1970, Reverend Kenney purchased from Mr. Oxman 8,800,000 empty No. 5 gelatin capsules.

In September 1969, Reverend Kenney also started buying quinine hydrochloride from Mr. Oxman. Reverend Kenney told Mr. Oxman that he was purchasing the quinine for the purpose of making religious candles. By the time their association ended a year later, Mr. Oxman sold Reverend Kenney 1,600 ounces of quinine in 100 and 200 ounce lots, allegedly for the purpose stated by Reverend Kenney. But before Mr. Oxman sold the quinine, he drew up another contract:

It is hereby agreed by Rev. Kenney that the Quinine Hcl powder is to be used only in the preparation of prayer candles by the House of Candlelight, and not for medicinal purposes.

When Mr. Oxman appeared under subpoena before the Select Committee on Crime to explain his unusually large sales of capsules and quinine, he said he had no idea that the capsules and quinine were being used illicitly. Why had he asked Reverend Kenney to sign a contract?

Mr. Oxman said:

I had no doubt that he was using it legitimately, but at the time it could not hurt to protect my own interests.

Mr. Oxman also said he had no idea he was purchasing 90 percent of all empty No. 5 gelatin capsules shipped into the Baltimore area and could not recall either of his suppliers, Elanco, a division of Eli Lilly & Co., and Parke-Davis, never asking him why he was making such large purchases.

Mr. Oxman told the committee that after reading a newspaper article concerning the diversion of quinine into illicit channels, he spoke to Reverend Kenney about it, and the reverend assured him that this was not the case.

Asked if, as a registered pharmacist, he did not think it unusual for quinine to be used in prayer candles, Mr. Oxman replied that he had never heard of such use, but—

Those medicines are used for a lot of things in life which I know about and do not know about.

Some time after July 1970, Mr. Oxman decided to discontinue selling to Reverend Kenney and shipped back to the manufacturer 500,000 empty capsules.

Mr. Oxman's decision coincided with the enforcement date of the new Maryland statute designed to outlaw the heroin paraphernalia trade.

The committee chose not to call Reverend Kenney to testify, since at the time of the hearing he was serving a sentence for larceny in the District of Columbia's Lorton Reformatory.

The Maryland paraphernalia statute has done more than help get business men like Mr. Oxman out of the paraphernalia trade. Heroin pushers now have great difficulty getting these needed supplies.

But what is illegal in Maryland is not illegal in neighboring Pennsylvania. For a time a Harrisburg druggist was supplying persons identified as Baltimore drug pushers with paraphernalia. These Baltimore purchasers and traffickers were the first persons arrested under the Maryland paraphernalia statute. But the Pennsylvania authorities were hard put to prosecute the Harrisburg druggist who knowingly participated in this heinous trade. After his appearance before the Select Committee on Crime, the druggist was charged with "grossly unprofessional conduct" by the Pennsylvania Board of Pharmacy and now faces revocation of his license. He was later arrested and charged with 15 counts of illegal dispensing and possession of narcotics, conspiracy, and failure to maintain proper records of controlled dangerous substances. Unfortunately, there is no Pennsylvania law the druggist could specifically be charged with for the sale of this drug paraphernalia.

I am proud that the Select Committee on Crime has successfully urged manufacturers to curtail or eliminate production of certain items of paraphernalia. The U.S. Envelope Company has virtually halted its production of 1½ inch square glassine envelopes. Eli Lilly & Co. has instituted new order procedures for their No. 5 gelatin capsules. Parke, Davis & Co., however, has totally stopped production of that size capsule.

In addition to the value of having a law on the books to prosecute those who deal in paraphernalia, such a statute has another benefit. All too often, police officers executing a narcotics search warrant enter a premises which is a heroin "factory." All the implements for cutting and packaging are there, but the heroin is gone. Flushing a toilet takes less time than serving a search warrant. When all the implements of paraphernalia are gathered in such a way as to indicate reasonable intent to use such paraphernalia in the cutting and packaging of heroin, it is necessary for us to have a law under which we can prosecute.

Because I believe that this law is needed throughout the Nation, I am sending copies of our proposed legislation to the attorneys general of the States that they consider the suitability of this bill to their States.

#### H.R. 8569

A bill to make it unlawful in the District of Columbia to intentionally promote or facilitate illegal drug trafficking by possession, sale or distribution of certain paraphernalia, and further to make it unlawful for a person to possess an instrument or device for the purpose of unlawfully using a controlled substance himself

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

(a) It shall be unlawful for any person, within the District of Columbia, to manufacture, acquire, receive, possess, store, sell, distribute, transport, or otherwise traffic in—

(1) any hypodermic syringe, needle, pipe or other instrument, device, or contrivance, used, to be used, or adapted, devised, or designed for use, in smoking, injecting, or otherwise introducing a controlled substance into the human body,

(2) any material used, to be used, or capable of use in diluting or adulterating a controlled substance, or

(3) any bottle, gelatin capsule, glassine envelope, or other container used, to be used, or suitable for use in the packaging of a controlled substance;

with the intent to establish, carry on, promote, or facilitate the establishment of, carrying on, or promotion of the unlawful sale, delivery, dispensing, distribution, or use of a controlled substance.

(b) Whoever, within the District of Columbia, possesses any hypodermic syringe, needle, pipe, or other instrument, device, or contrivance, used, to be used, or adapted, devised, or designed for use, in smoking, injecting, or otherwise introducing a controlled substance into the human body with the intent to employ such instrument, device, or contrivance, to unlawfully use a controlled substance himself, shall be sentenced to a term of imprisonment of not more than one year, a fine of not more than \$1,000, or both.

(c) Any person who violates subsection (a) shall be sentenced as follows:

(1) In the case of a controlled substance in schedule I or II which is a narcotic drug, such person shall be sentenced to a term of imprisonment of not more than fifteen years, a fine of not more than \$25,000, or both.

(2) In the case of a controlled substance in schedule I or II which is not a narcotic drug or in the case of any controlled substance in schedule III, such person shall be sentenced to a term of imprisonment of not more than five years, a fine of not more than \$15,000, or both.

(3) In the case of a controlled substance in schedule IV, such person shall be sentenced to a term of imprisonment of not more than 3 years, a fine of not more than \$10,000, or both.

(4) In the case of a controlled substance in schedule V, such person shall be sentenced to a term of imprisonment of not more than one year, a fine of not more than \$5,000, or both.

(d) The following shall be subject to forfeiture to the District of Columbia and no property right shall exist in them:

(1) All instruments, devices, contrivances, materials, containers, or other things manufactured, acquired, received, possessed, stored, sold, distributed, transported or otherwise trafficked in, in violation of this section.

(2) All conveyances, including aircraft, vehicles, or vessels which are used, or are intended for use, to transport, or in any manner to facilitate the transportation, receipt, possession, sale, or distribution of property described in paragraph (1) except that—

(A) no conveyance used by any person as a common carrier shall be forfeited under the provisions of this section unless it shall appear that the owner or other person in charge of such conveyance was a consenting party or privy to a violation of this section; and

(B) no conveyance shall be forfeited under the provisions of this section by reason of any act or omission established by the owner thereof to have been committed or omitted by any person other than such owner while such conveyance was unlawfully in the possession of a person other than the owner in violation of the criminal laws of the United States, or of the District of Columbia.

Any property subject to forfeiture may be seized by the United States Attorney pursuant to process issued by any court or magistrate having jurisdiction over the property, or incident to a lawful arrest.

Any property seized regardless of its value may be proceeded against by libel action brought in the name of the District of Columbia by the United States Attorney or any of his assistants, and unless good cause be shown to the contrary, shall be forfeited to the District of Columbia and shall be destroyed or disposed of at the discretion of the court; provided, that if there be bona fide liens against the property so forfeited, then such property shall be disposed of by public auction. The proceeds of the sale of such property shall be available, first for the payment of all expenses incident to such sale; and, second, for the payment of such liens; and the remainder shall be deposited in the Treasury of the United States to the credit of the District of Columbia. To the extent necessary, liens against said property so forfeited shall, on good cause shown by the lienor, be transferred from the property to the proceeds of the sale of the property.

(e) As used in this section, the term "controlled substance" means a drug or other substance as defined in Section 102(6) of the Controlled Substance Act (Public Law 91-513).

(f) As used in subsection (c), schedules I, II, III, IV, and V respectively, shall contain the same controlled substances as are contained in the analogous schedules I, II, III, IV, and V in Section 202 of the Controlled Substance Act (Public Law 91-513).

#### THE JUVENILE RESEARCH INSTITUTE AND TRAINING CENTER ACT OF 1971

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, I have introduced today the Juvenile Research Institute and Training Center Act of 1971. I feel this bill would provide a major breakthrough in the burgeoning problem of juvenile crime.

The statistics relating to juvenile crime and delinquency are startling. At the very first hearing of the Select Committee on Crime, the then Secretary of Health, Education, and Welfare, Robert H. Finch, pointed out that—

Although the 15-to-17 age group represents less than 6 percent of the U.S. population, it accounts for almost 13 percent of all arrests, the highest arrest rate of any age group.

In that age group from 1960 to 1967, crime increased 59 percent while the amount of people in that age group increased only 22 percent.

Recent reports from police departments throughout the country indicate that over 50 percent of all persons arrested are under the age of 21 years. A more disturbing fact is that an even larger percentage of those arrested persons over the age of 21 have had police problems during their juvenile years. Thus, it is evident that juvenile court is not only a major problem in this country, but the more juveniles involved with the law, the more potential adult criminals there are.

Judge Orman Ketcham of the Superior Court of the District of Columbia has stated that—

The juvenile justice system needs a major overhaul if it is to serve our contemporary society. It has failed to provide juveniles with the social rehabilitation it promised while often denying youth the due process of law, which one accused of crime is guaranteed.



Over the past 24 months, the House Select Committee on Crime has conducted a series of hearings in Washington, D.C., and throughout the country. Although a variety of topics have been discussed, drugs, the courts, corrections—the effects of these and other problems—have always been related back to our juvenile population. Just as there are national priorities of which crime is near the top, there are priorities within the criminal justice system. We feel that youth crime is our No. 1 priority.

The Juvenile Research Institute and Training Center Act of 1971 is the product of many months of research. Our committee asked a distinguished panel of juvenile justice experts to assist us in preparing a major piece of juvenile justice legislation. The panel included Judge Orman Ketcham, of the superior court in the District of Columbia; Monrad Paulsen, dean of the University of Virginia Law School; Norman Lefstein, of the District of Columbia Legal Aid Agency; Ralph Sussman and Patricia Wald of Neighborhood Legal Services. These distinguished experts joined with the Crime Committee staff and, working with transcripts of our committee hearings, formulated the Juvenile Justice Act I have introduced today.

We believe the Juvenile Research Institute and Training Center Act would perform a twofold purpose. The center would be a central research facility for all facets of juvenile justice. Although there are several agencies claiming to be central repositories for juvenile justice information, none of them is preeminent. As in the whole system of juvenile justice, there is too much duplication. Our center would become a repository for all juvenile justice material published throughout the country. Professionals in the field would know that any existing published information could be located quickly and easily at the center.

The institute would also commission independent, original research projects. This, too, would be made available to professionals in the field.

Each year the institute would issue a report to the President and to the Congress. This report would explain all activities of the institute, discuss various areas of the juvenile justice system in need of change, and propose legislation to effect these changes.

The institute would prepare and publish articles and informational papers; perhaps including a learned journal, to be distributed throughout the United States to inform professionals of new developments and techniques that have been developed.

Two exciting new prospective activities would be the preparation of a series of minimum standards of juvenile justice and a model juvenile justice code. These two programs, based upon similar projects in related areas by the American Bar Association and the American Law Institute, and possibly accomplished in cooperation with them, may go a great distance in clearing confusion and creating uniformity in our juvenile justice systems. New rules promulgated by the Supreme Court as well as innovations by the institute staff would be included.

Experts will be made available by the institute to assist State and local communities in revamping procedures and updating operating methods. This program, at little or no cost to the local area, could effectively prove a great boon to the juvenile justice system.

Perhaps one of the most important aspects of the act is the provision for long and medium term training courses in all aspects of juvenile justice. These courses, for police, probation officers, judges, and corrections people, would acquaint them with new techniques and permit the intermingling of ideas from people who might otherwise never meet. The advanced techniques learned by the participants could then be brought back with them to their own locales.

In the granting sections of the bill, we seek to provide funding for so-called known-positive approaches. These are programs which have gone on in experimental situations but, after having proven successful, have been allowed to terminate. Funds would be provided by the center to allow proven successful projects to be reinitiated.

Some of these programs may be familiar to you by dint of publicity they have received in the past. Such programs are community residential facilities to act as home substitutes for juveniles; programs aimed at diverting juveniles from the judicial process; community involvement programs providing for citizenship participation by interested persons in the community; providing legal representation for juveniles in all cases, and training young lawyers in the specific procedures of juvenile courts. A connected program would entail training of law students and young lawyers at the law school level. There would also be grants available for college courses in the various social sciences connected with juvenile justice.

The question has been raised as to why a new agency is needed to deal with the problems heretofore mentioned. During the 91st Congress, hearings on the Railsback-Mikva-Beister proposal, which has some similarity to many points in this bill, representatives of the Law Enforcement Assistance Administration and the Department of Health, Education, and Welfare opposed such legislation, stating that their agencies could take care of all the proposals involved.

Mr. Speaker, to date, the Federal response in the area of juvenile justice has been deplorable. Over 11 Federal agencies have responsibility for the juvenile justice system, but none of them is doing even an acceptable job.

The Department of Health, Education, and Welfare and its Youth Development and Delinquency Prevention Administration have done virtually nothing in the funding area. Virtually no research is done by the agency, and it has truly assumed step-child status within the Department. The Law Enforcement Assistance Administration does a fine job in its area of expertise; however, that area is law enforcement, and they have little capacity in the social areas that must play a leading part in the prevention and control of juvenile delinquency. Juvenile justice experts with whom I have con-

sulted during the preparation of this legislation, have been nearly unanimous in their opposition to allowing LEAA or HEW to take over the duties described in this bill. They feel, as do I, that what is needed is a separate agency concerned only with juvenile justice; having no other diversions or interest.

As Robert Finch pointed out 2 years ago:

I think that we must do a better job of gathering our data and knowing exactly what is working and what is not working.

That is not yet being done, and under our bill it would be done.

Mr. Speaker, our youth is our hope, our youth is our future—we must do all we can to aid the young people of our country.

The bill follows:

H.R. 8570

A bill to establish a Juvenile Research Institute and Training Center

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

#### SHORT TITLE

SECTION 1. This Act may be cited as the "Juvenile Research Institute and Training Center Act of 1971".

#### FINDINGS AND POLICY

SEC. 2. The Congress finds that the problems of juvenile crime and juvenile justice are among the most urgent problems facing the United States, and not enough has been done to stem the growing tide of juvenile crime or to improve the administration of the juvenile justice system. Consequently, it is the policy of the Congress that there should be established a single agency charged with improving the juvenile justice system. It should be the duty of such agency to promote research, collect and disseminate data, make grants, initiate experimental projects for the improvement of the juvenile justice system, and take responsibility for coordinating the activities of the various Federal agencies presently involved with juvenile justice.

#### DEFINITIONS

SEC. 3. As used in this Act—

(a) The term "Federal agency" means any department, agency, or instrumentality, including any wholly owned Government corporation, of the executive branch of Government.

(b) The term "State" means any State of the United States, any territory or possession of the United States, the District of Columbia, the Commonwealth of Puerto Rico, or political subdivision, department, agency, or instrumentality of any of them, but does not include the Panama Canal Zone.

(c) The terms "juvenile justice" and "juvenile justice system" refer to the Federal, State, and local laws and procedures designed to deal with the care and handling of juveniles and juvenile delinquency and includes, but is not limited to, educational, social, psychological, and vocational services, corrective and preventative care, guidance, and training, and other rehabilitative services designed to protect the public and assist juveniles.

#### ESTABLISHMENT OF INSTITUTION; DIRECTORS

SEC. 4. (a) *Establishment.*—There is established within the executive branch of the Government an independent agency to be known as the Juvenile Research Institute and Training Center (referred to hereinafter as the "Institute"). The Institute shall be headed by an Executive Director, who shall be appointed for a term of four years by the

President, by and with the advice and consent of the Senate, and who shall receive compensation at the rate provided for GS-18 of the General Schedule contained in section 5332 of title 5 of the United States Code. In addition, there shall be two Deputy Directors, who shall be appointed for a term of four years by the President, by and with the advice and consent of the Senate, and who shall receive compensation at the rate of GS-16 of the General Schedule contained in section 5332 of title 5 of the United States Code.

(b) (1) *Authority of the Executive Director with respect to rules and regulations and delegation of authority.*—The Executive Director may—

(A) promulgate such rules and regulations as may be required to carry out the functions of the Institute; and

(B) delegate to any other officer or employee of the Institute authority for the performance of any duty imposed, or the exercise of any power conferred, upon the Institute by this Act, and any reference herein to the Executive Director shall include his duly authorized delegate or delegates.

(2) *Duties of Deputy Directors.*—The Deputy Directors, in addition to their duties under section 9(b) of this Act, shall perform such duties as are assigned to them by the Executive Director.

#### STAFF AND RELATED MATTERS

SEC. 5. (a) *Staff.*—The Director may appoint and fix the compensation of such personnel as he deems advisable. The staff shall be appointed subject to the provisions of title 5 of the United States Code governing appointments in the competitive service and shall be paid in accordance with the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates.

(b) *Additional assistance; experts.*—In the performance of the functions of the Institute the Executive Director is authorized—

(1) to obtain the service of experts and consultants in accordance with section 3109 of title 5 of the United States Code.

(2) to appoint such advisory committees as he may determine to be necessary or desirable for the effective performance of the functions of the Institute;

(3) to designate representatives to serve on such committees as he may determine to be necessary or desirable to maintain effective liaison with Federal agencies, with departments, agencies, and instrumentalities of the States, and with private organizations, which are engaged in activities related to the functions of the Institute; and

(4) to use the services, personnel, and facilities of Federal and State agencies, with their consent, with or without reimbursement therefor as determined by them.

(c) *Assistance from Federal agencies.*—Upon request made by the Executive Director, each Federal agency is authorized and directed—

(1) to make its services, personnel, and facilities available to the greatest practicable extent to the Institute in the performance of its functions; and

(2) subject to provisions of law and regulations relating to the classification of information, to furnish to the Institute such information, suggestions, estimates, and statistics as the Institute may determine to be necessary or desirable for the performance of the functions of the Institute.

#### REPORT

SEC. 6. Each year, the Institute shall transmit to the President and the Congress a report containing (A) a full and complete description of the activities of the Institute during the preceding year, (B) a discussion of matters currently affecting the interests of juveniles and juvenile justice systems, (C) recommendations for the solution of problems relating to juvenile justice, and

(D) such recommendations for proposed legislation as the Institute may consider to be necessary or desirable.

#### COORDINATING COMMITTEE FOR JUVENILE JUSTICE

SEC. 7. (a) *Establishment and members.*—The Juvenile Research Institute and Training Center shall establish, in the Institute, a Coordinating Committee for Juvenile Justice (referred to hereinafter as "Committee"). The Committee shall be composed of the following members:

(1) The Executive Director of the Institute.

(2) The Director of the Office of Education.

(3) The Administrator of the Law Enforcement Assistance Administration.

(4) The Director of the Children's Bureau.

(5) The Administrator of the Youth Development and Delinquency Prevention Administration.

(6) The Director of the National Institute of Mental Health.

(7) The Director of the Office of Manpower Training.

(8) The Director of the Federal Bureau of Prisons.

(9) The Director of the Model Cities Program.

(10) The Director of the United States Employment Service.

(11) The Chief Counsel of the legal service division of the Office of Economic Opportunity.

(12) Two United States Senators to be appointed by the President of the Senate.

(13) Two Representatives in Congress to be appointed by the Speaker of the House.

(b) *Special terms of office.*—The United States Senators and Representatives in Congress shall be appointed to serve on the Committee for a term of two years, and may be reappointed. Any United States Senator or Representative in Congress appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed only for the remainder of such term.

(c) *Chairman.*—The Executive Director of the Institute shall serve as chairman of the Committee and shall designate another member of the Committee to serve as chairman in his absence.

(d) *Duties.*—It shall be the duty of the Committee—

(1) to advise, consult with, and make recommendations with respect to all activities relating to the functions of the Institute;

(2) to assure transmission to the Institute of complete information and data on all activities and projects being carried on within the Federal Government that affect juvenile justice and related matters;

(3) to evaluate the activities of the Federal agencies represented on the Committee and, with respect to matters relating to juvenile justice, identify (A) programs in need of improvement, (B) matters with respect to which there is a needless duplication of effort, and (C) problems which warrant Federal attention; and

(4) to appraise the entire Federal involvement in the juvenile justice system.

(e) *Meetings.*—The Committee shall meet at least six times a year, and at such other times as the chairman or a majority of the Committee deems appropriate.

#### PROGRAMS

SEC. 8. (a) *Data collection.*—The Institute shall collect, synthesize, and formulate into useful information all available data on juvenile justice and related matters.

(b) *Publications.*—The Institute from time to time shall compile and disseminate to appropriate Federal, State, local, and private agencies, through such publications (including a periodic journal) and other means as it determines appropriate, such information as it considers to be necessary or helpful

with respect to juvenile justice and related matters.

(c) *Model laws and minimum standards.*—The Institute shall make a full and complete investigation and study for the purpose of—

(1) preparing a comparison and analysis of State and Federal laws relating to juveniles and juvenile justice;

(2) preparing model laws and recommendations designed to effect a helpful and efficient system of juvenile justice; and

(3) preparing minimum standards with respect to the administrative structure, procedure, and operation of those agencies, institutions, and facilities operated in connection with juvenile justice programs and related matters.

In conducting such investigation and study the Institute shall cooperate with bar associations, Federal, State, and local agencies, and appropriate individuals and private agencies.

(d) *Certificate of accomplishment.*—Under such rules and regulations as the Executive Director shall establish, the Institute may from time to time issue a certificate of accomplishment to those Federal, State, local, and private agencies, institutions, and facilities involved with juvenile justice which meet such standards of proficiency and excellence as the Institute may establish.

(e) *Program evaluation and assistance.*—The Institute shall make available trained personnel to Federal, State, local, and private agencies for the purpose of evaluating juvenile justice programs and providing guidance and assistance in carrying out such programs.

(f) *Medium and long-term training courses.*—The Institute shall establish and conduct medium and long-term training courses in matters relating to juvenile justice for such executive and administrative personnel as it may deem appropriate, including community leaders, judges, referees, and persons responsible for programs relating to law enforcement, probation, correction, legal aid, and community based rehabilitation projects. In addition to such other courses of instruction as the Institute may deem appropriate, the curriculum shall include courses on operating methods, administration of juvenile courts and facilities, and procedures for the control and rehabilitation of juveniles who have committed criminal offenses.

(g) *Short-term regional training programs.*—The Institute shall conduct short-term regional training programs, work shops, and seminars with respect to all matters relating to juvenile justice for operating-level personnel employed by Federal, State, and local governments, and private agencies.

#### GRANTS

SEC. 9. (a) Generally.—Under such rules and regulations as it may establish, the Institute is authorized to make grants under this section to Federal, State, and local governments and private agencies whose programs or projects meet such standards and whose applications meet such requirements as the Institute may require.

(b) *Award by Directors.*—The Executive Director and the two Deputy Directors shall act as a review board in awarding grants under this section, and no grant shall be awarded unless a majority of such directors agree thereto.

(c) *Purposes for which grants may be made.*—Grants for the following purposes are authorized under this section:

(1) *Community residential facilities for juveniles.*—The Institute may make grants to aid any institution or facility which—

(A) is operated as a home substitute,

(B) provides supervision, guidance, or therapy,

(C) admits juveniles between the ages of 7 and 17, who are classified as truant, drug addicts or drug abusers, runaways, or ungovernable, and



(D) does not house more than 25 such juveniles. No grant under this paragraph shall be for an amount in excess of 66 per centum of the costs of maintenance, rental, staff, and auxiliary services under the project or program with respect to which such grant is made.

(2) *Programs to divert juveniles from the judicial process.*—The Institute may make grants to aid communities in establishing programs to which police agencies or courts may refer apprehended or pre-delinquent juveniles. No grant under this paragraph shall be for an amount in excess of 66 per centum of the costs of maintenance and staff of the project or program with respect to which such grant is made.

(3) *Community involvement programs.*—The Institute may make grants to aid in the establishment of local "volunteer corps" which provide effective community involvement to youths. No grant under this paragraph shall be for an amount in excess of 66 per centum of the costs of the salary and other expenses of a full-time staff worker for the project or program with respect to which such grant is made.

(4) *Legal representation.*—The Institute may make grants to assist in the formation of a trained corps of juvenile court attorneys if the program or project for which a grant is requested will—

(A) insure representation of not less than two-thirds of all juveniles appearing in the juvenile courts of the jurisdiction in which the corps is to be formed, and

(B) incorporate for the participating attorneys special training approved or conducted in conjunction with standards and policies established by the Institute.

with respect to any program or project for which a grant is made under this paragraph, the Institute shall conduct, within the twelve-month-period beginning on the date a grant is received under this paragraph, an evaluation of such program or project with special reference to such factors as the time of appointment of counsel, the degree of delay in effecting disposition of cases, the extent to which juveniles are accorded all legal rights in the trial process, the percentage of cases disposed of other than by plea, and the extent of counsels' involvement in detention hearings and disposition hearings. No grant under this paragraph shall be for an amount in excess of 50 per centum of the cost of the fees of the attorneys participating in the project or program with respect to which such grant is made.

(5) *Postgraduate legal training.*—The Institute may make grants for the purpose of aiding law schools in developing postgraduate legal training in programs in relating to juvenile justice if—

(A) such law schools submit an itemized plan with respect to courses, practical work, and the theory of such training,

(B) such training includes prosecution and defense techniques, and

(C) such training programs are designed to meet certain minimum standards established by the Institute in cooperation with participating law schools.

No grant under this paragraph shall be for an amount in excess of the total amount which represents 40 per centum of the costs for teachers' salaries, 50 per centum of the costs of all other expenses, and 60 per centum of the cost of fellowship stipends for study in the project or program with respect to which such grant is made.

(6) *Post-institutional education and employment.*—The Institute may make grants for education and training to youths leaving institutions to reenter the community and to youths on probation, if such programs are coordinated by public juvenile agencies in conjunction with private industry.

#### TRAINING

Sec. 10. (a) *Authorization.*—The Institute is authorized to make grants or contracts for

projects for the training of personnel employed in or preparing for employment in fields related to the diagnosis, treatment, or rehabilitation of youths who are delinquent or in danger of becoming delinquent, or for the counseling or instruction of parents in the improving or parental instruction and supervision of youths who are delinquent or in danger of becoming delinquent. Such projects shall include special programs which provide youths and adults with training for career opportunities, including new types of careers, in such fields. Such projects may include, among other things, development of courses of study and of interrelated curricula in schools, colleges, and universities, establishment of short-term institutes for training at such schools, colleges, and universities, in-service training, and traineeships with such stipends, including allowances for travel and subsistence expenses, as the Executive Director may determine to be necessary.

(b) *Recipients and conditions of grants and contracts.*—Such grants may be made to and such contracts may be made with any Federal, State, or local public or nonprofit private agency or organization; and to the extent it deems it appropriate, the Institute shall require the recipient of any such grant or contract to contribute money, facilities, or services for carrying out the projects for which the grant or contract is made.

#### APPROPRIATIONS AUTHORIZED

Sec. 11. For the purpose of carrying out this Act, there is authorized to be appropriated the sum of \$5,000,000 for the fiscal year ending June 30, 1971, \$10,000,000 for the fiscal year ending June 30, 1972, and \$15,000,000 for the fiscal year ending June 30, 1973.

#### SUPPLEMENTAL AIR CARRIERS AGAIN TO THE RESCUE

(Mr. LEGGETT asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous material.)

Mr. LEGGETT. Mr. Speaker, escalation of air fares over the past 2-year inflationary period has priced a large portion of the American public out of air travel. Look at the vacant hotels at Waikiki Beach—look at the tied up 747 aircraft—look at the vacant seats.

Unfortunately the airline solution to their \$100 million-plus deficit position is to further raise fares and the CAB has agreed. The CAB acknowledges that they may be compounding bad management.

The supplemental airlines operating with low overhead and cost effective runs have been in the past, an effective safety valve for the traveling plain John Doe to hedge against high-cost luxury regular flights. Our Department of Defense has also sought this refuge in time of need.

Now Australia and New Zealand are beginning to realize that they can use American supplemental carriers to expand their tourist trade without harming their scheduled flag carriers. Hopefully, they will make the necessary changes and other nations will follow them. Even more importantly, I hope we here will pass H.R. 2341, which will allow any group of 40 or more persons to band together for the purpose of charter air travel.

The greatest beneficiary of all this, of course, will be the air-traveling public.

At this point in the RECORD, I insert a pertinent editorial from the Australian Financial Review of April 15, 1971:

#### DOGS IN THE MANGER AND STABLE DOORS

Folk wisdom distilled in proverbs and fables seems best to sum up the technology-age controversy about Australia's air charter policy.

The would-be charter operators' picture of Australia is of the dog in the manger at an attractive tourist destination not making use of its possibilities and yet yapping at those who want to come in.

Qantas, solidly lined up with the Department of Civil Aviation on the other hand from time to time makes profound noises about keeping the stable door boited so the lucrative passenger-revenue horse will never be stolen.

The confrontation has therefore built up into the charter airlines on one side and Qantas-DCA on the other.

But while both these parties have a vested interest in the controversy, the ultimate deciders must be the benefit of the consumer—in this case the passenger-tourist—and that of the nation as a whole.

On these grounds, the defenders of Australia's anti-charter stables either need to put up more realistic arguments or climb down.

The pro-charter argument as put by World Airways Mr. Edward J. Daly and his group in Sydney is firstly that charters are the best way to increase tourist traffic—and tourism is good for our economy and our balance of payments.

Secondly, they claimed—and produced figures to demonstrate it—that charters do not divert traffic from the scheduled airlines, but airline growth continues.

On the face of these arguments, the World Airways application for 15 carefully defined charters to bring 2,500 professional-class American tourists to Australia seems reasonable if only that it shows a willingness to demonstrate under test conditions a reasoned exercise that would test the charter operators' assumptions.

On the two ultimate deciding points there can be little doubt where the verdict must go from the passengers' points of view.

The elasticity of tourist demand is such that a fare of less than \$400 return between the US and Australia must draw many times more traffic than either the \$1,000 normal fare or the \$750 excursion.

Similarly, anyone who offered a reputable fare of less than \$450 return between Australia and Europe, including Britain, would be trampled to death in the rush.

The national interest is more difficult to decide: the role of the scheduled airlines in Australia's development has been immense.

Some day a student will develop a thesis on the cultural and economic changes that occurred in this country as a result of the introduction of the jet plane and it would be surprising if more credit were not given to this advance than to the normal theory that migration alone internationalised Australia.

But with several flights a day now available either to Europe or to North America the case could be made that the scheduled carriers have fulfilled their pioneering role and their rate of growth should begin to level out.

A case can also be made out for the national need now to establish a supplemental capability—and this is the line the US has taken.

Our defence commitments, for instance, are going to require air lift capacity for everything from troop movement to air refuelling: it is not economic in a small country to allow the RAAF to acquire a fleet of gold-plated 707s to do this work when there is a chance it can be done profitably by an independent operator.

From the application by World Airways and to a lesser extent the moves by England's Laker and Australia's Sir Reginald Ansett, an important principle established by the scheduled airlines has emerged. This is what

Qantas and others call the "national entitlement."

It boils down to the fact that a national airline should be entitled to carry the equivalent of the traffic its country generates—both cargo and passenger.

The World Airways application is to bring from the US tourists, fly them to a gateway airport in Australia and New Zealand, then pick them up a few days later and fly them home again.

This is a clear American entitlement and the Americans, surely, have the right to say how they want to spend their own money, particularly when they want to spend it in Australia.

The converse of course is that the Australians who are now spending money with foreign carriers to fly at cut rates from foreign in South-East Asia to Europe should be spending this money with an Australian operator.

For one thing the scandal of impecunious Australians stranded at obscure airports in the region would not then happen.

Rather than let the sectional DCA-Qantas interest guard our tourist manager, the Government would be better advised to look at the whole picture.

It should do its best to encourage free and competitive entry by charter groups when a clear national entitlement exists, and to ensure that a similar organization is formed in this country to bring the benefits of true mass travel to Australians.

#### LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows to:

Mr. JONES of North Carolina (at the request of Mr. HAYS), for today, on account of official business.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. MONAGAN, for 30 minutes, on Monday, May 24, 1971; to revise and extend his remarks and to include extraneous matter.

Mr. YATES, for 30 minutes, today; to revise and extend his remarks and to include extraneous matter.

Mr. RYAN, for 30 minutes, today, to revise and extend his remarks and include extraneous matter.

(The following Member (at the request of Mr. SPENCE), to revise and extend his remarks and include extraneous matter:)

Mr. ASHBROOK, for 30 minutes, today.

(The following Members (at the request of Mr. JONES of Tennessee), to revise and extend their remarks and include extraneous matter:)

Mr. HENDERSON, for 5 minutes, today.

Mr. METCALFE, for 10 minutes, today.

Mr. ROSENTHAL, for 10 minutes, today.

Mr. JAMES V. STANTON, for 5 minutes, today.

Mr. GONZALEZ, for 10 minutes, today.

(The following Member (at the request of Mr. MIZELL,) to revise and extend her remarks and include extraneous matter:)

Mrs. HECKLER of Massachusetts, for 10 minutes, today.

#### EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. HAYS to extend his remarks in the Record and include a letter.

Mr. MADDEN, and to include extraneous matter.

(The following Members (at the request of Mr. SPENCE) and to include extraneous matter:)

Mr. PELLY.

Mr. ASHBROOK in two instances.

Mr. STEIGER of Wisconsin.

Mr. ARENDS.

Mr. LLOYD.

Mr. WHITEHURST.

Mr. STEIGER of Arizona.

Mr. WYMAN in two instances.

Mr. BURKE of Florida.

Mr. REID of New York in two instances.

Mr. SHRIVER in two instances.

Mr. MIZELL in three instances.

Mr. NELSEN.

Mr. WARE.

Mr. ROBISON of New York.

(The following Members (at the request of Mr. JONES of Tennessee) and to include extraneous matter:)

Mr. MURPHY of Illinois in five instances.

Mrs. HICKS of Massachusetts in two instances.

Mr. WILLIAM D. FORD in three instances.

Mr. MAZZOLI in two instances.

Mr. WALDIE in four instances.

Mr. CARNEY.

Mr. DOW in two instances.

Mr. HELSTOSKI in two instances.

Mr. JACOBS in three instances.

Mr. CONYERS in five instances.

Mr. GONZALEZ in three instances.

Mr. ANDERSON of California in two instances.

Mr. KYROS in two instances.

Mr. HARRINGTON.

#### ENROLLED BILLS SIGNED

Mr. HAYS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 5352. An act to amend the act to authorize appropriations for the fiscal year 1971 for certain maritime programs of the Department of Commerce.

H.R. 7500. An act to provide for the placement of Lt. Gen. Keith B. McCutcheon, U.S. Marine Corps, when retired, on the retired list in the grade of general.

#### SENATE ENROLLED JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to an enrolled joint resolution of the Senate of the following title:

S.J. Res. 100. Joint resolution to provide for an extension of section 10 of the Railway Labor Act with respect to the current railway labor-management dispute, and for other purposes.

#### ADJOURNMENT

Mr. JONES of Tennessee. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to accordingly (at 1 o'clock and 27 minutes p.m.) the House adjourned until tomorrow, Thursday, May 20, 1971, at 12 o'clock noon.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BRADEMAM: Committee on House Administration. House Concurrent Resolution 103. Concurrent resolution providing for the printing of the report entitled "Investigation and Hearing of Abuses in Federal Low- and Moderate-Income Housing Programs"; (Rept. 92-211). Ordered to be printed.

Mr. BRADEMAM: Committee on House Administration. House Concurrent Resolution 120. Concurrent resolution to authorize the printing of a Veterans' Benefits Calculator; with amendments (Rept. 92-212). Ordered to be printed.

Mr. BRADEMAM: Committee on House Administration. House Concurrent Resolution 206. Concurrent resolution to reprint brochure entitled "How Our Laws Are Made"; with amendments (Rept. 92-213). Ordered to be printed.

Mr. BRADEMAM: Committee on House Administration. House Concurrent Resolution 242. Concurrent resolution authorizing certain printing for the Committee on Veterans' Affairs; (Rept. 92-214). Ordered to be printed.

Mr. BRADEMAM: Committee on House Administration. Senate Concurrent Resolution 15. Concurrent resolution pertaining to the printing of additional copies of part I of the hearings before the Subcommittee on Criminal Laws and Procedures of the Committee on the Judiciary; (Rept. 92-215). Ordered to be printed.

Mr. BRADEMAM: Committee on House Administration. Senate Concurrent Resolution 18. Concurrent resolution authorizing the printing of additional copies of Senate Report 91-1548, entitled "Economics of Aging: Toward a Full Share in Abundance"; (Rept. No. 92-216). Ordered to be printed.

Mr. ANDERSON of Tennessee: Committee on Rules. House Resolution 155. Resolution creating a select committee of the House to conduct a full and complete investigation of all aspects of the energy resources of the United States; with an amendment (Rept. No. 92-217). Referred to the House Calendar.

Mr. MADDEN: Committee on Rules. House Resolution 164. Resolution establishing the Select Committee on Privacy, Human Values, and Democratic Institutions; with an amendment (Rept. No. 92-218). Referred to the House Calendar.

Mr. ANDERSON of Tennessee: Committee on Rules. House Resolution 415. Resolution authorizing the Committee on Post Office and Civil Service to conduct studies and investigations within its jurisdiction; with amendment (Rept. No. 92-219). Referred to the House Calendar.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO (for himself, Mr. CELLER, Mr. WYDLER, Mr. BRASCO, Mr. DELANEY, Mr. HALPERN, Mr. ROSENTHAL, Mr. THOMPSON of New Jersey, Mr. DANIELS of New Jersey, Mr. FRELINGHUYSEN, Mr. FORSYTHE, Mr. BADILLO, Mr. BIAGGI, Mr. CAREY of



New York, Mrs. CHISHOLM, Mr. DULSKI, Mr. LENT, Mr. PIKE, Mr. PODELL, Mr. SCHEUER, and Mr. WOLFF):

H.R. 8543. A bill to provide for the establishment of the Gateway National Recreation Area in the States of New York and New Jersey, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ANDERSON of California:

H.R. 8544. A bill to amend the Land and Water Conservation Act of 1965, as amended; to the Committee on Interior and Insular Affairs.

By Mr. ASPINALL (by request):

H.R. 8545. A bill to provide for payments to compensate county governments for the tax immunity of Federal lands within their boundaries; to the Committee on Interior and Insular Affairs.

H.R. 8546. A bill to amend the Recreation and Public Purposes Act of 1926, as amended, to provide for the sale or transfer of public lands to State and local governments for public purposes; to the Committee on Interior and Insular Affairs.

By Mr. CARNEY:

H.R. 8547. A bill to amend title 38 of the United States Code to increase the burial expense allowance for veterans to \$500, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. OELLER:

H.R. 8548. A bill to curtail the mailing of certain articles which present a hazard to postal employees or mail processing machines by imposing restrictions on certain advertising and promotional matter in the mails, and for other purposes; to the Committee on the Judiciary.

H.R. 8549. A bill to amend title 10, United States Code, to broaden the authority of the Secretaries of the military departments to settle certain admiralty claims administratively, and for other purposes; to the Committee on the Judiciary.

H.R. 8550. A bill to amend the Bail Reform Act of 1966 to authorize consideration of danger to the community in setting conditions of release, to authorize revocation of pretrial release for persons who violate their release conditions, intimidate witnesses or jurors, or commit new offenses, and for other purposes; to the Committee on the Judiciary.

By Mr. CLEVELAND:

H.R. 8551. A bill to amend chapter 73 of title 10, United States Code, to establish a survivor benefit plan; to the Committee on Armed Services.

By Mr. COLLIER:

H.R. 8552. A bill to authorize the appropriation of additional funds for cooperative forest management; to the Committee on Agriculture.

H.R. 8553. A bill to amend the Internal Revenue Code to encourage the development and utilization of methods and devices to convert coal and oil shale to low pollutant synthetic fuels by allowing rapid amortization of expenditures incurred in constructing facilities for such purposes; to the Committee on Ways and Means.

H.R. 8554. A bill to amend the Internal Revenue Code to encourage the abatement of water and air pollution by permitting rapid amortization of the entire cost of all qualified pollution abatement works; to the Committee on Ways and Means.

By Mr. DUNCAN:

H.R. 8555. A bill to prohibit display of the flags of the Vietcong and the Government of North Vietnam; to the Committee on the Judiciary.

H.R. 8556. A bill to amend the Internal Revenue Code of 1954 to encourage higher education, and particularly the private funding thereof, by authorizing a deduction from gross income of reasonable amounts contributed to a qualified higher education fund established by the taxpayer for the purpose of funding the higher education of his dependents; to the Committee on Ways and Means.

By Mr. FASCELL:

H.R. 8557. A bill to provide Federal assistance to State and local governments for the purpose of developing and improving communication procedures and facilities with respect to the prompt and efficient dispatch of police, fire, rescue, and other emergency services; to the Committee on the Judiciary.

By Mr. GONZALEZ:

H.R. 8558. A bill to amend the Internal Revenue Code of 1954 to provide that a family's homestead shall be exempt from levy for Federal taxes; to the Committee on Ways and Means.

H.R. 8559. A bill to establish a Small Tax Division within the Tax Court of the United States; to the Committee on Ways and Means.

By Mr. GUDE (for himself and Mr. HOGAN):

H.R. 8560. A bill establishing under the Secretary of Agriculture a 5-year research program seeking to control the gypsy moth, and for other purposes; to the Committee on Agriculture.

By Mr. HAYS:

H.R. 8561. A bill to further provide for the farmer-owned cooperative system of making credit available to farmers and ranchers and their cooperatives, for rural residences, and to associations and other entities upon which farming operations are dependent, to provide for an adequate and flexible flow of money into rural areas, and to modernize and consolidate existing farm credit law to meet current and future rural credit needs, and for other purposes; to the Committee on Agriculture.

By Mr. HÉBERT (for himself and Mr. ARENDS) (by request):

H.R. 8562. A bill to amend title 32, United States Code, relating to National Guard technicians; to the Committee on Armed Services.

By Mr. HENDERSON:

H.R. 8563. A bill to amend the act of August 13, 1946, to increase the Federal contribution to 90 percent of the cost of shore restoration and protection projects; to the Committee on Public Works.

By Mr. MELCHER (for himself, Mr. HUNGATE, and Mr. ZWACH):

H.R. 8564. A bill to protect producers' incomes when rebuilding reserve stocks of wheat or feed grains; to the Committee on Agriculture.

By Mr. METCALFE:

H.R. 8565. A bill to provide for inclusion of podiatric services among qualifying group practice facilities; to the Committee on Banking and Currency.

By Mr. MIKVA (for himself and Mr. KEATING):

H.R. 8566. A bill to carry out the recommendations of the Presidential Task Force on Women's Rights and Responsibilities, and for other purposes; to the Committee on the Judiciary.

By Mr. MOLLOHAN:

H.R. 8567. A bill to amend title 5, United States Code, to provide that individuals be appraised of records concerning them which are maintained by Government agencies; to the Committee on Government Operations.

H.R. 8568. A bill to provide increased unemployment compensation benefits for Vietnam era veterans; to the Committee on Ways and Means.

By Mr. PEPPER (for himself, Mr. BRASCO, Mr. MANN, Mr. MURPHY of Illinois, Mr. RANGEL, Mr. WALDIE, Mr. KEATING, Mr. SANDMAN, Mr. STEIGER of Arizona, Mr. WIGGINS, Mr. WINN, and Mr. McMILLAN):

H.R. 8569. A bill to make it unlawful in the District of Columbia to intentionally promote or facilitate illegal drug trafficking by possession, sale, or distribution, of certain paraphernalia, and further to make it unlawful for a person to possess an instrument or device for the purpose of unlawfully using a

controlled substance himself; to the Committee on the District of Columbia.

By Mr. PEPPER (for himself, Mr. WALDIE, Mr. BRASCO, Mr. MANN, Mr. MURPHY of Illinois, and Mr. RANGEL):

H.R. 8570. A bill to establish a juvenile research institute and training center; to the Committee on the Judiciary.

By Mr. PRICE of Illinois:

H.R. 8571. A bill to authorize the Secretary of the Interior to enlarge the Jefferson National Expansion Memorial National Historic Site, and for other purposes; to the Committee on House Administration.

By Mr. PODELL:

H.R. 8572. A bill to amend title 39, United States Code, to prohibit the mailing of unsolicited sample drug products and other potentially harmful items, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 8573. A bill to amend the Federal Water Pollution Control Act, as amended; to the Committee on Public Works.

H.R. 8574. A bill to amend the Internal Revenue Code of 1954 to permit the full deduction of medical expenses incurred for the care of individuals of 65 years of age and over, without regard to the 3-percent and 1-percent floors; to the Committee on Ways and Means.

By Mr. ROBINSON of Virginia:

H.R. 8575. A bill to encourage States to establish abandoned automobile removal programs and to provide for tax incentives for automobile scrap processing; to the Committee on Ways and Means.

By Mr. RYAN:

H.R. 8576. A bill to prohibit the introduction or delivery for introduction into commerce of the chemical compound known as polychlorinated biphenyl; to the Committee on Interstate and Foreign Commerce.

By Mr. SEBELIUS:

H.R. 8577. A bill to amend the Internal Revenue Code of 1954 to provide for the continuation of the investment credit for farmers and small businesses; to the Committee on Ways and Means.

By Mr. SHRIVER:

H.R. 8578. A bill to designate certain segments of the Interstate System as the "Dwight D. Eisenhower Highway"; to the Committee on Public Works.

By Mr. SISK:

H.R. 8579. A bill authorizing the residents of the District of Columbia to make known their preference on the question of home rule and, if they wish, to create a board for the purpose of preparing a municipal charter for submission to the voters and to Congress, and for other purposes; to the Committee on the District of Columbia.

By Mr. STEPHENS (for himself, Mr. WIDNALL, Mr. GETTYS, Mr. ANNUNZIO, Mr. CHAPPELL, Mr. REES, Mr. JOHNSON of Pennsylvania, Mr. BLACKBURN, Mr. WILLIAMS, Mr. LANDBUM, Mr. FLYNT, Mr. HAGAN, Mr. DAVIS of Georgia, Mr. BRINKLEY, Mr. STUCKEY, Mr. MATHIS of Georgia, Mr. THOMPSON of Georgia, Mr. CORMAN, and Mr. GOLDWATER):

H.R. 8580. A bill to authorize emergency loan guarantees to major business enterprises; to the Committee on Banking and Currency.

By Mr. WALDIE (for himself and Mr. HOWARD):

H.R. 8581. A bill to amend section 5545 of title 5, United States Code, to provide additional pay for certain hazardous duties performed by Federal employees; to the Committee on Post Office and Civil Service.

By Mr. WHALLEY:

H.R. 8582. A bill to amend title XVIII of the Social Security Act to provide payment for chiropractors' services under the program of supplementary medical insurance

benefits for the aged; to the Committee on Ways and Means.

By Mr. WHITEHURST:

H.R. 8583. A bill to amend title 10, United States Code, to provide for the rank of major general for the Chief of the Dental Service of the Air Force; to the Committee on Armed Services.

By Mr. WYATT:

H.R. 8584. A bill to provide for payment to the State of Oregon of amounts equal to the Federal taxes and customs duties which had been paid on certain alcoholic beverages destroyed on account of fire; to the Committee on the Judiciary.

By Mr. CONTE:

H.J. Res. 647. Joint resolution proposing an amendment to the Constitution of the United States with respect to the right of individuals to participate in religious services in public schools and buildings; to the Committee on the Judiciary.

By Mrs. HICKS of Massachusetts:

H.J. Res. 648. Joint resolution providing for the designation of the 18th day of May 1971 as "Boston Invitational Special Olympics Day"; to the Committee on the Judiciary.

By Mr. PELLY:

H.J. Res. 649. Joint resolution to protect U.S. fishermen, their vessels, and gear from unlawful harassment on the high seas adjacent to the territorial sea of the United States; to the Committee on Merchant Marine and Fisheries.

By Mr. TEAGUE of California:

H.J. Res. 650. Joint resolution to establish the Tule Elk National Wildlife Refuge; to the Committee on Merchant Marine and Fisheries.

By Mr. THOMPSON of Georgia (for himself, Mr. ABBITT, Mr. BROYHILL of Virginia, Mr. BUCHANAN, Mr. COLLINS of Texas, Mr. DUNCAN, Mr. FISHER, Mr. KUYKENDALL, Mr. MCCLURE, Mr. RARICK, Mr. SCHMITZ, Mr. SCOTT, and Mr. SIKES):

H.J. Res. 651. Joint resolution proposing an amendment to the Constitution of the United States relative to freedom from forced assignment to schools or jobs because of race, creed, or color; to the Committee on the Judiciary.

By Mr. HOLIFIELD:

H. Con. Res. 309. Concurrent resolution to provide for recognition of the 50th anniversary of the establishment of the General Accounting Office, and for other purposes; to the Committee on the Judiciary.

By Mr. O'HARA:

H. Con. Res. 310. Concurrent resolution calling for the humane treatment and release of U.S. prisoners of war held by North Vietnam and its allies in Southeast Asia, and for other purposes; to the Committee on Foreign Affairs.

By Mr. THOMPSON of New Jersey:

H. Con. Res. 311. Concurrent resolution calling for the humane treatment and release of U.S. prisoners of war held by North Viet-

nam and its allies in Southeast Asia, and for other purposes; to the Committee on Foreign Affairs.

By Mr. DEL CLAWSON:

H. Res. 448. Resolution commemorating the 50th anniversary of the incorporation of the city of Lynwood, Calif.; to the Committee on the Judiciary.

#### MEMORIALS

Under clause 4 of rule XXII,

179. Mr. RYAN presented a concurrent resolution of the Senate and Assembly of the State of New York, memorializing the President of the United States to immediately halt the use of the island of Culebra and its surrounding waters as a gunnery range or for military maneuvers; 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. DOW:

H.R. 8585. A bill for the relief of Giovanni Rossi; to the Committee on the Judiciary.

By Mr. TERRY:

H.R. 8586. A bill for the relief of the Seneca Foods Corp.; to the Committee on the Judiciary.

## SENATE—Wednesday, May 19, 1971

(Legislative day of Tuesday, May 18, 1971)

The Senate met at 8:30 a.m., on the expiration of the recess, and was called to order by the President pro tempore (Mr. ELLENDER).

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

O God, our Father, help us this new day to work faithfully and to work well.

Grant that we may never be content to render any service which is less than our best. Make and keep us kind and honest and just. Help us to learn from both opponents and proponents of the issues before this Chamber. Lead us into the clear knowledge of Thy will for the Nation and the world. When the way is strenuous and the labor burdensome, may our lives still glow with grace and goodness, until evening comes and we hear Thee say, "Well done."

We pray in the name of the Master whose ceaseless toil and sacrificial service brought a new radiance to the work of man. Amen.

#### MESSAGE FROM THE HOUSE RECEIVED DURING RECESS

Under authority of the order of the Senate of May 18, 1971, the Secretary of the Senate, on May 18, 1971, received the following message from the House of Representatives:

That the House had passed without amendment the joint resolution (S.J. Res. 100) to provide for an extension of section 10 of the Railway Labor Act with respect to the current railway labor-management dispute, and for other purposes.

#### ENROLLED JOINT RESOLUTION SIGNED

The message also announced that the speaker had affixed his signature to the following enrolled joint resolution:

S.J. Res. 100. A joint resolution to provide for an extension of section 10 of the Railway Labor Act with respect to the current railway labor-management dispute, and for other purposes.

Under authority of the order of the Senate of May 18, 1971, the President pro tempore signed the enrolled joint resolution (S.J. Res. 100).

#### THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Journal of the proceedings of Tuesday, May 18, 1971, be approved.

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

#### COMMITTEE MEETINGS DURING SENATE SESSION

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

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

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

The PRESIDENT pro tempore. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. PROXMIRE. Mr. President, I ask

unanimous consent that the order for the quorum call be rescinded.

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

#### TRANSACTION OF ROUTINE MORNING BUSINESS

The PRESIDENT pro tempore. Under the previous order there will now be a period for the transaction of routine morning business.

#### FEDERAL LOAN GUARANTEES

Mr. PROXMIRE. Mr. President, the proposal to guarantee \$250 million to the ailing Lockheed Aircraft Corp. represents a grave threat to our system of free competitive enterprise. The proposed legislation sets a dangerous precedent for our economy. It gives a signal to the business community that they need not worry about waste or inefficiency—that Uncle Sam will bail them out if they get into financial trouble provided that they are big enough.

If Federal loan guarantees are extended to other business firms, the Federal Government will soon be dominating business decisionmaking. It is indeed ironic that such a measure has been proposed by a supposedly conservative administration. At a recent conference of the prestigious business counsel—of course, this consists of top business leaders of our country—"universal opposition" was expressed on the proposed Lockheed bailout.

Recently an article in the Wall Street