

EXTENSIONS OF REMARKS

EMBARGO ON AMPHETAMINES SET UP VOLUNTARILY ON LONG ISLAND

HON. JAMES H. SCHEUER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 2, 1971

Mr. SCHEUER. Mr. Speaker, amphetamines are rapidly become leading drugs of abuse in this country. Over 8 billion dosage units of amphetamines are estimated to be produced each year, and half of these find their way into the illicit market. It is clear that the amphetamines have been treated with too little respect both by the public and the medical profession. There is a dangerous lack of appreciation for their potential for abuse and misuse, and far too little supervision and continuing assessment of the patient for whom the drug has been prescribed. Thousands of prescriptions are made for various cases of mild depression such as "housewife blues." In 1970, pharmacists filled more than 225 million prescriptions for mind-altering drugs, including amphetamines, a 37-percent increase over 1965. As a result, speed freaks are finding it increasingly easy to obtain and abuse amphetamines in the search for a new high.

Today's New York Times printed an article on the front page that gives rise to some hope for a solution to this problem. It reports an effort being made by physicians and pharmacists in Huntington, Long Island, to stop prescribing amphetamines except for the only two legitimate medical uses—narcolepsy and hyperkinetic behavior among children.

This voluntary halt to the overprescription of amphetamines is the kind of self-policing by the medical profession that we urgently need. State and county medical associations across the country must follow the lead of these doctors and pharmacists in New York, educating and disciplining their own members. If medical associations will not scrutinize the prescription practices of individual physicians, then the Federal Government must. It is my hope they will do it themselves.

The article follows:

EMBARGO ON AMPHETAMINES SET UP VOLUNTARILY ON LONG ISLAND

(By David A. Andelman)

HUNTINGTON, L.I., June 1.—More than half of the licensed physicians and pharmacists in the Town of Huntington have agreed voluntarily to stop prescribing and dispensing amphetamines except in two "medically required instances."

In what was described as the first such agreement in the country, 153 of the town's 240 licensed physicians and 27 of the 42 registered pharmacists agreed to stop prescribing and dispensing amphetamines except in the case of narcolepsy and hyperkinesis, two diseases for which the drug is the recognized treatment.

Narcolepsy is a disease in which the patient is incapable of staying awake and hyperkinesis is an extensive overactivity in small children. In both cases, amphetamines are

the "indicated drug of choice," or preferable treatment.

"To such other actions as drug prevention and drug cure must be added drug withdrawal," Dr. Milton Gordon, chairman of the Suffolk County Medical Society narcotics task force that assisted the Huntington Narcotics Guidance Council in implementing the program, said at a news conference today.

Dr. Gordon said that there had been widespread abuse of amphetamines, particularly in the treatment of obesity and depression, sometimes known as "housewife blues."

"There are far better alternative methods of treatment of both conditions," he said, "and amphetamines have no place in this treatment."

REASON FOR PROGRAM

He said that it was felt by residents of the area and the physicians who participated in the program that it was "necessary to crack the drug sequence for all members of the community—that euphoria is possible in America today without the use of drugs."

Dr. Melville Rosen, past president of the Suffolk County Medical Society, told the news conference that the 153 physicians who agreed to the embargo represent "nearly 90 percent of those physicians in the township who might regularly prescribe amphetamines."

Those who did not return the pledge statements, he said, generally through oversight, consisted largely of specialists such as anesthesiologists and dermatologists who would not normally prescribe the drugs.

Nine refused to sign the pledge, saying that they wished to "retain the freedom to judge each patient individually and prescribe the drug indicated," as one dissenting physician wrote.

An official of the American Medical Association said that the only other case on record of a similar embargo was a resolution passed last December by the Utah State Medical Association recommending that "physicians be asked to refrain from prescribing amphetamines or similar drugs for the treatment of obesity."

AMA ACTION POSSIBLE

An A.M.A. spokesman said that his group had taken no official stand on the merits of a voluntary embargo but that the issue might be raised at the annual meeting of the House of Delegates of the A.M.A. later this month.

"On the one hand, people here say that any drug, even if it has a limited value, should be available to licensed physicians," the spokesman said in a telephone interview from Chicago. "On the other hand, physicians should continue to re-evaluate and re-examine their need for such drugs."

A spokesman for the Federal Food and Drug Administration said in Washington that his agency had "no comment" on the Huntington plan, since it did not wish to become involved in the question of what drugs physicians could or could not prescribe.

SEEKS STATEWIDE EMBARGO

"The effect of this embargo will be favorable for the physician as well as the patient," said Dr. Rosen. "Too often, we, the physician, have taken the easy way out in cases of obesity or depression. We have said, 'Here is a pill,' when we should have sat down with the patient and gotten to the root of the problem."

Officials of the sponsoring Drug Council said they hoped to extend the pledge to all physicians in Suffolk County and to contact all 300 other drug councils in the state to gain a statewide embargo.

"By example we hope also eventually to

make this a nationwide movement," said Arthur Goldstein, chairman of the Narcotics Council. "This is a nationwide problem, although we certainly must start locally."

He said the number of users of amphetamines in Huntington or in the county was not known since prescriptions are often circulated to many individuals other than the one to whom they were issued. He added, however, that 40 amphetamine pills for each man, woman and child in the country were produced by legitimate drug companies each year.

Last Wednesday the Justice Department took the first steps toward placing a production quota on amphetamines by drug companies.

"But these quotas will be set on the basis of how much is actually prescribed by legitimate physicians," Mr. Goldstein said. "Voluntary programs will cut down the base they use in determining production and will further limit the supply available."

"If we want to convince our children not to use drugs," he said, "then we must be prepared to set an example and show that we adults are not dependent on them for our everyday existence."

TAX REVOLT GAINING STEAM

HON. ANCHER NELSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 2, 1971

Mr. NELSEN. Mr. Speaker, John Weber, publisher of the Murray County Herald, recently devoted an editorial to the revolt against taxes that has been sweeping across our State of Minnesota. Mr. Weber is not exaggerating, and his warning has applicability to those who control the Federal purse as well as those in charge of State spending. I include his editorial at this point in my remarks:

TAX REVOLT NO LONGER JUST A POSSIBILITY

Anyone—lawmaker, taxpayer, property owner, newsman or housewife—who thinks stories of a tax revolt in this state are being exaggerated by the media had better start looking at the state of the state from a more realistic angle. A state-wide demand is obvious, calling for a ceiling on real estate tax levies and a limit on spending at every level—state, municipal, township and school district.

Never in our time has such public interest been so apparent. Tax meetings, with no formal program, draw a full house no matter when or where they are held. The property owners, in short, have had it.

Charles Stone, Executive Director of the Minnesota Taxpayers Association, recently said that the taxpayers sentiment is coming through "loud and clear" to members of the legislature. Unfortunately it doesn't seem to be coming through quite as distinctly to Gov. Wendell Anderson.

Stone analyzes the situation as a state-wide feeling that taxes across the board are high enough or too high at present levels. Additional increases will not be accepted. The public feeling seems to be that tax levy limitations should be imposed on counties, cities, villages, school districts and the state itself.

The Herald is in complete accord with this position. Farmers and small businessmen in our area can no longer afford to watch the

cost of government continue to spiral at their expense. Public interest in this problem has been made quite clear through the attendance of capacity crowds at meetings throughout the state, including the one in Slayton Monday night.

One main hope is that the problem can be resolved through legislative action, and not through a "tax strike." Withholding of tax money should not be necessary if the people in public office are responsive to the moods of the voters who put them there.

Apparently the least understanding of the echelon in state administration is the governor himself. He's the gentleman who promised us lower taxes in September and came up with a budget calling for an increase of about \$700 million in January.

The state treasury isn't a bottomless well. Money, unfortunately, doesn't grow on trees. And the taxpaying public isn't dumb enough to believe that anyone can boost a budget that much without a lot of little people being bitten in their bankbook.

INTERNATIONAL MONETARY CRISIS

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 2, 1971

Mr. WALDIE. Mr. Speaker, I would like to refocus the attention of my colleagues on the events relating to the international monetary crisis that occurred earlier this month. The fundamental problems that gave rise to the initial monetary crisis have been in the making for a number of years. More events and changes will undoubtedly occur in the rapid pace of world affairs.

I am submitting a letter from Mr. William R. Meagher, a teacher from Walnut Creek, Calif. Mr. Meagher has been acutely observing the international monetary system for a number of years, especially as it relates to the dollar economy here in the United States. Mr. Meagher outlines some of the causal factors that gave rise to the present situation, he also offers some commonsense suggestions that would in his opinion, substantially diminish the major stress factors on the U.S. dollar.

Mr. Speaker, the Members of this House can utilize, as guide points, the fundamental ideas expressed in this letter to strengthen the American dollar and improve the Nation's welfare:

WALNUT CREEK, CALIF.,

May 6, 1971.

HON. JEROME R. WALDIE,
U.S. House Office Building,
Washington, D.C.

DEAR CONGRESSMAN WALDIE: The United States, and its taxpayers, and the U.S. Treasury, have been facing continual times of gold drain loss, and continuous assaults on the price and the value of the U.S. dollar (i.e. Charles De Gaulle), since the days of the then President Johnson and before.

The prime objective, as indicated by the German mark versus the U.S. dollar versus the U.S. dollar being allowed to free-float, is on the part of self-interested speculators to make a quick buck on the fact that the U.S. dollar is in surplus supply in Europe, and the U.S. dollar is thus in a very weakened condition in Europe.

There are many dollar and gold speculators throughout the world that would like to see

the U.S. be forced into increasing the world price of gold upwards from the U.S. official rate of \$35 per ounce. This act would in effect devalue or reduce the worth of the U.S. dollar, and reduce the value of every dollar a U.S. worker takes home; not to mention the monetary effect upon those persons attempting to live on fixed incomes or pensions.

The secondary results of any U.S. devaluation of its currency would be to raise the price of all U.S. exports into a very hotly competitive world market place.

The third effect of a U.S. devaluation of its currency would be to increase the U.S. inflation rate.

The best economic policy for the U.S. seems to allow Germany, Japan, and other countries, to either continue a free-floating, day-to-day fluctuation of the currency to the U.S. dollar, or to allow Germany and other nations to revalue their currency upwards in relation to the U.S. dollar.

German revaluation of their mark means fewer German marks for each U.S. dollar. This in turn will force Germany to raise the prices of their exported products to other countries, which will be more competitive with U.S. world exports. For example, during the last several years German and Japanese steel and steel products have been cheaper to import and sell in the U.S. than the same U.S. steel products. Also, Volkswagens and Toyotas have cut into the U.S. auto producers domestic car market.

During previous years, during stressful times of U.S. dollar attack, I have thoroughly believed, but never stated to any U.S. politician, having political power and leverage, that the U.S. should cut its U.S. military forces, bases and dependents in both Germany and Japan by half the first year and then phase this down to one quarter or so the second year. Both Germany and Japan have received huge, generous taxpayer monies in the form of both economic and military aid and support since the end of World War II. Both Germany and Japan do not need U.S. economic aid from the U.S. because both nations are becoming affluent countries, with a greater rate of economic progress per year than that of the U.S. home economy. Germany and Japan have had, and still have, huge U.S. Army, Air Force, and Naval Bases constructed with U.S. taxpayers dollars. These bases are stocked with costly U.S. military hardware, have large native, civilian payrolls paid by U.S. money, and all are maintained by the U.S. tax dollars of U.S. taxpayers. It is high time indeed, that both Germany and Japan start putting up at least a matching amount of their own taxpayers money to just support half-way the amount of money that the U.S. has already spent, and is presently spending in giving U.S. military support, (and U.S. military men's lives in any future conflict), to both these countries against any nation which would attack either of them.

Let me point out here that I am not a Pacifist, although I believe in peace 100%; nor am I against the U.S. military complex, since the best U.S. defense is a strong offensive force at all times; nor am I an Isolationist, since the U.S. does need S.A.C. and Naval bases.

German revaluation of its mark (fewer German marks for each U.S. dollar) will force Germany (ditto Japan or any other country) to raise the prices of their exported products to other countries, and their prices on manufactured goods will then be more competitive with U.S. manufactured world exports. For example, during the last several years Germany and Japan have been winning the economic war in a war they probably never could have by winning World War II.

Let's face the nitty gritty that the U.S. has not only rebuilt our defeated World War II enemies of Germany, Japan and Italy, but

that the U.S. rebuilt these countries through the Marshall Plan by General George Marshall and Harry Truman. Through the Marshall Plan these countries obtained U.S. taxpayer dollars to plan, build and begin operation of better and more modern industrial plants than those existing in the U.S. at that time. For example, Armco Steel Co. in Middletown, Ohio sent engineers to both Germany and Italy to supervise the planning and building of more modern and efficient continuous rolling strip steel mills than those in the U.S. These same foreign steel plants then turned around, and competitively undersold U.S. produced steel; thus invading the U.S. domestic steel market. This manufacturing reality was accomplished not only by more modern, efficient foreign steel plants, but also by cheaper labor costs in Germany, Italy, and Japan. This has been a detriment not only to U.S. steel plant sales and products, but also to the U.S. hard hat steel plant worker. The U.S. steel plant worker found out that he worked less time and therefore earned less money in wages due to more and more steel imports from Germany and Japan entering into the U.S. at less cost than U.S. steel and steel product costs and prices (foreign steel cost less in the U.S. even despite the costs of loading, shipping across the Atlantic or the Pacific, and unloading and distribution to steel users in the U.S.).

As a teacher, and armchair traveler throughout the world, I often speculate on the thousands, if not millions of U.S. taxpayers dollars spent by the U.S. military establishment in Germany, Japan, Spain and other countries; let alone the cost of servicemen and their dependents in those countries.

Furthermore, just think of the U.S. taxpayer dollars spent monthly in Germany, Spain, Japan and other countries for the establishment, maintenance and salaries by the U.S. Office of Education's Office of Overseas Education Schools for the U.S. instruction of the children of U.S. military and civilian adults overseas. I realize that Overseas Schools are for the benefit of U.S. children in other countries education-wise. I realize also that poorly paid U.S. teachers who wish to be able to both teach and travel cheaply throughout the world have the opportunity to do so—however, consider the cost factor of the U.S. Overseas educational operation format!

Therefore, the following, tentative conclusions of an amateur, speculative economist and self-styled international monetary semi-expert:

I. The U.S. should diplomatically state to both Germany and Japan, as affluent nations, with Japan having the world's third highest Gross National Product and Germany having the world's fourth highest GNP, that they shoulder one-half, or more, of the present U.S. cost of keeping a U.S. military establishment in their respective countries to protect them from all other possible foreign enemies—or else the U.S. will pull one-half of its military establishment out of Germany and Japan, and station these men and equipment in the U.S. (with their dollar spending, military spending, and civilian payroll spent in the good, old U.S.A.). This would be with the understanding that the U.S. could, and would, Jet Transport, (providing fiscally responsible Lockheed Aircraft Corporation ever gets the Tristar Jet engine, from Rolls Royce of England, C5A Liolairbus Super-transport developed, tested, off the ground, and delivered—if Lockheed doesn't get the jet engine, it will have the largest glider in the world for the Jolly Green Giant), a division or so of U.S. military men and equipment to any treaty country under imminent attack by any other country or set of countries—within twenty-four to forty-eight hours.

II. Don't allow the U.S. Government to chicken-out because of world monetary and/or world speculation on the U.S. dollar by:

(1) U.S. increasing its gold price; which

would aid France (waiting and hoarding its gold), or Russia, South Africa and other major producers of raw gold). (2) Devaluation of the value of the U.S. dollar (which has a relationship to the U.S. price of gold), which has already been devaluated by galloping inflation over the last six years or more. (3) Raising U.S. interest rate to attract U.S. dollars back to the U.S., which is what some gold speculators, Mark speculators, and Bankers hope for. The U.S. taxpayer has already gone through the "push-pull factor," and through the high-rise interest rates under President Nixon (I voted for both of you as my selected, best, potential representatives), who in the last two years has tried the economic strategy of raising interest rates in order to do battle in an attempt to cut the rate of U.S. inflation—ending up with a high interest rate on money, cooling off the U.S. economy, continued inflation and a new trend toward greater U.S. unemployment.

III. Let Germany, Switzerland, Holland, Belgium and Austria increase the value of its currency in relationship to the U.S. dollar, or for each \$100 U.S. Thus, Germany and other countries will in effect also increase the prices to the world on its world exports—while lowering the world price of U.S. exports—while increasing the price tag on German products (Volkswagens, Mercedes, and Porsches) sold in the U.S.A. Late Sunday News, 11 P.M. Pacific Daylight Time, stated Germany, and several other European nations, had revalued their currency upwards in relation to the U.S. dollar.

IV. Don't panic U.S.A.—don't pull the chain! Play it cool, hang-loose, get all the facts possible, reach several well thought-out conclusions, and after considerable time of political-economic dialogue relating to the welfare of the people of the U.S. Let the U.S. government consider and then choose the best possible monetary solution(s), or as Socrates and Plato would say, "the Truth" or the "Golden Mean." The best course of the U.S. may be to let foreign currencies rise and fall and fluctuate in relation to the U.S. dollar—for the U.S. dollar, if intelligently safeguarded will continue to be the standard for world currencies; and those countries now raising the value of their currency will be forced to lower their currency in the future time when, and if, the U.S. dollar can be strengthened, and its demand is in greater demand than its supply.

Sincerely thanks,

WILLIAM R. MEAGHER.

SALT AND SOVIET SEA POWER

HON. JOHN G. SCHMITZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 2, 1971

Mr. SCHMITZ. Mr. Speaker, a column in the Washington Star of May 24, this year, written by Richard Wilson deals with possible U.S. complacency developing from the fact that we are talking with Soviet negotiators at the Strategic Arms Limitation Talks. In this connection Mr. Wilson mentions the recent appearance of Adm. Hyman G. Rickover before the Joint Committee on Atomic Energy.

I would like to insert into the RECORD at this point both the Wilson column and a portion of Admiral Rickover's testimony before the Joint Committee which deals with the Soviet threat.

While reading this material concerning the rapid deterioration of our objec-

tive capability to forestall Soviet military advance it might be well to keep in mind the following point made in a study prepared by the Pepperdine Research Institute:

One common element among dictatorships, and particularly those ruled by a mixed directorate, is the contention of the various factions for the power to establish themselves permanently. In addition, bureaucratic states offer little chance for ambitious men to advance themselves, except through government channels. As promotion is slow in a peace time army, promotion is slow in a stable and static dictatorship. There is therefore pressure for expansion from within the ruling class, or, rather from the more ambitious—and usually more able—members of it. Expansion means multiplication of jobs, opportunities for advancement, and chances to win distinction.

Let us further assume that there is a "cautious" element within the ruling directorate, and an "adventurous" element. The adventurers are continually advocating some kind of expansionist move, whether in the name of ideological drives, or merely to secure opportunity for promotion. The cautious elements drag their feet, refuse to allow the move; but as the pressure builds, eventually allow some kind of probe. If the results of that probe are painful to the directorate, the influence of the adventurers will correspondingly decrease; but suppose that the results are rewarding? It is obvious that the adventurers will not only have increased their influence, but may well have won converts to their cause. *Over a period of time, a record of successful aggression will provide the motivation for further aggression.*

Thus, whether one conceives the Soviet Union to be a state ruled by communists dedicated to world conquest, or merely ruled by a group of tough minded functionaries, unpunished aggression will provide motives for future expansionism. The ideology of communism, unlike Western Liberalism, provide the adventurers within the Soviet Union with a perfect rationale for imperialism; and it is not necessary to believe the slogans of Marxism to make use of them. To the Western citizen, imperial rule or colonial rule is evil *per se*, and to be avoided because of the moral corruption involved. Whatever ideology rules Russia, that philosophy has no part in it. The official line is that the entire earth would be better off under communism; and Russia has been an empire ruled by a racial minority for hundreds of years, so that neither history nor the official philosophy provides the slightest discouragement to adventurism. Expansion may be avoided because it is dangerous, or too much trouble, or has insufficient return for the risks involved; but it will not be avoided simply because it is seen to be wrong.

CONCLUSION

For purposes of this analysis, we conclude that the Soviet Union is a dictatorship with an officially expansionist ideology will act to fill any political vacuum it safely may; that elements within the Soviet Union will act to create these vacuums whenever possible; and that each successful or unpunished act of aggression will encourage future actions of the same kind.

We further assume that there are at least some dedicated communists within the Soviet hierarchy, and that they will continually urge the other members of the ruling directorate toward expansionism and aggression. Some will also urge preparation for world domination through elimination of the United States.

We finally conclude that if the opportunity completely to eliminate the United States with impunity to Russia is ever presented to the Soviet ruling directorate, there will certainly be members of the directorate who will speak in favor of grasping the oppor-

tunity. There is no official reason why they should not do so; and if no other positive reason than the splendid opportunities for advancement present if the U.S. were eliminated were present, this would be sufficient. We cannot, of course, conclude that the rulers of the Soviet Union would act upon this advice; but we find few reasons, other than the risk inherent in such an adventure, which would dissuade them from doing so.

It cannot too often be repeated that according to the official state ideology, communism must sweep the world; morality is defined in terms of the aid an action gives to the world revolution; and a man is considered to be morally evil if he overlooks an opportunity to advance the cause. To the extent that sentiment dissuades normal human beings from engaging in the mass slaughter of other human beings, this is officially denounced as "bourgeois sentimentality." It is, of course, true, that normal human sentiments are unlikely to be completely shed in a generation. It is also true that the official policy of the Soviet state is to rid the Party of their last vestiges.

To the extent that official doctrine influences Soviet behavior, then, the Soviet Union is expansionist, although prepared to wait when risks are high. There are no official motives for *not* seizing an opportunity for further acquisition of territory or satellites. Unlike Western society, the Soviet doctrine of just war does not require provocation.

The Wilson column from the Washington Star of May 24, 1971, a portion of the Joint Committee on Atomic Energy's foreword to the Rickover testimony, and an extract from Admiral Rickover's testimony before this committee on March 10, 1971, follow:

RISK OF U.S. COMPLACENCY DURING ARMS TALKS

(By Richard Wilson)

Some substantial risks, no less grave for having been calculated in advance, are being taken by the Nixon administration in its agreement with Russia on nuclear arms limitation.

This is not an agreement in substance—the deadlock still exists on substantive matters—but only an agreement to begin moving again.

The risk is that this agreement to start moving again will lull official and public opinion into believing that an agreement of substance is imminent and therefore the U.S. nuclear program can continue its lagging pace without danger while the Russians achieve effective nuclear superiority.

President Nixon evidently has full confidence in U.S. strategic estimates that in the year or so while discussions on an ABM agreement go ahead the Russians cannot build sufficient additional strength to make any difference in the nuclear balance. If we permit them to get ahead of us it will be our own fault, and not the fault of the renewed nuclear arms talks. Both sides are going ahead with their own programs regardless of the talks.

This may be reassuring so far as Nixon and high administration officials are concerned, but it is not reassuring where congressional and public opinion is involved. Few wish to think about or talk about or even acknowledge the stark truth of Russia's spectacular gains in nuclear strength while the U.S. lost its way in the Vietnam war and became convulsed in doubt, uncertainty and turmoil.

Reading the just-published report of the Joint Committee on Atomic Energy adds nothing to confidence in strategic estimates that the U.S. is or will long remain in a secure nuclear position.

It is hard to see how apprehension can

be dismissed out of hand because the Russians now are willing to talk a little more and maybe even make an agreement, since they know for certain that in a very short time they will have the necessary superiority for nuclear blackmail.

This much can be said: It probably doesn't make any difference whether an agreement is made or not because the Soviet Union will achieve superiority, and perhaps even the dreaded "first strike" capability, anyway.

For example, the Joint Committee on Atomic Energy confirms the judgment of Vice Adm. H. G. Rickover that the Russians now have more nuclear submarines in operation than does the U.S. and are building three times as many new ones as we are.

We have relied so long on the idea that the Polaris-type nuclear-missile-firing submarines give us a unique margin of safety, that it is now a shock to see this margin dwindling toward the vanishing point as Russian subs patrol both coasts of the United States, "presumably with each ship's battery of 16 missiles targeted on our cities."

Alarmist talk? No. Confirmed fact. Other confirmed facts: The Russians have far outstripped us in deployed land-based intercontinental ballistic missiles. Their hitting power is greater than ours. We rely most for our numerical margin in numbers of missiles on bomber-carried nuclear weapons in an era when we have learned in Vietnam the lethal power of the most effective anti-aircraft defense the world has ever seen.

So we ought to pray a little for Nixon as he takes his risks. But we ought to pray more that the realization will finally dawn on the general run of Congress and the public that we are getting into a bad nuclear fix and that it is a matter of the utmost seriousness. That is all the more reason, of course, to try to move toward nuclear arms limitation. And it is all the more reason that while doing so we should not be lulled into a fatal sense of security.

Says the Joint Committee on Atomic Energy, in summary:

"It must be made clear to every American that the United States no longer has a nuclear weapons capability superior to that of the Soviets.

"Therefore, the United States cannot resort to nuclear retaliation over any issue for which we are not willing to risk our own annihilation.

"This situation dictates that we must maintain sufficient non-nuclear forces to provide a credible deterrent to lesser conflicts. It must be recognized that if we do not provide our Navy with the kinds of warships which can successfully counter the rapidly expanding Soviet naval threat, the United States will not have a credible capability to conduct overseas military operations by any of the services in any area where the Soviets choose to exercise their naval power."

Extract from foreword of Joint Committee on Atomic Energy to testimony of Vice Adm. H. G. Rickover before the committee on March 10, 1971:

SOVIET NAVAL THREAT

It is clear from Admiral Rickover's classified testimony and the testimony of other Department of Defense, Navy, and Central Intelligence Agency officials to this and other committees of Congress that the Soviet Union is embarked on a program which reveals a singular awareness of the importance of seapower and an unmistakable resolve to become the most powerful maritime force in the world. They demonstrate a thorough understanding of the basic elements of seapower: knowledge of the seas, a strong modern merchant marine, and a powerful new navy. They are surging forward with a naval and maritime program which they themselves openly state is designed to make the Soviet Union second to none in and on

the oceans of the world. (See app. 8, p. 190, for an overall assessment of the military posture of the United States, prepared by the Chairman of the Joint Chiefs of Staff. Also see app. 9, p. 229 for a special report on "The Shifting Balance of Military Power" by seven members of the Blue Ribbon Defense Panel appointed by the President and the Secretary of Defense in July 1969. This report has particular significance since it was prepared by a group of experienced civilians, none of whom work for the Defense Department but all of whom by Presidential direction had access to all information available to the Department of Defense. The preface of the report states that it "deals with the balance of strategic military power at a time when the convergence of a number of trends indicates a shifting of this balance against the United States. In the course of the Panel's study during the past year, it became increasingly clear to the undersigned that if these observable trends continue the United States will become a second-rate power incapable of assuring the future security and freedom of its people.")

The Soviet Navy has undergone continuing modernization, including the building of missile-armed cruisers, helicopter carriers, and many new classes of nuclear and conventional submarines. As a result, the Soviet Navy has become a fleet capable of sustained open ocean operations. For the first time in its history, the Soviet Union is using deployed naval forces in support of foreign policy in many areas not contiguous to its own borders. They are now operating on a sustained basis in the Mediterranean and the Indian Ocean, and periodically in the Caribbean and the Gulf of Mexico.

In the last 5 years the Soviets have built over twice as many combatant ships as the United States. Today they have 214 major surface warships having an average age of only 10 years. There has been a marked trend in Soviet surface ship development away from small defensive ships to larger more capable weapons platforms. Today the United States has 249 major surface warships having an average age of 16 years, and over half of these are 20 years old or older. In the last 5 years there has been an almost 25-percent reduction in the number of major surface warships in the U.S. fleet. On a ship-for-ship basis many of the Soviet combatants are today faster, more modern, and more heavily armed than U.S. counterparts. In addition, a large number of their major surface combatants and almost half their minor surface combatants have antiship cruise missiles that, together with the Soviet cruise missile and attack submarines, represent a serious threat to our Navy and merchant marine.

SOVIET SUBMARINE THREAT

Of particular concern to the committee is the confirmation in this testimony that the Soviet submarine effort has intensified in the last year, and that they now have more nuclear submarines in operation than does the United States. Further, the Soviets are building more than three times as many new nuclear submarines per year as we are.

It is evident that the Soviets continue to apply tremendous resources to submarine design, construction, and operation. The Soviet submarine force now in existence and that being built today constitutes the major challenge to our use of the seas.

According to unclassified data, the Soviets now have a versatile force of over 235 attack submarines, 65 antiship cruise missile firing submarines, and 50 ballistic missile firing submarines. They have a total force level of 355 submarines, all built since World War II. More than 92 of these are nuclear powered. The United States has 101 attack submarines and 41 ballistic missile firing submarines; we have no submarines capable of firing cruise missiles. The total U.S. force level is

142 submarines, 92 of which are nuclear powered and the remainder are diesel powered. Most of the diesel units are of World War II vintage. Thus, in total, the Soviets have nearly three times as many submarines in operation as does the United States.

As Admiral Rickover has predicted for several years would happen, and as the committee has reported in its previous publications would happen, the Soviets have now surpassed the United States in numbers of nuclear submarines. Last year they put to sea 15 nuclear-powered submarines while we produced only five. They are yearly out-producing us by a rate of 4 to 1. They are judged to be capable of producing some 20 submarines a year with current facilities and workforce, and many more than this if they utilize their shipyards around the clock. Considering the large disparity in our nuclear submarine construction programs, it is obvious that the United States will experience a growing nuclear submarine deficit for years to come.

Admiral Rickover has not only told us what would happen, but what has happened. It is unfortunate for the security and the survivability of our country that Defense Department officials continue not to heed his accurate predictions.

In the case of ballistic missile submarines, the Soviets have assigned top priority to surpassing our U.S. Polaris fleet. They are concentrating on building nuclear-powered submarines similar to our Polaris types at a rate which will equal our fleet of 41 by 1974. At least 17 of these submarines are now operating at sea, with 15 or more under construction. This class of submarines is being built at a rate of at least eight per year. We know they are patrolling in areas off both coasts of the United States, presumably with each ship's battery of 16 missiles targeted on our cities.

The Soviets have in the last 3 years introduced many classes of new design nuclear submarines having a wide variety of capabilities. They have made large-scale commitments to submarine design, development, and construction that far surpass our efforts. All of their submarines have been credited with a high-speed capability. In other critical submarine characteristics such as reliability, weapons, and quietness of operation, the Soviets are well on their way to attaining equality with the United States and in some cases they may have already attained superiority. Further the quality of future Soviet nuclear submarines can be expected to continue to improve as a result of the large technical resources and high priority assigned to their nuclear submarine program.

SOVIET NAVAL THREAT

Admiral Rickover. I would now like to move on to a discussion of the Soviet naval threat. Last year I gave this committee an ominous assessment of what the Soviets were doing in the naval field. I stated that based on the facts available to me the Soviets were capable of starting the biggest war there has ever been and that I was not confident the outcome of such a war would be in our favor. That statement was mentioned several times in the press as if I were saying something new and inflammatory.

UNITED STATES DECLINES AS NAVAL POWER

What this committee and the American people must realize is that I am not overstating the situation. In almost all respects the position of the United States as a naval and maritime power has continued to decline from what it was a year ago. The United States is weaker, and our weakness is the world's danger.

I firmly believe that no overoptimism must be allowed to emerge when we are discussing matters affecting our Nation's survival. We must always be supported by the straitjacket of realism. Throughout U.S. history, bright

tags and slogans have too often led to complacency and the blurring of issues.

What in the past may have appeared to be speculation as to the true intent of the Soviet Union with regards to their naval program, is now obvious in many areas of the world. I think it would be worthwhile for me to review this aspect in some detail and at the same time cover the specific advances they have made in their naval forces since I last appeared before you. I will also discuss briefly new developments in Communist China's Navy.

SOVIETS NOW A STRONG NAVAL AND MARITIME POWER

I think it is well recognized that the international environment facing the United States has changed markedly within the last several years. One of the most significant developments contributing to this change is the rapid growth of the Soviet Union into a major naval and maritime power capable of projecting its influence over the oceans of the world. The Russians have a long naval history going back before that of the United States. However, their naval development took a turn for the worse as a result of the Crimean War in 1854, and their navy remained somewhat impotent due to the Russian revolution and World War II. Following victory over Germany, major efforts were carried out to strengthen and improve the Soviet Navy for the purpose of defending the motherland. As a traditional landpower, this defensive naval policy prevailed until the Soviet Union came of age as a modern international power.

I am convinced that a significant turning point came in 1962, as a result of the Cuban missile crisis. The Soviets recognized that their navy was not capable of supporting their foreign policy, and they determined it would never happen again. I believe it was then they decided to slow down their moon race and instead assign national priority to their naval program. With the disciplined society they have their vast national resources can be redirected quickly once the basic decision to do so is made by their leaders. They do not have to satisfy public opinion before they reorder their priorities. Controlling almost all aspects of Russian life, the Soviet rulers can support a program even to the point of dictating the education and subsequent employment of their professional people. This is clearly demonstrated in the naval area where they are currently graduating 10 times as many naval architects and marine engineers as we. It is no wonder then that the expansion of Soviet seapower over the last 10 years has been aptly described as a technological marvel. They now have a navy capable of backing up their foreign policy decisions anywhere in the world.

SOVIETS USING NAVAL POWER IN MIDDLE EAST

One need only look at the developments of the last year to see how this change has manifested itself. During the Middle East crisis of last fall, the Soviets were able to deploy a naval force into the Mediterranean that surpassed that of the United States and the NATO alliance countries. While the influence of the United States in the Mideast, possibly the whole Mediterranean, waned, that of the Soviets vastly increased. Our reliance on land bases in time of conflict or even high international tension proved to be only paper thin. [Classified matter deleted.] Russia has reason in its desire to control the Mideast with its vast oil resources. The Mideast is the focal point of three continents, Asia, Europe, and Africa. One vital link to this area is the Suez Canal which the Israeli-Egyptian war denied to the Soviets.

The shift in balance of power in the eastern Mediterranean was slow and methodical—without much fanfare. The buildup of the Soviet land and sea forces ran parallel with the decline of those of the United States, [classified matter deleted]. They may

feel they can no longer look to the United States as their protector.

During the height of the Middle East crisis of last fall the United States had 60 combatant naval vessels in the Mediterranean. The Soviets had 70. We were able to move [classified matter deleted] submarines into the area whereas the Soviets had [classified matter deleted] and you should recognize the potential of that difference alone. In addition, the Soviets were able to move into the Mediterranean [classified matter deleted] naval units capable of firing surface-to-surface missiles, a number we could not attempt to match at this stage of our surface-to-surface missile program.

[Classified matter deleted.]

Senator DOMINICK. [Classified matter deleted.]

Admiral RICKOVER. Yes, sir.

Senator DOMINICK. We were advised the other day that we have equipment that could pick them up and detect what [classified matter deleted].

Admiral RICKOVER. [Classified matter deleted.] I am talking about an actual situation, sir.

Senator DOMINICK. I understand, but the two things do not fit. That is the reason I was asking you about it because this was a very secret briefing too.

Admiral RICKOVER. I think they fit in the sense that you must be careful when comparing postulated capabilities to demonstrated performance.

[Classified matter deleted.]

Senator JACKSON. Are you talking about the [classified matter deleted].

Admiral RICKOVER. I am talking about ASW Senator JACKSON. [Classified matter deleted].

Mr. WEGNER. You may be referring to variable depth sonar which is a sonar capable of being towed underwater by a surface ship. We have a few of these in operation on several destroyers. However, range of detection for any sonar is dependent on many factors. [Classified matter deleted.]

VALUABLE LESSONS FOR SUBMARINES

Admiral RICKOVER. Many far-reaching lessons are to be learned from this experience—lessons that should be amply evident, but I am afraid will be lost or studied to death.

First, the value and necessity for speed and quietness in a submarine. This should be so clear that one cannot assign a dollar value to either of these capabilities.

Second, the military potential of a nuclear submarine capable of firing a cruise missile has not been understood by the U.S. Navy. In my opinion one of our most urgent military requirements is the development of a new design high-speed nuclear submarine capable of firing tactical cruise missiles. I will discuss this in greater detail later on during the testimony.

Third, the role of a nuclear-powered submarine as an antisubmarine ship has not been fully appreciated. This area must be exploited to the fullest extent. Over the years I have recommended the use of submarines as escorts. As a matter of historical record, you should know that in 1954 I advocated building of the *Triton*, the two-reactor submarine, to carry surface-to-surface missiles.

Senator JACKSON. Is that the tactical submarine?

Admiral RICKOVER. Yes, sir. The submariners were opposed to that idea. Then in 1964 I tried to get Navy support to build the high-speed submarine as a fast escort. The naval aviators at the time were opposed to such an idea and would not support building the ship. The only way I could get the necessary support within the Navy was to delete all references to its possible use as an escort.

[Classified matter deleted.]

EVENTS REINFORCE IMPORTANCE OF CARRIERS

The situation I have just described should not be interpreted in any way as degradation of the role of aircraft carriers. Just the

opposite is true. The role of the aircraft carrier and of naval aircraft have been reinforced by the events in the Mediterranean. Our inability to use friendly foreign bases during this tense situation left us with only our carriers to provide air coverage during that time. What I do advocate is a sober look at what we must do to protect our carrier forces.

[Classified matter deleted.] We must be prepared for that situation.

What I have described of the events in the Mediterranean holds to varying degrees throughout the world.

[Classified matter deleted.]

Their naval build-up in the Caribbean is just another manifestation of the Russian shift in policy. The same situation can be seen in the Indian Ocean, the Norwegian Sea, the Sea of Japan, the Bering Sea, just to cite a few.

Soviet ballistic missile submarines now patrol off both our Atlantic and Pacific coasts in easy range of 95 percent of our urban industrial areas.

[Classified matter deleted.] This gives us a good indication as to just how effective the Soviet submarine force is.

SOVIET REQUIREMENTS FOR NAVAL POWER

We cannot accurately assess our current defense situation vis-a-vis the Soviets unless we understand the difference between their requirements for naval power in war and ours.

They do not have to transport large quantities of supplies over the seas; they can do it over land. They have under their control a large contiguous land mass which contains the raw materials they need. The United States is an island lying between the Atlantic and Pacific Oceans. We do not have contiguous land masses whence we can conduct military operations to protect our national interest or from which we can obtain the fuel and materials necessary to sustain our war effort. For these reasons, naval power is not nearly as vital to the security of Russia as it is to that of the United States.

Russia's predominant land position has required mutual defense treaties with but two nations with which she does not share a land border. Our island position, on the contrary, has led us to negotiate treaties with 43 overseas nations. Given our geographic position, the only way by which we can project our national power beyond the range of our land bases is through the Navy.

Despite the tremendous technological progress made in transportation and weapons systems in this century, free use of the seas—which cover three-fourths of the earth's surface—continues to be essential to the security of the United States, whether to defend ourselves or to help our allies. Please remember that 97 percent of all the material sent to Vietnam has gone by sea. The United States—a maritime nation—cannot maintain its position as a first-rank world power if it does not have free use of the seas.

STRONG U.S. MILITARY ESSENTIAL TO PEACE

There are those in this country who with majestic neutrality deprecate the need to maintain military parity with the Soviets, arguing that peaceful coexistence can be maintained without it. It is an appealing argument to many but expresses, in fact, merely a hope. It is mere romanticizing to dream that peace will break out at once if only the United States changes its ways. We must face facts as they are. In military matters as in politics, one should not base judgments on emotion but on fact. A reluctance to face facts is a sort of involuntary moral blindness. We cannot rely on hope or on what seems to us reasonable in choosing the position from which to deal with the Russians.

History shows that calamities can be brought about by persons of great good will, especially if they are given to abstraction

and are themselves not directly involved in decisionmaking. Any abstract theory tends to be neater than life—that is why it appeals to certain people. Then too, remoteness from the consequences of one's actions mists over one's perceptions. Responsible decisions are not likely to be made unless those who make them have to answer personally to all who will be directly or indirectly affected by these decisions.

RUSSIANS INTENT ON WORLD DOMINATION

Reason, too, is an uncertain guide when those we deal with think differently from ourselves. It is highly probable that even the most brilliant application of reason to the conduct of daily diplomacy would have prevented World War II. Hitler's goals, as well as his rhetoric, put him beyond rational communication. The Soviets have made it clear by words as well as by daily actions that they intend their system of government to prevail throughout the world, and that to this end our system of government must be destroyed by whatever means available. Reason alone cannot prevail against such an avowed policy. Why do we not believe that this is what they intend to do? Hitler, too, in "Mein Kampf" plainly announced his intent to dominate the world. We did not believe him either—until it was nearly too late.

If we cherish our freedom and our form of government, through we may not have achieved perfection in either, we must preserve our military strength. We shall lose both if we take the position that if one country is peaceful and the other is not, the peaceful nation need not maintain its military strength. If history teaches anything it is surely that weakness invites attack; that it takes but one aggressor to plunge the world into war against the wishes of dozens of peace-loving nations—if the former is militarily strong and the latter are not.

SOVIETS RESPECT MILITARY STRENGTH

As long as we have power which matches theirs and the will to use it, they will be dangerous only if we should fail to recognize the significance of their actions. It is worth recalling that of the numerous treaties signed by the Soviet Government during the Stalin period, the Nazi-Soviet pact was the only one they did not break—because Hitler was too strong. We have reason to assume that the present Soviet leaders will also seek to avoid serious trouble with a United States that remains strong. But history also tells us that whenever the United States weakened its defense structure or ignored its world responsibilities or when its leaders hesitated or vacillated, we rarely escaped trouble. Moreover, when the trouble came, it was worse and cost us more dearly in lives and money than had we maintained our strength.

There can surely be no doubt that the overwhelming majority of the American people are opposed to relinquishment of our defense capability, recognizing full well that there will then be no one left to prevent the takeover by Communist power. Whether one takes the optimistic view that a permanent East-West detente can be negotiated, or the pessimistic view that ultimately we shall have to fight for our liberties, this Nation has no future if it allows itself to be outmatched militarily.

"PEACE FOR OUR TIME"

Today, it is fashionable to advocate a reduction in defense spending and to urge use of the money saved for domestic purposes: to speak of a "reordering of priorities," as if constantly repeated rhetoric could change fact. Those who so advocate do not test their theories or their deductions against human experience. Soviet Russia is building a military establishment which is already ahead of ours in some respects and by 1975 will be ahead of ours in virtually all respects. She has already become the most heavily armed nation in the world and the nation most

completely ready for war. These facts should be weighed when assessing the judgment of those who argue for a reduction of American military power while Soviet military power is rapidly expanding. We require a strong defense in order to make sure that we remain judges of our own fortunes, our own destinies, and our own actions. Not to have adequate strength in the present state of the world is to compromise the foundations of our freedom.

"Peace for our time!" declared Neville Chamberlain. And what was to follow was 6 years of one of the bloodiest conflicts ever experienced by mankind—a conflict that nearly wrecked Western civilization. It is my hope that the lessons of appeasement and unpreparedness have not receded into the dim shadows of past victory.

Representative PRICE. Thank you, Admiral, for that excellent statement.

SOVIET NAVAL THREAT

Admiral RICKOVER. Mr. Price, you previously asked for my assessment of the Soviet naval threat. If you have no objection, I would now like to give you my analysis of this threat. I will make my remarks as brief and to the point as I can. I realize we do not have time this afternoon to cover this in depth. However, I have prepared two reports, one on the Soviet submarine program and one on the Soviet surface ship program which I would like to provide for the committee's use.

Representative PRICE. We will put them in the record.

Admiral RICKOVER. Yes, sir. You should realize, however, that they are highly classified and much of what is in them will have to be deleted prior to publication.

Representative PRICE. I understand. They should still be in the record. Proceed, Admiral.

(The reports referred to are contained in app. 1, p. 91, and app. 2, p. 99.)

SOVIETS OVERTAKE U.S. IN NUCLEAR SUBMARINES

Admiral RICKOVER. In the area of submarines we now find ourselves faced with a sophisticated Soviet force of some 355 submarines, of which [classified matter deleted] are nuclear powered. The U.S. submarine fleet is only one-third as large with 142 submarines, 92 of which are nuclear powered. The Soviets have overtaken us in numbers of nuclear submarines. Their submarine fleet includes 50 ballistic-missile submarines, over 235 attack submarines, and 65 submarines armed with antiship missiles in addition to torpedoes.

New submarines, almost all of which are nuclear powered, are being added to their fleet at the rate of about 15 a year. Last year they added about 15 submarines, of which [classified matter deleted] were nuclear powered, while we added only five to our fleet. Based on our submarine authorizations of the past several years, we can expect them to keep outproducing us in nuclear submarines by at least 3 or 4 to 1.

Representative HOSMER. Explain that.

Admiral RICKOVER. We currently have 21 submarines under construction including seven of the new high-speed class. It takes from 4 to 5 years to build them so that the best delivery we can expect is four or five a year. Compare this to a Soviet construction rate of about 15 a year and you can see they will in all likelihood outproduce us by 3 or 4 to 1 in the years to come.

Since 1968, [classified matter deleted] new classes of Soviet submarines have become operational. At least [classified matter deleted] of these are nuclear powered. All [classified matter deleted].

Representative PRICE. Has that estimate changed?

SOVIETS CONCENTRATING ON BALLISTIC-MISSILE SUBMARINES

Admiral RICKOVER. Yes, sir. Last year we estimated the new Soviet nuclear attack submarine, the *Victor* class, could do [clas-

sified matter deleted] knots. [Classified matter deleted] that estimate has been increased to [classified matter deleted].

The Soviets are giving priority to the *Yankee* class nuclear ballistic missile submarines which they are building at the rate of six to eight per year. In 3 years they have produced at least 17 operational units, and another 15 or more are under construction or fitting out. It is estimated that they could equal our *Polaris* force in number by 1974. The *Yankee* class is estimated to be capable of making [classified matter deleted] knots, over [classified matter deleted]. Of great importance is that the Soviets, with their building rate several times larger than ours, are able to exploit technical improvements more rapidly than we in either strategic missile or attack submarines.

APPENDIX 1.—ANALYSIS OF SOVIET SUBMARINE THREAT MARCH 1971

SOVIET SUBMARINE THREAT

The total Soviet submarine strength as of March 1, 1970, was officially estimated at 350. One year later the official estimate has increased by 5 to a total of 355 submarines. During the past year the Soviets have completed and put into operation 15 submarines—[deleted] nuclear-powered submarines. [Deleted.]

Yankee, SSBN.....	[deleted]
Victor, SSN.....	[deleted]
Charlie, SSGN.....	[deleted]
[Deleted]	[deleted]

Total	15
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During the same time they removed [deleted] submarines, all diesel powered. The Soviet submarine force as of today is as follows:

Ballistic missile:	
SSBN	25
SSB	25
Total	50

Cruise missile:	
SSGN	37
SSG	28
Total	65

Attack:	
SSN	over 25
SS	211
Total	over 236

Total nuclear powered	over 90
Total diesel powered.....	265

Total	355
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The U.S. submarine force as of today is as follows:

Ballistic missile: SSBN.....	41
Attack:	
SSN	51
SS	50

Total nuclear powered.....	92
Total diesel powered.....	50

Total	142
-------------	-----

None of the Soviet submarines are pre-World War II construction and all are less than 17 years old; 36 of the total 142 U.S. submarines are pre-World War II, and almost half of the U.S. submarine fleet is over 17 years old. Eight of the early U.S. nuclear submarines are not considered "first line" ships. A measure of just how modern a submarine fleet the Soviet possesses is the fact that they have given away or scrapped diesel submarines of more recent vintage than U.S. units still operating. To date they have given outright [deleted] diesel submarines to eight countries. They have also provided components, plans, and assistance for the production of [deleted] additional diesel units.

One of the factors traditionally used to justify the United States having a submarine force substantially smaller than the Soviets is the numerical lead we have enjoyed in nuclear-powered submarines. For years it appeared we had a comfortable lead. Several years ago, however, the Russians embarked on a large-scale nuclear submarine construction program with the intent of achieving preeminence in this field.

They began by applying tremendous resources to the expansion and modernization of the submarine construction yards. They now have the largest and most modern submarine yards in the world and possess at least three times the nuclear submarine construction capacity of the United States. As late as 1966, the Russians had [deleted] new construction yards building nuclear submarines; today they have at least [deleted] with this capability. Even though this tremendous submarine building capacity has not been fully utilized in the last year, it nevertheless has produced some 15 submarines, [deleted] of which are nuclear powered.

Last year the United States had a net advantage of some six more nuclear submarines than the Russians. Today the United States is behind. It should be realized that comparisons such as these are difficult. [Deleted.] The numbers being used are based on estimates of those Soviet submarines believed to be operational. [Deleted.] They have many more nuclear units under construction and for this reason the United States will fall further and further behind in the years to come. For example, even though we credit the Soviets with 17 Yankee class SSBN's operational, it is known that they have over 15 more under construction or fitting out. Just how far they are going on this particular class is not known. The same situation exists for their other new design classes.

In the United States a total of 113 SSN's and SSBN's have been authorized and funded by the Defense Department through fiscal year 1971. Of these, 51 SSN's and 41 SSBN's are operational through March 1, 1971; 21 SSN's are presently under construction or contracts have been let.

By the beginning of 1976, the year the United States should put into operation the last submarine currently authorized, the total U.S. nuclear submarine inventory will be 113 SSN's and SSBN's. It is estimated [deleted] that the Soviets will, at that time, have from [deleted] nuclear submarines. Thus, 5 years from now the Soviets will have an advantage of between [deleted] nuclear submarines.

Intelligence credits the Soviets with a nuclear submarine production capability of 20 units a year. This is based on working only a single-shift basis. It is estimated that a crash program working three shifts a day would allow [deleted] nuclear submarines to be produced annually. The rate could be rapidly achieved since no facility expansion would be required. At present while the Poseidon conversions are going on, the maximum U.S. capacity to build nuclear submarines is about [deleted] per year. Upon completion of these conversions in about 1977, the best we could do is [deleted] nuclear submarines a year. The Soviet shipyard at Severodvinsk, [deleted] has the capability by itself to match the maximum construction rate presently possible in the entire United States.

Of tremendous military significance is the large number of new design submarines being introduced by the Soviets. In 1968 they introduced [deleted] new designs, in early 1969 they [deleted] and in 1970 they [deleted]. A brief up-to-date description of each design follows:

Fleet ballistic missile submarine (Yankee)

This is a fleet ballistic missile submarine which looks very much like our latest Ethan Allen class and which is capable of firing 16 submerged-launched ballistic missiles. It is [deleted] feet long, and has a hull diameter of [deleted] feet, a displacement of some [deleted] tons. The first unit became operational early in 1968. The missiles these submarines fire are thought to be the SS-N-6 and have about a 1,300-nautical-mile range. [Deleted.]

The large Soviet yard at Severodvinsk and the [deleted] are constructing this class. So far they have worked [deleted] which gives them a production capability of 12 units a year. To date, at least 17 of these units are in operation or nearly so. However, 15 or more additional units are being built and it is clear that the Soviets are giving top priority to construction of this class. It is now estimated that the Soviets will match our fleet of 41 Polaris submarines by 1974. This is a year earlier than we predicted last year. This submarine is capable of making at least [deleted] knots submerged and may be able to make [deleted] knots. This compares to about [deleted] knots for our latest SSBN. More important, it compares to the [deleted] knots of our most modern operational nuclear attack submarine.

Cruise-missile submarine (Charlie class)

This class consists of a nuclear-powered submarine being built [deleted]. It has 8 [deleted] missile tubes in the bow. This submarine is about [deleted] feet in length [deleted] foot hull diameter [deleted] tons displacement. It has a highly streamlined hull, a high vertical tail fin and a long wide sail. [Deleted.] At least [deleted] of these submarines are operational. Naval Intelligence estimates that the Soviets are in series production on this model and will have built [deleted] by 1975. Top speed is estimated at about [deleted] knots.

Nuclear powered attack (Victor class)

This submarine, considered to be the latest torpedo attack model to replace the early November class, is about [deleted] long, has a [deleted] hull diameter and a submerged displacement of about [deleted] tons. It is being built [deleted] and is considered capable of making speeds of about [deleted] knots. [Deleted.] It is estimated that [deleted] of the Victor class are operational or nearly so. This model is also in series production. Intelligence estimates that [deleted] of these units will be in operation by 1975.

[Deleted.]

It is clear, they have made large-scale commitments to submarine design and construction. They recognize that to move ahead in submarine design you must have different types of submarines to test new concepts. They have continued their efforts to produce and operate a number of each of their new designs so that they can see how they work. We have seen in some cases where changes have been made to submarines within a class, showing that they may be attempting to correct problems that have arisen, or they may be testing new concepts. As the Russians gain experience with their latest designs, it is certain that the basic design talent used to produce the [deleted] recent new submarine designs is now being used to refine design techniques and work on the next generation of submarine designs. In several years we shall probably see a whole new series of designs. This does not mean, however, that the Soviets will build only a few of their current classes while waiting for future designs to be completed. As has always been the case with the Soviets, they commit new designs to a substantial construction program. This enables them to maintain

their numerical superiority over us as well as keep their fleet modern. It is costly but it gives them a broad base from which to gain experience. Such an approach is indicative of just how high a priority the Soviets have assigned to their submarine program.

In addition to their efforts with the [deleted] new classes of submarines the Soviets have completed [deleted].

Not only is the quantity of design effort being expended by the Soviets remarkable, but so too is the quality of what they are doing. For example, speed became an important issue several years ago, particularly as it related to the need for a high-speed U.S. nuclear attack submarine. At that time it was estimated that the old Soviet nuclear attack submarines, the *November* class, could do as much as [deleted] knots and the new designs, the *Charlie* and *Victor*, could go up to [deleted]. Based on current evidence, the *November* class is now given [deleted] knot capability and we have [deleted] that the new streamlined *Victor* class can do at least [deleted] knots, [deleted] more than last year's estimate. The Soviet ballistic-missile nuclear-powered submarine, the *Yankee* class, is now estimated to be capable of making at least [deleted] knots, again about [deleted] knots higher than was estimated last year. These figures are important in that they show that the entire Soviet nuclear submarine fleet has a high-speed capability. Compare the *November* class, the Soviet's first nuclear attack submarine, to our *Nautilus*. The *Nautilus* has a maximum speed submerged of about [deleted] knots which is some [deleted] knots less than the *November* class. The latest U.S. class of nuclear attack submarines, the *Sturgeon* class, has a maximum underwater speed of about [deleted] knots [deleted].

The new nuclear submarines are [deleted] quieter than the earlier nuclear submarines, and it is certain that the Soviets are accelerating their efforts in this field. [Deleted.]

Soviet submarines continue to operate out-of-area for longer periods and at greater distances than ever before. They actively use mobile task forces where the submarines are repaired from tenders—sea-going bases—while they are underway, thus vastly expanding their operating capability. These sea-going tenders can remain at sea for 6 months. One of these tenders accompanied by one small support ship has supported four submarines for 6 months, servicing and repairing them while they are underway. The Russians have [deleted] large submarine tenders and [deleted] small ones which can service the large tenders. This type of operation permits the Soviets to substantially increase the time on station on their submarines.

With this system, a submarine from the Russian Northern Fleet can leave its home base, run a patrol in the Atlantic, steam to Cape Verde off the coast of Africa, get refurbished and have a rest period alongside the tender, run a patrol in the Mediterranean, return to the tender for upkeep and rest, run another patrol in the Atlantic, and then go home. This shows great imagination and ability in operating submarines.

With these assets they can make up a task force, move into the Indian Ocean, the South Atlantic, the South Pacific, or into any other area they wish.

They transfer submarines from the Pacific to the Atlantic through the northern route in the summer. They transfer submarines from their northern fleet around South America to Vladivostok. They move nuclear submarines from the northern fleet under the ice cap, then under the North Pole, and finally through the Bering Straits to the Pacific. [Deleted.]

During the past year the diesel powered

Golf class, the earlier nuclear powered *Hotel* class and the new *Yankee* ballistic missile submarines have been patrolling areas off the U.S. coasts. In the Atlantic, with more submarines available, the Soviets have maintained more units on station than ever before. [Deleted.]

Pacific Ocean patrol activity [deleted] increased in frequency during the past year [deleted].

With the *Yankee* class becoming operational in sufficient numbers, the Soviets appear to be establishing additional continuous patrol stations for these submarines. Because of a lack of forward bases and the operational limitations of the force, however, the Soviet's probably would keep no more than about [deleted] percent of their SSBN's continuously on station in potential missile launch areas off the United States [deleted] the new nuclear attack and cruise missile submarines, the *Victor* and *Charlie*, have been making regular deployments from the northern fleet. We have also seen extensive use of these and the more conventional submarines [deleted]. The Soviets usually have some [deleted] conventional and [deleted] nuclear units on station in the Mediterranean. [Deleted.]

[Deleted.]
Two F class conventional submarines operated with Soviet surface units in the Gulf of Mexico during July 1969 and entered Havana for a brief port visit timed for the Castro regime anniversary (July 26) celebration. An N class SSN operated in the Gulf of Mexico with and later independently of this force during July and August 1969. In the past year Soviet diesel powered submarines have visited Port Louis, Mauritius, Antilla; Havana and Cienfuegos, Cuba; and Berbera, Somalia. Recently a nuclear attack submarine visited Cienfuegos, Cuba.

During 1970, the Soviet submarine force operated [deleted] days out-of-area which is [deleted] more days than during 1969. They have conducted a total of [deleted] out-of-area patrols, an all time high.

ADVANCEMENT IN SUBMARINE CHARACTERISTICS

The expanded construction capability, the appearance of new classes of submarines and the changing operational patterns all point to major advances in submarine capabilities and characteristics. However, it should be realized that U.S. intelligence information on the Soviet submarines is limited primarily to that which can be gathered by external means. [Deleted.]

Speed

Soviet diesel submarines have been observed to make a maximum speed of about [deleted] knots. This speed compares favorably to our later classes of diesel submarines; however, the Soviet diesel submarine endurance is [deleted] of the U.S. diesels. [Deleted.]

The new *Charlie* class cruise missile attack submarine has an estimated capability of [deleted] knots. The older *November* class attack boats are now credited with a maximum sustained speed of about [deleted] knots. The earlier nuclear powered missile submarines are given about a [deleted] knot capability.

In comparison the most advanced U.S. nuclear attack submarines being built today can make a maximum speed of [deleted] knots. The U.S.S. *Skipjack*, first of the high speed attack submarines built in 1959 can make about [deleted] knots. However, due to increased weight brought about by the addition of additional military features, the speed of our submarines has steadily decreased over the years.

The changing relationship in maximum speed capability between United States and Soviet nuclear attack submarines is shown below. This does not include the new U.S. high-speed submarine (SSN 688 class) which it is currently estimated will have a [deleted] knot capability.

Year	U.S. class	Maximum speed for U.S. class	Soviet class	Maximum speed estimate for Soviet class	Speed advantage (maximum U.S. speed minus maximum Soviet speed)
1959		585			
1961		594			
1966		613			
1967		637			
1968		637			
1971		637			

Reliability

The technical problems facing the Soviets in nuclear propulsion plants up to the early 1960's have seemingly been resolved. Considerable confidence appears to have been gained. [Deleted.] In contrast, as recently as 1963 these submarines rarely left local waters and then only when accompanied by supporting surface ships.

Operating depths

The operating depths of Soviet nuclear submarines are [deleted].

Weapons

Weapons available to the Soviet submarine forces include torpedoes, mines, cruise, and ballistic missiles.

Torpedoes and mines

Current operational torpedoes include antisurface ship and acoustic homing ASW weapons, [deleted]. Soviet torpedoes have performance characteristics [deleted]. Development programs indicate a continuing emphasis on more sophisticated and longer range torpedoes for both roles. [Deleted.]

The Soviets have historically regarded naval mines as essential and highly effective weapons for delivery by a variety of carriers. [Deleted.]

Missiles

The submarine missile inventory includes the SS-N-3 cruise missile and the SS-N-4, SS-N-5, SS-N-6 [deleted] ballistic missiles. The *Charlie* class SSN is estimated to be equipped with eight antiship homing cruise missiles with a range capability of up to about [deleted].

SS-N-3

The SS-N-3 is a surface-launched turbojet cruise missile with an estimated maximum operational range of 400 miles [deleted] for use in a tactical role. Although believed to be primarily designed for use against naval surface vessels, the SS-N-3 can be employed in the strategic attack mission against land targets, [deleted].

[Deleted.] The United States has no cruise missiles and this weapons system represents one of the greatest threats to the U.S. Navy today.

[Deleted.]

The *Charlie* class SSGN is equipped with eight, antisurface ship, homing cruise missiles [deleted]. These missiles are estimated to have a maximum range capability of about [deleted] miles and may depend upon own [deleted].

SS-1

The first known sea-launched ballistic missile was a naval variant of SS-1, the first Soviet ballistic missile, which became operational in 1957. Between 1956 and 1958, it is believed that a variant of the SS-1 was fired by some of the [deleted] Zulu-conversion SSB's. The first generation Soviet sea-launched ballistic missile had a range of [deleted].

SS-N-4

Firings of the surface-launched SS-N-4 [deleted] began some time in 1958 and initial use by the fleet was reached about 1960. All *Golf* class SSB's as well as all *Hotel* class SSBN's were originally equipped to fire the SS-N-4.

SS-N-5

In mid-1962, a modified *Golf* class SSB began test firings of a [deleted] ballistic missile, the [deleted] SS-N-5. Initial operation was reached in 1963 with conversion of the first *Hotel* class SSBN for firing the SS-N-5 vice SS-N-4. [Deleted.]

SS-N-6

First introduced in 1968, this missile increased Soviet [deleted] ballistic missile range potential from [deleted] miles to over 1,000 miles. [Deleted.] It is deployed in the 16-tube *Yankee* class SSBN's. [Deleted.]

APPENDIX 2.—ANALYSIS OF SOVIET NAVAL SURFACE THREAT, MARCH 1971

SOVIET SURFACE THREAT

The developments in the Soviet surface fleet have in many respects paralleled what we have seen in their submarine arm. Where progress has been noted as phenomenal in submarines, there are areas in surface ships equally as impressive.

In 1970 Soviet naval development continued the trends established in the previous 5 years of steady growth in force level and a high tempo of operational deployment in foreign waters. The cumulative impact of this growth in size, sophistication, staying and striking power has confirmed the status of the U.S.S.R. as a great sea power. Most of the impetus for this development is derived directly from the Soviet desire to maintain a military posture capable of coping effectively with that of the United States. But some of the impetus stems from a historical drive for decisive influence on the seas.

Concurrently with this increase in strength, Soviet naval doctrine has been expanded. Doctrinal statements and writing over the past several years have stressed the independent, far-ranging, offensive nature of the navy's mission. The thrust of these assertions projects the navy's role beyond the defensive and retaliatory contexts adhered to in the past.

BACKGROUND

Immediately following World War II, the U.S.S.R. embarked on a program to reconstruct and improve war-damaged shipyards, to build new facilities and to construct new naval ships. The program was unprecedented in size and effort for a nation not at war. This period can be divided into four somewhat overlapping stages: the first corresponding roughly to a decision to build naval ships and to rebuild shipyards, the second calling for preparation and execution of plans to replace wartime losses and to construct a force capable of defending the sea frontiers of the U.S.S.R., the third requiring the introduction of wholly modern units, and the fourth initiating qualitative refinement of the present fleet and development of new classes of ships and weapons.

The first stage, 1946-48, apparently followed a decision to give the navy a priority position in shipbuilding in the post war period. While the yards were being rehabilitated and new facilities built, work was resumed on naval vessels begun before the war. Some units considered worth completing were finished and others—including some capital ships—were scrapped. Design and prototype development of new classes of

naval ships, including *Chapayer* class light cruisers, *Skoryy* class destroyers, and *Kronshchadt* class large submarine chasers were begun in this stage. During the first stage, preparations already were underway to make the U.S.S.R. into an important naval power.

In the second stage, 1949-53, deliveries of the first wave of postwar built warships were made. This stage included delivery of *Sverdlor* and *Chapayer* class cruisers, and *Skoryy* class destroyers. Production also included *Kola* and *Riga* class escort ships, and P-4 and P-6 class motor torpedo boats. Designs and equipment of the principal surface vessels were not radically new; they were basically an improvement and enlargement of pre-World War II designs. Soviet planners apparently had ordered that a fleet of completely conventional vessels be made operational as quickly as possible, with equipment that could be easily acquired.

The third stage, 1953-58, was marked by the mass production of submarines and other naval ships at peak production rates. A number of major modifications to several classes of warships also were made reflecting a desire to modify and improve combat capabilities of the navy. The *Riga* class escort was altered significantly, and its superstructure was virtually rebuilt. While later units of the *Riga* class were built in accordance with the newer design, an estimated 30 or more were altered. Other new construction begun in the third stage included *Kotlin* class destroyers, and several other classes of smaller combatant ships, amphibious and landing craft, and auxiliary ships.

The present, or fourth, stage began about 1959 and has been marked by a shift from the production of large numbers of a few types of conventional naval ships to the production of smaller numbers of a larger assortment of naval ships equipped with the most modern weapons systems. Included in this shift has been the introduction of surface ships armed with missiles and propelled by gas turbines. Important new surface ships are the *Moskva* class guided missile helicopter carrier, *Kresta* and *Kynda* class guided missile frigates [deleted]. Soviet shipyards are also producing hundreds of minor surface combat ships such as submarine chasers, motor torpedo boats, guided missile patrol boats, and mine warfare types. This fourth phase also includes a major overhaul and modernization program (including conversion of selected older ships and some of the newer classes), and construction of naval auxiliaries, particularly submarine support ships.

In the last 5 years the Soviets have built, or are in the process of building, over 200 combatant and amphibious ships as compared to our production of 98 in that period. Their program includes [deleted] units that will carry surface-to-surface and/or surface-to-air missiles. About [deleted] of the Soviet minor combatant ships will be equipped with long-range surface-to-surface missiles.

Estimated Soviet expenditures for new ship construction reached an all time high of [deleted] billion in 1970. This was [deleted] billion more than the average for previous years and exceeded the U.S. shipbuilding outlays for that year by [deleted] million.

MAJOR U.S.S.R. COMBATANTS

Today the Soviets have a total surface fleet of some 2,009 units.

Of this total 214 units are considered to be major surface combatants which include the following:

Anti-submarine helicopter carriers with ASW rockets and surface-to-air missiles	2
Cruisers, [deleted] of which have both surface-to-surface and surface-to-air missiles	22
Frigates all armed with surface-to-air missiles	15
Destroyers of which [deleted] have surface-to-surface missiles and [deleted] have surface-to-air missiles	65

Ocean escorts which are primarily used for antisubmarine warfare----- 110

Total ----- 214

The average age of these 214 ships is only 10 years and less than 1 percent of them over 20 years old. Since 1966 they have kept about the same total number of major surface combatants but have cut back on the smaller ships and constructed over [deleted] larger more capable weapons platforms. The most important trend that has been observed is the addition of ships having an offensive capability with surface-to-surface missiles in addition to a range of antisubmarine and antiaircraft defensive weapons. Twenty of these major combatants have surface-to-surface missiles while 35 of them have surface-to-air missiles.

MINOR U.S.S.R. COMBATANTS

Looking at the minor surface combatants the Soviets have almost 1,800 ships which include the following:

Patrol craft armed with surface-to-surface missiles	160
Submarine chasers	270
Antisubmarine patrol craft	250
Major amphibious ships	100
Amphibious craft	315
Mine warfare ships	
Auxiliaries including submarine tenders, intelligence collecting ships	over 700
Total	1,795

U.S. MAJOR COMBATANTS

Today the U.S. surface fleet has 563 units down from a total of 806 in 1966. Of this total 249 are major surface combatants which is 71 less than we had 5 years ago. The average age of these ships is 16 years with over half of them 20 years old or older. On the average our major ships are 6 years older than those of the Soviets. That is worth quite a bit in operational reliability and modernity. The breakdown for U.S. major surface combatants is:

Attack carriers	15
Antisubmarine carriers	4
Helicopter carriers	7
Cruisers, 8 of which have surface-to-air missiles	10
Frigates, all of which have surface-to-air missiles	25
Destroyers, 29 of which have surface-to-air missiles	134
Ocean escorts, 6 of which have surface-to-air missiles	54
Total	249

U.S. MINOR COMBATANTS

The total number of U.S. minor combatants today is 314 which fall into the following categories:

Patrol craft	16
Amphibious ships	73
Mine warfare ships	43
Auxiliaries	182
Total	314

Looking ahead the situation certainly does not improve. It is estimated that in 1975 the Soviet surface fleet will still contain about [deleted] ships with almost [deleted] major surface combatants. There will be an even greater shift toward larger, more capable warships.

The average age of the major combatants will be about [deleted] years—with only [deleted] older than 20 years. The U.S. surface fleet in 1975 is projected at a total of 468 ships, with 249 of these major surface combatants. The average age of this group will be 15 years and at least 30 percent will be over 20 years old. (See Table A.)

Some of the more important and imaginative naval developments in the Soviet fleet are as follows:

Moskva-class helicopter carrier

Because of its size and the number of new weapons and sensors it incorporates, the *Moskva* class helicopter ship has become the leading symbol of modern Soviet surface seapower. *Moskva* and her sister ship, *Leninograd*, have antisubmarine warfare as their principal focus. In addition, they are arrayed with a variety of advanced missile and electronic systems that give them superior assets for air defense and command and control. [Deleted.] To extend its ASW coverage, *Moskva* has taken naval aviation to sea. She embarks [deleted]. Hormone A helicopters [deleted].

So far, two of these ships have joined the Soviet fleet. [Deleted.] For engaging submarines, *Moskva* introduced the [deleted].

Kresta-class guided-missile cruiser

The *Kresta* class missile cruiser is presently under series construction [deleted]. *Kresta* is over 500 feet in length and displaces nearly 7,000 tons. Armament includes two twin surface-to-air missile launchers, two twin surface-to-surface missile mounts, a pair of twin 57 millimeter dual-purpose gun mounts and quintuple 21-inch torpedo tubes. There are presently [deleted] ships of this version of the *Kresta* class operational.

Indicative of the force and imagination of Soviet designers the initial *Kresta* production stopped in June 1967 [deleted] and radically new and upgraded units began coming off the ways. The first [deleted] units of this advanced version are currently operational and by 1975, it is estimated that [deleted] *Kresta II*'s will be spread throughout the four major Soviet fleets.

Though their silhouettes are similar at first glance, closer examination clearly reveals that *Kresta II* has benefited from major modifications that have enhanced its antisurface, antiair, and antisubmarine warfare capabilities. Instead of the tubes accommodating four older SS-N-3 antiship cruise missiles appearing on *Kresta I*, *Kresta II* carries eight missiles of a new variety in two quadruple launchers. [Deleted.] [Deleted.]

The surface-to-air missile system of the *Kresta I* is the [deleted] SA-N-1, which has been fitted aboard successive classes of Soviet destroyers and cruisers since the early 1960's. *Kresta II* has broken this mould by mounting the [deleted].

Kashin-class guided-missile frigate

Since the lead unit became operational in 1963, the Soviets have turned out [deleted] of these DLG's and they continue to emerge from [deleted] the Black Sea. Earmarked as an ASW unit by the Soviets, *Kashin* combines endurance, acceleration, and seakeeping qualities [deleted]. But beyond this, *Kashin* has excellent multipurpose capabilities. [Deleted.] *Kashin*'s engineering statistics are especially noteworthy. She is the world's first major warship to be powered by an all gas turbine propulsion plant. It is estimated that four turbines produce [deleted] shaft horsepower and enable *Kashin* to attain burst speeds of [deleted] knots. [Deleted.]

Thus, the salient feature of these sleek ships is versatility. Both figuratively and operationally, the Soviets have gotten much mileage out of *Kashin*. The frigates have been used in ASW, AAW, antisurface, surveillance, escort, flagship and protocol roles and have functioned dependably in such diverse environments as the Mediterranean, Norwegian, Philippine and Caribbean Seas, as well as the broader reaches of the Atlantic, Pacific and Indian Oceans. [Deleted.] [Deleted.]

Nanuchka guided-missile gunboat

The *Nanuchka* guided-missile gunboat is another illustration of how the Soviets have achieved tremendous firepower in a small ship. [Deleted.]

Osa and *Komar* guided-missile patrol boats

The Soviets have 160 guided missile patrol boats of the *Osa* and *Komar* classes. These

units represent a revolutionary concept in naval warfare, combining the speed and maneuverability of the PT boat with the SS-N-2 Styx missile. This weapon system can outrange any gun afloat and was employed by the Egyptians over 2 years ago to sink the Israeli destroyer *Elath Komar*, built on a PT boat hull, is less than 85 feet long, has a maximum speed of [deleted] knots, and carries two missiles. *Osa* was built from the keel up to launch missiles. It is about 130 feet long, has a maximum speed of [deleted] knots and a maximum endurance of [deleted].

[Deleted.]

Shaddock surface-to-surface missile

Another important development is the SS-N-3 surface-to-surface missile which is fired by [deleted] *Echo* [deleted] *Juliett* and [deleted] converted *Whiskey* class submarines and the *Kresta I* and *Kynda* cruisers.

Nicknamed *Shaddock*, [deleted] the SS-N-3, [deleted] has a speed of between mach [deleted] and a cruise altitude of between [deleted] and [deleted] feet, depending on the flight profile chosen. [Deleted.] *Shaddock* is routinely fired by submarines [deleted] and by surface ships [deleted].

SHIPYARDS

There are at least 17 major shipbuilding yards in the U.S.S.R. They are widely dispersed, with seven in the Baltic area, one in the Arctic, five on the Black Sea, two on the Pacific coast, and two on inland waterways. They have an estimated total employment of over [deleted] of which [deleted] are engaged in producing naval ships. We have 19 yards with four performing only naval work.

The four oldest yards were built during the czarist period and date back as far as 1856. Each of these four yards included a multiplicity of shops that gave them the capability of manufacturing all items necessary to build and fit out a complete naval ship.

The largest group of eight yards were built during the 1930's and World War II. They were designed to produce naval ships using components provided by supporting industry and featured straight-line production flow, and enclosed, level building positions. In addition, each had a ship drydocking capability.

The development of shipyards in the U.S.S.R. since World War II reflects a high level of government appreciation of maritime power. [Deleted] new major yards have been added since 1945 and [deleted] of these are used exclusively for merchant shipbuilding. The development of these yards has permitted intensive expansion of the maritime and fishing fleets—without sacrifice to a continued buildup of naval ships. In building these latest yards and in the extensive expansion and modernization of the older war-damaged yards, the Soviets have incorporated the most modern production practices. Over 60 percent of the Soviet yards have been modernized since 1960 whereas only 20 percent of our yards have been modernized since World War II.

[Deleted.]

SOVIET OPERATIONS

Soviet operations in the last year have demonstrated beyond question that we face a navy capable of flexing tremendous muscle. In 1969, the Soviet surface fleet operated [deleted] days out of area. In 1970, this jumped a staggering 30 percent. A look at what they have been doing will show why.

Mediterranean Sea

The Soviet Mediterranean fleet of today has its origin in deployments begun in 1964, probably in a move to establish at least a visible counter to the 6th Fleet. Surface units reestablished the Russian presence in the Mediterranean that had been absent for over 150 years. Units so deployed spent most of their time in anchorages or leisurely steaming from one anchorage to another. Occasionally, there would be some shadowing of the 6th Fleet by an AGI or a combatant. Until the

1967 Arab-Israeli war, the bulk of the surface units came from the Black Sea fleet and spent an average of 60 days out of area. All logistic support was provided by supply ships, of largely naval subordination, making deliveries to the anchorages.

This presence steadily has increased the challenge to the 6th Fleet, both in terms of numbers and in scope of operation. In this area, the Soviet squadron serves both a strategic defensive role in relation to NATO forces and a political role supporting Red penetration of the countries of the region.

Beginning about June 1967, the tempo of operations was stepped up. Units thereafter spent less time at anchor, and continuous shadowing of American carriers was performed by combatants—frequently the missile ships. A greater proportion of the fleet was supplied by the Baltic and northern fleets; average deployments were extended to about 90 days. Amphibious shipping came to be a constant element of the Soviet forces. The Black Sea auxiliaries that hitherto had provided most logistic support were increasingly supplemented by those from the other two western Soviet fleets as well as by occasional merchant ships. During the height of the Mideast conflict, the Soviets had 70 ships in the Mediterranean while we only had 60.

In March 1969, an unusually large and powerful force of surface ships and submarines left the Soviet northern fleet and suddenly appeared in the Norwegian Sea, heading south. Widespread speculation on their destination was ended when it was learned this large group was bound for the Mediterranean on a routine replacement of units on duty there. Their ability to reinforce in rapid fashion their presence in the Mediterranean from the northern fleet as well as from the closer Black Sea fleet was amply demonstrated. In July 1969, a small but varied force formed up in mid-Atlantic and proceeded down the U.S. east coast prior to operating in the Gulf of Mexico and the Caribbean Sea and visiting Havana. This operation also included [deleted] a Soviet nuclear submarine deployed to these waters. Other activities included a second (late summer) group making it way from the north to the Mediterranean, and additional units circumnavigating Africa to continue the Soviet presence in the Indian Ocean. Through September 1969, the surface forces of the Soviet Mediterranean squadron have comprised an average of about [deleted] units—[deleted] units—[deleted] combatants and [deleted] support ships. In recent months, the numbers of ships and level of activity have increased markedly.

With the coming of large-scale naval presence in the eastern Mediterranean, the Soviets have leaptfrogged NATO's southern flank and have established a growing influence along the African and Asian littorals of the Mediterranean, Red Sea, and Indian Ocean. They have also exploited the fact that the

eastern Mediterranean, as an area of naval operations, is proximate to sources of their logistic and land-based air support. [Deleted.] These are very important political and military factors because they establish the eastern Mediterranean as that area of the world where instability is greatest, where bilateral U.S.-U.S.S.R. vital interests confront most directly, where Soviet naval presence constitutes a potent force [deleted.]

Pacific

Periodic Soviet naval operations began in the western Pacific in 1965. These were largely surface exercises in support of submarine operations, although both the *Pueblo* and the EC-121 incidents is triggered sorties in the Sea of Japan.

Indian Ocean

Soviet naval deployments to the Indian Ocean commenced in 1968, and they have maintained a continuous combatant naval presence there since May of 1969. They have made numerous good will visits to the nations of the Indian Ocean littoral and have sought to broaden their influence through assistance to these nations and through the use of local facilities. It is estimated that [deleted] port visits will take place this year.

[Deleted.]

Atlantic

Extended submarine support operations commenced in the central Atlantic in 1967, and combatant exercises in the Atlantic have been on the increase annually. Ballistic missile patrol stations covering the east coast of the United States have been regularly manned since mid-1969. There were deployments to West Africa and the Caribbean in 1969, and since then four visits of Soviet naval forces to the Caribbean have taken place. The most recent, involving a guided missile cruiser, a nuclear submarine, and a submarine tender is currently in progress.

Ocean operations

In April 1970, the Soviets conducted a worldwide naval operation called *Okean*. This was the widest in scope conducted by any post-World War II navy. It is worth looking at a brief recount of one of the exercises conducted as part of *Okean*. It demonstrates just what the Soviet fleet is capable of doing. The exercise was an anti-carrier operation in the North Atlantic.

Simulating a U.S. carrier group, a Soviet aggressor force composed of the *Moskra* class helicopter ship, *Leningrad*, with a guided missile cruiser and three escorts in company, exited the Mediterranean through the Strait of Gibraltar and headed north to initiate the exercise.

On the very day that the *Leningrad* group emerged from the Mediterranean, Soviet opposing forces mounted a sustained reconnaissance effort in an attempt to locate the carrier. [Deleted.] These exercises should impress anyone.

TABLE A.—COMPARISON OF UNITED STATES AND U.S.S.R. SURFACE FLEETS

	1966		1971		1975	
	U.S.S.R.	United States	U.S.S.R.	United States	U.S.S.R.	United States
Major combatants:						
Attack aircraft carriers.....	0	15	0	15		
ASW.....	0	8	0	4		
Helicopter carriers.....	0	7	2	7		
Cruisers.....	17	16	22	10		
Frigates.....	5	27	15	25		
Destroyers.....	76	205	65	134		
Escorts.....	87	42	110	54		
Subtotal.....	185	320	214	249		
Minor combatants:						[Deleted]
Missile patrol craft.....	133	0	160	0		
Other patrol craft.....	695	4	520	16		
Amphibious ships.....	103	152	100	73		
Mine warfare ships.....	404	84	315	43		
Auxiliaries.....	575	246	700	182		
Subtotal.....	1,910	486	1,795	314		
Surface fleet total.....	2,095	806	2,009	563		

BIG BUS BILL

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 2, 1971

Mr. SCHWENGEL. Mr. Speaker, to me, one of the key issues involved in the efforts to obtain wider buses is that of the motivation and intent of those seeking the change. The bus lobby tells us that the bigger buses will be much safer. One of the reasons the new buses will be safer, they say, is the fact they will have larger and wider tires. While there is some technical disagreement as to whether the larger tire will in fact increase braking effectiveness, there are more serious questions to be raised.

The two largest organizations lobbying openly for the big bus bill are the American Transit Association and the National Association of Motor Bus Owners. With this in mind, it is interesting to note that these organizations have joined in a lawsuit to invalidate the new Department of Transportation regulations on the subject of regrooved tires. They argue that the Department of Transportation requirement of three-thirty-second-inch of undertread below the tire grooves is too stringent. So, in effect, you have the same groups telling the Congress they are going to use bigger and safer tires on the wider buses, and at the same time, telling the courts they want to use thinner tires than the Department of Transportation requires. Does that make sense?

I insert the following article:

[From the Passenger Transport, Mar. 26, 1971]

ATA, OTHERS APPEAL DOT REGROOVED TIRE REGULATIONS

The order of United States District Judge Joseph C. Waddy, granting summary judgment to the government in the action brought to test the validity of the regrooved tire regulations issued by the Department of Transportation, has been appealed to the United States Court of Appeals for the District of Columbia Circuit by the plaintiffs in the action.

The American Transit Association joined with the National Association of Motor Bus Owners and the American Trucking Association, Inc., in a joint notice of appeal filed March 8. The appeal probably will be on the calendar at the next term of the Court of Appeals.

The suit sought to invalidate regrooved tire regulations issued by the Department of Transportation's Traffic Safety Administration in 1969.

A regrooved tire is defined as "a tire, either original tread or retread, on which the tread pattern has been renewed or a new tread or retread has been produced by cutting into the tread of a worn tire to a depth equal to or deeper than the molded original groove depth."

For the low-speed, stop-and-go operation of intra-city buses, the transit industry has been successfully using the city-bus mileage tire, specifically constructed with heavy undertread to accept regrooving, thereby increasing the life, without, industry officials point out, any compromise of tire safety factors.

The regulations challenged in the lawsuit establish the conditions under which regrooved tires may be sold, offered for sale, in-

troduced for sale, or delivered for introduction into interstate commerce.

An amendment to the regulations prohibits the use of regrooved tires on the front wheels of vehicles unless the tires meet minimum load-carrying capacity requirements.

In the lawsuit, ATA and other plaintiffs argued that the regulation requiring that there be a 3/32 inch of undertread below the grooves of the regrooved tire would reduce the useful life of the tire by 15%. The plaintiffs attacked the validity of the regulations contending they were defective.

In addition, ATA raised the point that Congress made it clear in the National Traffic and Safety Act of 1966 that any regulations adopted thereunder in respect to tires would not be applicable to the intrastate commerce.

PRESS DIFFICULTIES IN INDO-CHINA

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 2, 1971

Mr. WALDIE. Mr. Speaker, I would like to focus attention on a recent news article written by Lou Cannon of the Washington press corps.

It exposes yet another unfortunate aspect of the credibility problem between the press, the Federal Government, the Military Establishment, and the American people.

The article follows:

FOR NEW CREDIBILITY GAP: ALL SHARE BLAME

(By Lou Cannon)

The lack of credibility which distinguished the Washington relationship between the press corps and the Nixon administration is a gulf, not a gap, in Laos and Vietnam.

Any Washington reporter who thinks he receives the run-around from White House types needs only a brush or two with the ruling gentry of the U.S. Military Advisory Command in Saigon to yearn for a good clean evasion from a home-based administration press officer.

Turnabout.—And any administration official who thinks he's being abused by the nattering nabobs of the Washington corps would probably cheerfully accept his present bad press if forced to submit to the Vientiane press corps for a few hours.

This, at least, is the impression obtained by this reporter after conversations with military men, embassy officials and reporters during a 10-day trip to Indochina.

Almost to a man, the soldiers and Marines interviewed in Vietnam and the civilian officials and helicopter pilots I talked with in Laos believe that the press is distorting the war. Some cite exaggerated accounts of Vietnam defoliation, some an emphasis on civilian casualties rather than American lives, some a preoccupation with U.S.-Vietnamese frictions or with military drug problems.

The reporters also make a pretty good case. They talk about meaningless briefings and outright lies, a punitive attitude toward reporters who write critically and growing reluctance to provide the transportation which is a precondition of accurate war reporting. In Laos, which is as American-run as any turn-of-the-century Banana republic in Central America, the Royal Lao government attempted to oust a particularly critical reporter, then relented when the U.S. embassy decided that the fuss was not worth the protest from other correspondents.

Opinionated—But the reporter in question is at least as opinionated as his critics. During a tour of the refugee village of Ban Na Nga with Rep. Pete McCloskey (R-Calif.), the reporter vehemently argued the case against American bombing in Laos with a pro-bombing priest in a dialogue that did little to advance the cause of either journalism or the priesthood.

"We're getting guys over here now who are sociologists, not reporters," complains a Marine major in Vietnam.

However, this same Marine major readily concedes that military men in Vietnam have often created the conditions they criticize. He cites Lam Son 719, the ballyhooed Laos invasion, as a case in point.

In that battle, nominally waged by the South Vietnamese army (ARVN), a directive was issued prohibiting U.S. helicopters from transporting press and restricting comments by American officers. Few reporters were able to reach the battle area and much of the reporting accordingly centered on bullet-riddled helicopters carrying out ARVN survivors from what appeared to be a disorderly retreat.

Instead of providing press transportation, the U.S. command furnished communiques describing the operation as a success in advance and leaving blank spots for press officers to fill in.

Nonsense—Few, if any, reporters believed such self-defeating nonsense.

"The reason we got the reporting we did out of Lam Son 719 was that we didn't make choppers available," concedes the same major who is critical of reporters-turned-sociologists. Like many other military men, the major believes Lam Son 719 was a plus-and-minus operation. But the U.S. military in effect made a policy decision to allow coverage only of the retreat.

There are lessons to be drawn from such suppression and such coverage, and they ought to be drawn quickly. It is a hard, clear truth that vast numbers of Americans no longer believe what either their reporters or their politicians are telling them. The experience of Indochina suggests that there are good reasons in both cases for this unbelief.

THE VOTING RIGHTS ACT

HON. HARRY F. BYRD, JR.

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Thursday, June 3, 1971

Mr. BYRD of Virginia. Mr. President, the May 25 edition of the Richmond News Leader included an excellent editorial on the subject of the Voting Rights Act and the court decisions which have been made pursuant to that act.

The editorial correctly points out that the unfair treatment of southern States which has resulted from this law is basically the fault of the law itself and not the courts.

It was wrong to have enacted the Voting Rights Act in 1965, and it was wrong to extend the act in 1970. This punitive statute, so long as it remains on the books, is bound to result in unwarranted and inequitable treatment of the southern States.

The editor of the editorial page of the Richmond News Leader is Ross Mackenzie.

I ask unanimous consent that the text of the editorial, "The Feds' Latest," be printed in the Extensions of Remarks.

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

[From the Richmond News Leader, May 25, 1971]

THE FED'S LATEST

Yesterday a panel of four Federal judges ordered Virginia to postpone its scheduled June 8 Democratic primaries until September 14, and told the General Assembly to come forward with satisfactory plans for reapportionment of the State Senate and the House of Delegates by June 15. If the Democrats must have their primaries, September 14 clearly is a more acceptable date than June 8. The requirement that the General Assembly submit new reapportionment plans to Attorney General John Mitchell by June 15 makes less sense. That is three weeks from now. The Supreme Court is expected to rule in a related reapportionment case, involving Indianapolis, within the next month. Under the Federal panel's order yesterday, the General Assembly now must proceed without the benefit of the Supreme Court's ruling in the Indianapolis case.

But whether one approves or disapproves of the dates set by the Federal panel yesterday, the most galling aspect is that Virginia and other Southern States still are treated by the Federal courts as conquered provinces. Under the uniquely opprobrious Voting Rights Act of 1965, the Southern States are compelled to obtain Federal approval before they may so much as brush their teeth. In this regard, consider the following statement made last month by a three-judge Federal court in Mississippi:

"If we were free to perform our judicial duties according to our ability and agreeably to our understanding of the Constitution of the United States, we would, to a man, concur with Mr. Justice Black's view (in two recent cases) that Section 5 of the Voting Rights Act of 1965 is clearly unconstitutional. This Section 5 imposes a prior restraint upon certain of the sovereign States by enjoining the enforcement of statutes they may enact until they can convince Federal judges of a district foreign to their soil that these presumptively valid acts of their duly elected (State) legislature pass constitutional muster, or until their chief legal officer has submitted such statutes to a political appointee of the Executive (branch) of the central government for his review and tacit approval.

"However, as members of an inferior court, we are bound to follow the precedent set by the majority of the Supreme Court and to apply Section 5 to the same extent as if we considered it to have pristine authority."

Such a statement, oozing with irony born of disdain, describes eloquently what is happening to the Federal system. It is being smashed. You do not have a Federal system when Mississippi or Virginia or any State must clear practically everything it does with some Federal appointee. You do not have a Federal system when any region is compelled to do things required of no other region. The Voting Rights Act says that if the reapportionment plan of a Southern State is not approved or rejected by the U.S. Attorney General within 60 days after the plan has been submitted to him, then the plan may be considered valid. Attorney General Mitchell took more than 60 days to reject Virginia's plan. Yesterday, contrary to the language of the Voting Rights Act, the Federal panel upheld Attorney General Mitchell's dawdling, and Virginia be damned.

The Federal government makes these punitive laws, the Federal government interprets them, and there is little that the South—the humiliated South—can do about it. The Federal government's prevailing attitude

toward the South is malicious, hateful, and wrong. Virginia is locked in—a ward of the Feds. So by June 15 Virginia will come up with reapportionment plans that please them, just as the pupil must satisfy the harsh schoolmarm. One despairs. We are treated as children—ugly children, unpenitent children. And we will be compelled to comply with every irrational Federal edict, no matter how much it hurts.

BELIEFS OF YOUNGER GENERATION

HON. CHARLES S. GUBSER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 3, 1971

Mr. GUBSER. Mr. Speaker, the attitudes and beliefs of today's younger generation are often the subject of controversy. Whether we of the adult world agree or disagree with youth, we can always say that today's youth approaches modern problems with a depth of thought and spirit which are commendable.

Recently a constituent furnished me with a copy of an editorial which appeared in "Panther Prints," a high school newspaper in my Congressional district, on March 19, 1971. I found the depth of thought in the article by Mr. Theodore Jenkel III to be intriguing and worthy of consideration. I commend it to the attention of all readers of the CONGRESSIONAL RECORD:

WHAT'S REALITY FOR YOU?

(By Ted Jenkel)

What's the point? We must never lose track of this question. It is easy to forget, it is easy to become caught up in the humdrum of the ordinary. Sitting in school every day the senses often become deadened and perspective becomes shaded.

It is easy to allow one's mind to become subservient and to lose the essence of life—the free spirit. One can easily and slowly slip below the waves and allow one's self to be submerged in the sea of acquiescence. The simple way is to bend in the wind and to fall prey to the pattern of convenience wherein youth's soul is tamed and molded so that he can finally leave school and slip without dents of rupture into the present scheme of things, into society. Slip into society where the will of the mass can replace the spirit of the individual.

Do not lose yourself in anxious thoughts over the future and do not regret the past. Remember who you are and what's real for you. Your friend is real, the sun is real, the flowers are real, the grass is real and the spirit of love is real. Don't lose touch with yourself in man made abstractions.

When you learn the chemical analysis of a substance, of the electrochemical processes of the brain, of the anatomy of a plant and mathematical definitions remember the spirit of man and the beauty of nature.

Learn not for learning's sake, for that is pointless. Learn what is important to you. Learn so that you may be better able to serve your fellow man. Improve yourself so that you may reach out and lend a hand. Somebody needs you.

Live your life in the spirit of awareness. Try not to forget yourself in manmade mazes of concepts, plans and calculations. Have attention to the here and now, allow no one to tame your spirit. Remember who you are and what you are. Look at nature and beauty. Have attention, have soul, have a friend, and have a beautiful day.

J. CRAIG SMITH, "MAN OF THE SOUTH"

HON. HERMAN E. TALMADGE

OF GEORGIA

IN THE SENATE OF THE UNITED STATES

Thursday, June 3, 1971

Mr. TALMADGE. Mr. President, each year Dixie Business magazine, in Decatur, Ga., edited by Mr. Hubert F. Lee, selects a "Man of the South." The 1970 award was presented earlier this year to Mr. J. Craig Smith, who is chairman of the board of Avondale Mills in Sylacauga, Ala., and a businessman and civic leader of wide renown.

Also appearing in a recent issue of Dixie Business is an article observing the 50th anniversary of the Atlanta Junior Chamber of Commerce.

I bring this material to the attention of the Senate and ask that it be printed in the Extensions of Remarks.

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

[From the Dixie Business, Summer, 1971]

J. CRAIG SMITH—MAN OF THE SOUTH FOR 1970

(By Hubert F. Lee)

J. Craig Smith is a Great Human Being—a man of unquestioned integrity—deserving of this or any accolade. . . . wrote Charles H. Kellstadt, Chairman of General Development and retired head of Sears, Roebuck & Company.

I thought of Charlie's words as I presented the 25th "Man of the South" award to Craig Smith March 18, 1971 in Sylacauga, Alabama, headquarters for the great Avondale Mills.

The years turned back to 1947 when I wrote my second "Man of the South" report in Dixie Business.

FRIEND OF THE NEEDY

It is said of Donald Comer in Birmingham that he goes often to the Old People's Home there to see them and do a little to lift up their hearts. Somehow, we feel, that above the roar of applause from leading editors, cotton textile men, industrialists and others over Mr. Comer's selection will be smile on their faces and the happiness they will know that one of their friends is the 1947 South's MAN OF THE YEAR. He has been theirs for a long time.

The little stars sometimes marshal themselves into a greater force than some of the big ones. It is often the little things a man does, day by day, and year by year, that counts most when the final balance sheet is added up.

" . . . I was honored and rendered a greater service as Superintendent of a Methodist church Sunday school than as Governor or Senator of my state," is the sentiment of the late Hon. Braxton Bragg Comer inscribed on a bronze tablet of a church in Alexandria City, Alabama. How great this sentiment has marked the life of Donald Comer and his brothers can be seen in many of the things they have done. The man in overalls is as human and worthy of respect and dignity as the great among us, to Donald Comer.

It is our impression of Donald Comer that he asks not whether something is great and important but is it worthy and good and in need of his efforts and support. Being a useful citizen is no new thing to him, he has been one for many years.

Craig Smith is a grandson of the late Governor Braxton Bragg Comer and nephew of the "Man of the South" for 1947, the late Donald Comer, who was Chairman of Avondale Mills in 1947.

In naming J. Craig Smith, Chairman of Avondale Mills, as the 25th "Man of the South" we pay tribute to the entire textile industry and to all the great leaders of all endeavors who have done so much for our Southland over the years.

Craig Smith is a Giant in the textile industry of industrial giants.

He is the fifth in the industry to be honored—Donald Comer, then Chairman of the Avondale Mills, in 1947; Colonel James C. Self, then head of Greenwood Mills, in 1952; Norman Coker, former president of Duke Power Co. and a director of J. P. Stevens, in 1959; and Governor Luther Hodges, Marshall-Field Company, in 1969.

He is the fourth from Alabama, Thomas W. Martin, then president of Alabama Power Company, in 1946, Donald Comer in 1947 and Frank P. Samford, chairman of Liberty National Life and the man for whom Samford University is named, in 1959.

King Arthur never devoted more care and research in assembling his Knights at the Court of Camelot than I have for 25 years in helping honor the South's great since 1946.

Craig Smith is a legend in his own lifetime in Alabama and the textile industry.

He was installed in Osaka, Japan as the first American to serve as president of the International Federation of Cotton and Allied Textile Industries.

He is a vice-president of the Alabama State Chamber of Commerce which was founded in 1938, the year I helped the Alabama Journal on its 50th Anniversary edition, by such giants as Donald Comer, Thomas W. Martin, Benjamin Russell, Floyd McGowan and others.

But most of all, Craig Smith is deeply concerned with the vital needs of the families that make up the Avondale Mills and the benefits to them is a living testament to his sincerity.

Craig Smith retired in 1970 after 19 successful years as President of Avondale Mills. It was the most successful year for Avondale in 73-years of operation.

The past 19 years have been the most difficult years for the textile industry in history. Craig Smith not only served as a leading spokesman for his industry, he kept up the mills and installed the latest machinery to meet competition in the fierce battle against imports.

As Reuben B. Robertson, "Man of the South" phrased it. "We are honored by association by having J. Craig Smith added to the Man of the South honor group."

Craig Smith was named from the honor group I term the South's "Hall of Fame for the Living". This group is limited to 200 living leaders and the 200 limit was reached in 1953. Additions since 1953 have been to take the places of those who have died.

I feel every one of these would be proud to have Craig Smith serve as the symbol of "honoring many by honoring one."

J. Craig Smith was born in Birmingham, Alabama, July 23, 1905. His parents were Mignon Comer and J. Craig Smith. He attended college at Virginia Military Institute, Class of 1925; A.B. degree. Mr. Smith married Page Thompson of Selma, Alabama. They have one daughter, Mignon Comer Smith.

In business circles he is Chairman of the Board, Avondale Mills, Sylacauga, Ala.; Director, Cowhee Mills, Eufaula, Ala.; Director, Birmingham Trust National Bank, Birmingham; Director, Illinois Central Railroad, Chicago, Illinois; Director, Illinois Central Industries, Chicago; Director, Protective Life Insurance Company, Birmingham; Director, South Central Bell Telephone Company, Birmingham; and Director, First Federal Savings and Loan Association, Sylacauga.

Activities in Trade Associations include: President, International Federation of Cotton and Allied Textile Industries, Zurich, Switzerland; Director and past President,

American Textile Manufacturers Institute, Inc.; Director and past President, National Cotton Council of America; Past President, Alabama Textile Manufacturers Association; and Vice President and Director, Alabama Chamber of Commerce.

Civic Areas of activity, to list a few, include: Vice President and Trustee, The Eye Foundation, Inc., Birmingham; President and Director, Alabama Safety Council; Vice Chairman, Sylacauga Park and Recreation Board; and Chairman, Alabama State Advisory Committee on Public Education.

Miscellaneous Affiliations: Member, The Newcomen Society in North America; Honorary Membership in the following: Sylacauga Rotary Club (also past President); Sylacauga Exchange Club; Omicron Delta Kappa (University of Alabama) and Phi Psi (Auburn University). He is a member of Birmingham Country Club (past President); The Redstone Club (past President); Mountain Brook Club, The Club, the Downtown Club, and the Relay House, all of Birmingham; and Coosa Valley Country Club, Sylacauga.

Public offices held in the past: Executive Committee, Alabama Institute for Deaf and Blind; Alabama Water Improvement Commission; Advisory Board, University of Alabama Medical Center; Board of Directors, Sylacauga Hospital; and Alabama Education Study Commission.

Honors have come by the score. To name a few: Named Communicator of the Year for 1970 by the International Council of Industrial Editors. This is the first time the award had been made to anyone from the South and the first time it had been made to anyone from the textile industry; he received the 1970 Marketing Man of the Year Award from the Birmingham Chapter of the American Marketing Association; and he was named Man of the South for 1970 by the editors of Dixie Business.

He was a five-star General in every area where his interest and activity took him. As a public speaker he has been unexcelled. With or without a script he has moved millions. A gentle and quiet man by nature he could stir up more support for more worthy causes than any man I know.

A master of ad lib he could amuse and confuse with his hilarious comedy, profound remarks of cutting sarcastic retorts reserved for those who needed cutting down. Craig Smith is a genius who loves being in the fore front of every worthwhile fight. He loves a fight for the right but he also has always loved people—and people love him. As strong and as able and as capable as he is, he is still the world's softest touch for any cause in need of a champion.

[From the Dixie Business, Spring, 1971]

NOSTALGIA WITHOUT TEARS

(By Hubert F. Lee)

The Atlanta Jaycees bridged the generation gap at its 50th Anniversary dinner on February 4, 1971.

There were three tables of "old-timers" and the cup of nostalgia was running over but there were no tears.

It was also "bosses" night.

As a reporter in 1921, I covered the Jaycees, the civic clubs, etc., before I joined the Jaycees.

The year 1921 was a year to remember.

And so is 1971.

The young and dynamic leaders like President William A. Walton gave us "old-timers" assurance that the Atlanta Spirit and leadership is in good hands.

Chairman Ed Herrin and Vice President Lee Lester, in charge of the annual meeting, had a program of stars.

Bill Walton's Welcome compared with Austin Abbott or Roy LeCraw's best in the early 20's.

Some of the old-timers included Duncan Peek, R. W. "Bob" Schilling, Vernon Brown, William A. "Bill" Horne, Jr., J. Ralph McClelland, Austin Abbott, O. C. Hubert.

At the next table were Mr. and Mrs. John Slaton, Jr., B. L. Brown, Baxter Maddox, Fain Peek, Dr. Bill Dobies, and Hubert F. Lee, dean of magazine editors.

John Westmoreland, Mrs. Shelley Charles, Herbert B. Hayes, Malcolm Brenner and Hugh Head.

There was Richard H. Rich, "Merchant Prince," who was applauded for his leadership in keeping the Jaycees going in the lean years.

And Wiley Moore, Jr., and a host of others. It was a dark and stormy night and earlier that day I had phoned Mrs. Gloria Bellah to see if I could cancel my reservation.

When Mrs. Bellah told me that a host of old-timers were coming, I changed my mind about backing out.

DR. NOAH LANGDALE, JR., SPEAKER

Dr. Noah Langdale, Jr., who led Georgia State University to one of the nation's best, was introduced by Tarby Bryant.

"When a man has a boy age 5, the father worships the son.

"At 10, the boy worships his father.

"At 15, the boy is copying father.

"At 20, the son is friend or foe," Dr. Langdale declared.

Dr. Langdale is one of my favorites.

50 YEARS IN REVIEW

Steve Dixon anchored the glance back over the years.

Doug Cook told of the 1950's how the '61 national convention was landed when Earl Mann wired it would be OK to meet in the ball park. Cook was '58 president.

O. C. Hubert, 1941 president, reported on the 40's.

Duncan Peek, 1933 president, told of the ups and downs of the 30's. The drive to share the work. Helping Mayor Hartsfield on airport, getting the drivers license and State Patrol laws passed.

Bill Walton told of the 1920's.

The Atlanta Spirit for May 8, 1930, had a front-page story.

AIR MAIL WEEK BEGINS

(By Al Richardson)

And on page 3 a news item about me.

DRUG ABUSE IN THE ARMED FORCES

HON. HERMAN BADILLO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 2, 1971

Mr. BADILLO. Mr. Speaker, the incidence of drug abuse and addiction to hard narcotics by members of the Armed Forces has now reached crisis proportions, even though the full extent of drug usage has only recently become known. The easy access to and inexpensive price of drugs, combined with the emotional and physical stresses of combat and the boredom of rearline inactivity, have led to a virtual epidemic among servicemen who experiment with LSD, hallucinates, amphetamines, and other barbiturates, or who have become addicted to heroin and other hard drugs.

Although much publicity has recently been given to a number of drug abuse and drug education programs being conducted by the military services, I have

seen no substantive information or statistics on the results of such programs or any indication of a major commitment being made by the DOD and the military services to effectively cope with the problem. Frankly, I cannot help but wonder how much of what has been publicized is simply window-dressing, particularly when you consider the number of young men who have been subjected to disciplinary action rather than meaningful and humanitarian medical care and treatment. All too often the military services seem to try to avoid the issue entirely by discharging the serviceman and leaving him to fend for himself in civilian life, with no future and, in many instances, a rather substantial and expensive narcotics habit.

What is especially distressing is the fact that many of the servicemen receive unfavorable types of discharges and, as a consequence, they are barred from receiving VA medical treatment for narcotics addiction.

Mr. Speaker, the military services, in my opinion, have failed miserably to deal with this problem in a proper manner and time for action is quickly running out. Punitive action is not the answer but, rather, medical assistance and rehabilitation are required to cope with the burgeoning problem of drug addiction and abuse in the Armed Forces. Thus, the Congress must exercise its prerogatives and take the initiative in proposing a program to both help our servicemen and to seek means to halt the military's monumental drug problem.

I am pleased to join with our distinguished colleague from Connecticut, Mr. MONAGAN, in sponsoring the Armed Forces Drug Abuse Control Act of 1971. This measure, H.R. 8861 and other bills, is a major step in undertaking long overdue action in an attempt to remedy the mounting drug abuse problem among servicemen. I commend Mr. MONAGAN for his leadership in this effort and I am encouraged by the support it has received.

This legislation approaches the drug problem in a meaningful and constructive manner. Two very noteworthy sections of the bill provide that any person charged with an offense involving the use of possession of any narcotic drug be afforded the opportunity to undergo a treatment and rehabilitation program and it would prevent a drug addicted serviceman from being discharged from the Armed Forces until he is cured of addiction. In addition, the measure establishes a Drug Abuse Control Corps in each military service to provide both educational and rehabilitative treatment of servicemen addicted to dangerous drugs.

Almost every week I receive a letter from a serviceman or a veteran whose young life has been severely scarred and damaged because of his involvement with drugs and the inhuman or uncaring manner in which he was treated. Drug addiction is a serious medical problem and one which has calamitous social consequences. The military services have a very clear responsibility and obligation to treat individuals who are addicted to drugs and in the same manner they would a man wounded by the enemy.

Mr. Speaker, the Armed Forces Drug Abuse Control Act of 1971, as well as a number of other pending measures, offer some responsible and effective remedies to this tragic problem. The military drug abuse crisis can no longer be ignored or shunted aside and prompt action must be taken. I urge the armed services to conduct hearings on this legislation at the earliest possible date and to give this problem its fullest and most careful consideration and attention.

THE TENNESSEE-TOMBIGBEE WATERWAY—PROGRESS BEYOND ESTIMATION

HON. LAMAR BAKER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 3, 1971

Mr. BAKER. Mr. Speaker, on May 25, I had the honor of attending the symbolic groundbreaking ceremonies for the \$300 million Tennessee-Tombigbee Waterway at Mobile, Ala. The importance of the occasion is attested by the fact President Nixon was there to do the honors.

The completion of this waterway means a great deal to the Third District of Tennessee because of the shorter, more accessible route to gulf ports.

The essence of untold future benefits from this improved transportation facility is captured in an editorial from the May 27 edition of the Chattanooga News-Free Press.

I call attention to this editorial, "Progress Beyond Estimation":

PROGRESS BEYOND ESTIMATION

To much of our country, the importance of the ceremony may have been obscured by the popular reception accorded the President on his visit to the South. But the purpose should not be overlooked or the prospects forgotten.

President Richard M. Nixon went to Mobile this week to take part in the beginning of work on what long has been described as "the Tennessee-Tombigbee project." A fascinating name, what does it mean?

It means that perhaps 10 years from now, much of the inland South will be on the "seacoast" so far as water shipping to all of the ports of the world is concerned. And this will have tremendous economic impact.

This is the idea; to connect existing rivers in a 253-mile waterway that will shorten water shipping distances from Pennsylvania on the east, midwest cities and mid-South ports to Mobile and the Gulf of Mexico, and the rest of the world.

The waterway will run along the Tombigbee River near the Mississippi border, connect with the Warrior River at Demopolis, Ala., canal through 70 miles to the Tennessee River at Pickwick Lake.

Now the Tennessee River winds down across Tennessee into northern Alabama, then turns northward across Tennessee again to Kentucky, entering the Ohio and Mississippi River for a long southward flow to the Gulf at New Orleans.

From Chattanooga to New Orleans by water is now 1,376 miles. From Chattanooga to Mobile by water is 1,538 miles. The Tennessee-Tombigbee route will cut the New Orleans trip to 881 miles—a saving of 495 miles, and Mobile will be only 719 miles away by water, cutting that trip 819 miles.

Already, water traffic is vital to this region. But it is nothing compared with the promises of the years ahead when the Tennessee-Tombigbee system is completed.

The ceremonies this week point toward the time a decade from now when the realities of this progress will just begin.

CONSTITUTIONAL CASUALTIES IN THE WAR ON CRIME

HON. HENRY M. JACKSON

OF WASHINGTON

IN THE SENATE OF THE UNITED STATES

Thursday, June 3, 1971

Mr. JACKSON. Mr. President, a special magazine issue of the Denver Law Journal contains an excellent article by Senator ERVIN entitled "Constitutional Casualties in the War on Crime." As chairman of the Subcommittee on Constitutional Rights of the Judiciary Committee, the senior Senator from North Carolina is one of the Nation's most respected authorities on constitutional law.

Mr. President, I ask unanimous consent that the article be printed in the RECORD.

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

CONSTITUTIONAL CASUALTIES IN THE WAR ON CRIME

(By SAM J. ERVIN, JR.)

INTRODUCTION

Over 100 years ago John C. Calhoun warned the Senate that "It is harder to preserve than to obtain liberty." Calhoun's warning, made in a period of great political unrest and instability in the 19th century, is especially valid today when violence is fast becoming a part of our daily life. We have been experiencing a tremendous increase in common criminality which has placed our urban citizens in a state of constant fear and insecurity. The fear of crime has affected our entire population. It has produced the widespread demand for safety, for "law and order," which has dominated our political scene in recent years and preoccupied the Congress and the Administration since 1968.

At the same time we have also been experiencing a steady deterioration of that tolerance for differing points of view which is the very fiber of a society based upon liberty. Rhetoric is fast replacing reason in political discourse. Totalitarian attitudes have infected more and more of our social and political disputes, converting opponents into mortal enemies and eliminating compromise as an acceptable solution. Whereas just a few years ago we were debating the social and philosophical validity of peaceful civil disobedience, a form of political action that numbers Gandhi, Christ, and the Hebrew Prophets among its adherents, today many groups openly advocate violence as a political instrument, and a few have begun to practice terrorism.

These are very recent developments, and they are unique in our history. Our society has experienced violence before, but it has never sanctioned it as a political instrument in a holy war against those who disagree. Nor has violence ever reached a point where large parts of our society live in a state of siege in their own homes. It is in this context that our traditions of individual freedom and civil liberties are once again being tested.

The twin evils of criminal and political violence stand as a threat to our liberty in two ways. Liberty cannot survive in anar-

chy. But neither can it survive if our nation's leaders and people come to feel that the only path to security lies in suspending constitutional freedoms "for the duration." As Justice Davis said in *Ex parte Milligan*:¹

"The Constitution of the United States is a law for rulers and people, equally in war and in peace, and covers with the shield of its protection all classes of men, at all times, and under all circumstances. No doctrine, involving more pernicious consequences, was ever invented by the wit of man than that any of its provisions can be suspended during any of the great exigencies of government. Such a doctrine leads directly to anarchy or despotism, but the theory of necessity on which it is based is false; for the government, within the Constitution, has all the powers granted to it, which are necessary to preserve its existence; as has been happily proved by the result of the great effort to throw off its just authority."²

The sorry fact is that by word and deed, many leaders of our country seem to be as ignorant of Calhoun's warning as they are of Justice Davis' truth. In an effort to deal with the crisis of violence, they have proposed a series of laws and have taken other steps which demonstrate at least a sympathy with the belief that the only way to deal with lawlessness is by sacrificing hard won but fragile pillars of individual freedom. Their approach has been largely motivated by the political dividends to be gained by stressing the dangers of lawlessness and the need for tough anti-crime moves. They have ignored the time-consuming, expensive reforms which do not produce votes but which eventually show results. The justification for these assaults on individual rights has been, as always, the existence of a crisis. In this case, it is the crisis of "law and order." All that need be said about necessity as a justification for abridging liberty was said by William Pitt in a speech in the House of Commons on November 18, 1783: "Necessity is the plea for every infringement of human freedom. It is the argument of tyrants. It is the creed of slaves."

The catalog of recent Administration efforts on behalf of law and order is a long one, and different people will cite different examples of what they think illustrates the current official insensitivity to constitutional principles. The following examples are typical of the current approach.

1. Law and order legislation

Over the past year the Administration proposed and successfully had enacted two laws giving police the right to enter private homes by stealth or violence in the same way as common thieves and burglars in order to aid the execution of search and arrest warrants.³ This "no-knock" search authority flies in the face of the constitutional guarantee that all Americans are to be secure against unreasonable searches. The fourth amendment is an expression of our traditional belief in privacy and security. It is symbolic of the restraints that we place upon government efficiency in the name of a higher value. "No-knock" searches destroy the security of what Faulkner called that "last vestige of privacy without which man cannot be an individual." The principle that "every man's home is his castle" is more than a slogan. It is an expression of one of the greatest longings of the human heart. The longing for a place where man can flee from the world, where he can converse freely with his family and his God, at peace, free from the fear of molestation by others or by his government. In the words of the Prophet Micah: "But they shall sit every man under his vine and his fig tree; and none shall make them afraid; for the mouth of the Lord of hosts has spoken it."

Anglo-American tradition has consistently upheld the sanctity and security of the home

against recurring pleas of government necessity. As long ago as 1603, in *Semayne's Case*, the court laid down the rule:

"In all cases where the King . . . is party, the sheriff (if the doors be not open) may break the party's house, either to arrest him, or to do other execution of the K.'s process, if otherwise he cannot enter. But before he breaks it, he ought to signify the cause of his coming, and to make request to open doors."⁴

And when the claim was made that the excise tax on cider could not be collected unless custom's officers could enter homes without notice to search for the contraband, William Pitt said:

"The poorest man may, in his cottage, bid defiance to all the forces of the crown, it may be frail. Its roof may shake. The wind may blow through it. The storm may enter. The rain may enter. But the King of England cannot enter. All his force dares not cross the threshold of that ruined tenement."

The predilection of English customs officers to execute general writs of assistance against American colonists played a major role in the American Revolution and was one of the direct antecedents of the fourth amendment. John Adams said the controversy "breathed into this nation the breath of life . . . Then and there the child Independence was born."⁵

The rule of prior notice enunciated in *Semayne's Case* has been maintained down to this day. It has long been written into federal statutory law⁶ and has been incorporated in the fourth amendment.

The leading case which discusses the law of no knock searches is *Ker v. California*,⁷ in which the Supreme Court unanimously agreed that the fourth amendment includes the requirement of prior notice by the police of their identity and purpose before they may enter a home to execute a search or arrest. The *Ker* case has no Court opinion because the Justices divided on whether the facts in the case were sufficient to bring it within one of the recognized exceptions to the rule of prior notice. They were, however, in substantial agreement on the limited nature of those exceptions. Justice Brennan summarized the exceptions as follows:

"Even if probable cause exists for the arrest of a person within, the Fourth Amendment is violated by an unannounced police intrusion into a private home, with or without an arrest warrant, except (1) where the persons within already know of the officers' authority and purpose, or (2) where the officers are justified in the belief that persons within are in imminent peril of bodily harm, or (3) where those within, made aware of the presence of someone outside (because, for example, there has been a knock at the door), are then engaged in activity which justifies the officers in the belief that the escape or the destruction of evidence is being attempted."⁸

The exceptions—prior knowledge by the people in the house that officers are outside, danger to the officers or someone inside, or imminent escape or destruction of evidence—all focus attention on the moment the search is to be performed. They are dependent on prior knowledge by the inmates of the house of the presence of the police outside plus emergency or exigent circumstances not known or knowable until the police are actually present to execute the warrant. These circumstances quite naturally render advance notice both superfluous and dangerous and thus justify a no-knock entry.

The no-knock legislation makes two changes in common law. First, it lowers the degree of necessity, or the burden of justification, that is needed to uphold a no-knock entry. The constitutional standard is strict. It requires the police to have probable cause to believe that their presence is known and that an emergency situation exists. The new statutory standard speaks of "probable

cause to believe that such notice is likely" to result in danger to the police or another listed exception.⁹ The piling of one probability upon another lowers the standard below the "probable cause" requirement of the Constitution, and to this extent, at least, the provision is defective under the fourth amendment.

Second, and more significant, the statute empowers the judge to authorize a no-knock entry when the search warrant is issued. This means that the police officer and the judge must speculate on the possible circumstances that will exist miles away and perhaps days later when the warrant is executed. This is mere prophesy. The police can offer no more than their fears of what perhaps may take place. The judge has only the policeman's anticipation of what might occur. Neither can know whether these conditions will in fact exist. The ability to authorize entry without notice undercuts the whole theory of emergency conditions and the limited nature of the exceptions to the constitutional rule. It creates a situation where the exception devours the rule. Rather than placing a judge between the police and the door, as its proponents suggested, it serves to immunize the police from subsequent judicial scrutiny whatever the conditions actually present when the warrant is executed. The statutory authority to issue advance no-knock warrants means that the principle that police must give notice before entering is now an empty promise. No-knock repudiates a tradition of liberty more than 350 years old.

Despite the fervor with which no-knock was advanced by the Justice Department, it is by no means uniformly or enthusiastically supported by rank and file police. The outcry from some community groups that they would defend their homes with force against nighttime intruders who might be burglars as well as police produced an undercurrent of disquiet among many law enforcement officers. They do not welcome yet another irritant to the increasing community distrust that police have been meeting in recent years. Nor do they or their wives look forward to the danger that confronts policemen from armed and frightened city dwellers who already feel insecure in their homes. The limited value of no-knock was exemplified in the statement of Washington, D.C., Police Chief Jerry Wilson a few days after "no-knock" was enacted for the District; he expected that it would be used perhaps a dozen times a year. This gap between political rhetoric and practical utility characterizes much of the "anti-crime" proposals of the past 2 years. We cannot even say that the weakening of constitutional principles has been matched by any significant improvement in law enforcement, small comfort though that would be.

Preventive detention, which the Administration was also successful in having enacted in 1970, has similarly been advertised as a necessary weapon in the war against crime. Preventive detention is an authorization to judges to deny bail to defendants who are thought to pose a danger of committing additional crimes if released between arrest and eventual trial. Under most formulations, including the version proposed by the Justice Department, the detention is limited to certain classes of defendants who may be detained for a period of 60 days, by which time they supposedly will have been tried.¹⁰

While on its face, preventive detention appears to be an effective, albeit drastic, remedy for pretrial recidivism, in reality it is neither effective nor necessary. Pretrial recidivism, which is defined as the incidence of rearrests of persons released on bail during the pretrial period, has been found to occur in about 11 percent of all cases. Eliminating or even substantially reducing this 11 percent figure does not justify resort to preventive detention even if it could be shown to be effective. Professor Hans Zeisel found that the 11 percent rearrest rate could be reduced

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to 4.5 percent by the simple device of trying all cases within a 60-day period, as the Administration bill assumes will be done. The addition of preventive detention for defendants charged with so-called dangerous or violent crimes would reduce that rate to 3.8 percent, or a net decrease of only 0.7 percent. This is explained in part by the fact that while the overall recidivism rate is 11 percent, this figure includes all arrests for misdemeanors and nonviolent felonies as well as for dangerous crimes. The recidivism rate for the dangerous categories is only 6 percent, and it is to this class of cases alone that the Department bill would apply.¹¹

While 60-day detention would make only a limited contribution to reducing pretrial recidivism as compared with a 60-day trial rule, perhaps the greatest defect in the Administration bill is that judges are simply unable to distinguish between defendants who will commit additional crimes and those who will not. There are no reliable tests for judges to use in determining which defendants are likely to be dangerous and which are not. None of the factors recited in the legislation have been shown to have any value as a device for predicting future criminal conduct. In fact, there are no reliable predictive systems anywhere else in the criminal system. Even in parole and probation cases where judgments are based on extensive knowledge of the individual and long periods of observation, the failure rate is still high. By contrast, the judge in a detention hearing has little information to go on. This hearing takes place a few hours or days after arrest. The judge will be informed of the charge; the nature of the evidence against the defendant; some information gathered by a bail agency concerning the defendant's ties with the community, his employment, family, and the like; and perhaps some inaccurate and incomplete information about his prior record. None of this is evidence in the legal sense, and little of it can be considered highly reliable.

What this means is that the judgment made in the preventive detention hearing about the future conduct of the defendant is merely a guess, and not a very educated one. One study made in the District of Columbia demonstrates the inability of judges to predict future criminality. Two judges, known for their radically different attitudes toward pretrial release, were examined over a period of time to trace the validity of their bail decisions. Judge A, considered a lenient judge who followed the Ball Reform Act in an effort to maximize the number of defendants free during the pretrial period, released 167 defendants on personal recognizance out of a total of 226. In all, about 80 percent of the defendants appearing before him were released. About 9 percent were rearrested while on bail, or 16 of 180. Judge B, a strict judge who quite explicitly made his bail decisions on the basis of his judgment of the dangerousness of the defendant before him, released only 49 percent, or 141 of 285. He had no more ability to predict potential recidivists than had the first judge. There were 12 subsequent arrests among those he considered not dangerous, i.e., 8 percent.¹²

There is every reason to believe that preventive detention under the new law will not work. Assuming that the 6 percent rearrest figure for dangerous defendants accurately describes the portion of defendants for whom preventive detention is justified by the statute's standards, this means that judges must be able to identify the proper six out of every 100 potential cases presented to them. This they are manifestly unable to do with any kind of accuracy. A conscientiously and carefully administered program of preventive detention will result in no measurable reduction in pretrial crime simply because the chances of detaining the right defendants are small.

On the other hand, if preventive detention is used for wholesale denial of bail, then we can be better assured that the dangerous will be detained along with the nondangerous and the innocent as well. If all persons subject to preventive detention were detained, this would result in an increase in detained defendants of 46 percent. Even aside from the injustice of such a program, there is still a limit to the number of people who can be detained. With the much-maligned Ball Reform Act in effect in Washington, D.C., the local jails are nonetheless severely overcrowded and trial delays are excessive. Preventive detention cannot be used against all defendants potentially subject to it simply because there is no place to put them once they are off the streets. The local District of Columbia jail has a capacity of 3,053; yet at the time that preventive detention was being enacted by Congress, it housed 3,275 inmates. More than 1400 persons were in jail awaiting trial. Nearly half of these had been waiting over 60 days, and 10 percent had been there for over one year. The average detention was more than four months.¹³

This situation is not peculiar to Washington, D.C. detention facilities all over the country are outmoded and overcrowded, and conditions are deplorable. The recent jail riots in New York dramatically illustrate the consequences of a criminal justice system which practices preventive detention. Despite efforts of organizations like the Vera Institute which has tried to encourage bail and court reform, New York still relies heavily on money bond. It has been estimated that there are about one quarter million arrests each year, and a backlog variously estimated at between 90,000 and 345,000 cases.

While not all of these cases involve defendants who have been detained awaiting trial, it is estimated that about 40 percent of the city's jail population have been detained because they are unable to raise bail. About 43 percent of these have been waiting over one year, and the average pretrial detention period is over 5 months.¹⁴ In addition, it is estimated that there are a thousand felony defendants who have been out on bail for up to 7 years but who are as yet untried. This, plus the jail riots, is the picture of a criminal justice system which relies on preventive detention and which has neglected its problems past the breaking point. And no one claims that New York is a significantly safer city because of its widespread preventive detention practices.

Whatever marginal increase in public safety that preventive detention might offer, its cost in constitutional principles is high. First, preventive detention is constitutionally suspect under the eighth amendment provision that "excessive bail shall not be required." This provision is probably one of the most obscure in the Bill of Rights. It has never been conclusively determined whether the amendment confers an absolute right to bail in all noncapital cases or whether it merely guarantees reasonable bail in those cases for which Congress authorizes the setting of bail. One reason for this confusion—in addition of course to the extraordinary ambiguity of the constitutional phrase itself—is that federal law has by statute guaranteed the right to bail in all noncapital cases ever since the Judiciary Act of 1789.

Whether this statute is simply a legislative declaration of bail policy which has been maintained for 180 years or whether it is an elaboration of the eighth amendment which has achieved constitutional dimensions is a subject open to much dispute. The fact that the same Congress which proposed the eighth amendment also enacted the Judiciary Act strongly suggests that the amendment was intended to incorporate the statutory principle and was viewed as an implementation and elaboration of the statute, unorthodox as that may seem. The Northwest Ordinance of 1787 also formulated the right to bail as absolute in noncapital cases and

is further evidence of the content of the right to bail at the time the amendment was framed. Added to this support is the fact that state constitutions written at the time explicitly define the right to bail in the terms used in the Judiciary Act. At present, the broad right appears in 40 state constitutions. Until the preventive detention controversy arose, the only exception to this view was in New York.

Because federal statutory law has always guaranteed bail in noncapital cases, the United States Supreme Court has not had much occasion to examine the question. The Court has considered the eighth amendment right to bail in only two significant cases, both decided during the 1951-52 term and argued within five weeks of each other. In one, *Carlson v. Landon*,¹⁵ the Court appeared to be of the view that bail was not an absolute right but was subject to legislative restriction. Yet, the same Court a few months earlier said in *Stack v. Boyle*,¹⁶ that the only purpose of bail was to assure the defendant's presence at trial and that any bail imposed above the amount necessary to achieve this purpose was unconstitutionally "excessive" under the eighth amendment.¹⁷

This seeming contradiction disappears when the cases are examined more carefully. In particular, the *Carlson* case, which has been cited to support legislative restrictions on the right to bail such as preventive detention, must not be read out of context. Justice Reed, who wrote the Court opinion, was very careful to base his constitutional argument on the fact that this was an administrative deportation case involving aliens:

"The power to expel aliens, being essentially a power of the political branches of government, the legislative and executive, may be exercised entirely through executive officers, 'with such opportunity for judicial review of their action as Congress may see fit to authorize or permit.' This power is, of course, subject to judicial intervention under the 'paramount law of the Constitution.'"

"Deportation is not a criminal proceeding and has never been held to be punishment. No jury sits. No judicial review is guaranteed by the Constitution."¹⁸

Discussing the application of the eighth amendment to these proceedings, the Justice said:

"Here we meet the argument that the Constitution requires by the Eighth Amendment . . . the same reasonable bail for alien Communists under deportation charges as it accords citizens charged with bailable criminal offenses. Obviously the cases cited by the applicants for habeas corpus fall flatly to support this argument. We have found none that do."

"The bail clause was lifted with slight changes from the English Bill of Rights Act. In England that clause has never been thought to accord a right to bail in all cases, but merely to provide that bail shall not be excessive in those cases where it is proper to grant bail. When this clause was carried over into our Bill of Rights, nothing was said that indicated any different concept. The eighth amendment has not prevented Congress from defining the classes of cases in which bail shall be allowed in this country. Thus in criminal cases bail is not compulsory where the punishment may be death. Indeed, the very language of the amendment fails to say all arrests must be bailable. We think, clearly, here that the eighth amendment does not require that bail be allowed under the circumstances of these cases."¹⁹

It is clear that Justice Reed was referring to the legislative power to grant or deny bail in noncriminal cases. Both Justice Black's dissent and the Justice Department's brief make this obvious.²⁰ Whatever one's views may be on the application of the eighth amendment to noncriminal detention, it is a mistake to read the case as sanctioning

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denial of bail in criminal cases with the exception of capital cases.

The forceful words of Chief Justice Vinson in the contemporaneous *Stack v. Boyle*²¹ decision demonstrate the Court's view of the eighth amendment in criminal cases.

"From the passage of the Judiciary Act of 1789, 1 Stat. 73,91, to the present Federal Rules of Criminal Procedure, Rule 46(a)(1), federal law has unequivocally provided that a person arrested for a noncapital offense shall be admitted to bail. This traditional right to freedom before conviction permits the unhampered preparation of a defense, and serves to prevent the infliction of punishment prior to conviction . . . Unless this right to bail before trial is preserved, the presumption of innocence, secured only after centuries of struggle, would lose its meaning."²²

The Court's reference to the unhampered right to prepare a defense, the prevention of punishment prior to conviction, and the presumption of innocence suggest strongly that preventive detention which denies bail altogether is a violation of the eighth amendment, no less than bail in excess of what is required to assure the defendant's presence at trial.

The final argument against an interpretation of the amendment which allows Congress to deny bail absolutely is simply that it proves too much. Such a reading would mean that the eighth amendment is subject to legislative abridgment and even repeal by the simple process of defining away the cases in which bail is permitted. That interpretation would make this provision the only constitutional guarantee which exists at legislative sufferance. In Justice Black's words, it reduces a constitutional guarantee to the level of a "pious admonition." It is difficult to believe that the First Congress proposed a Bill of Rights to secure individual liberties against governmental power and included in that document a guarantee which has no more permanence than a simple statute.

However one resolves the ambiguity of the eighth amendment, there is no question that preventive detention violates due process. The notion that citizens can be deprived of liberty because of the possibility they may commit a crime in the future strikes at the roots of our system of justice. We predicate our view of individual freedom on the idea that government may limit it only by pre-established, clearly defined, rules of behavior. No citizen can lose his freedom unless he commits acts which contravene these rules. The proof of this violation is subject to strict procedural limitations, severely limiting rules of evidence, and the imposition of a high burden of proof on the government. We have always rejected the idea that government can punish criminal predilection in the absence of specific criminal misconduct. Preventive detention—by focusing on future, possible, but as yet uncommitted criminal behavior, i.e. "likelihood of danger to the community"—serves as a fundamental repudiation of our oldest traditions of due process. It imprisons for crimes not yet committed, nor even suspected, but only feared. Such a theory places every citizen at the mercy of the state.

Preventive detention has been defended on the grounds that those subject to it are charged with having committed crimes and that this charge may be the basis for imprisonment. The "probable cause" found by the police in the arrest, by the prosecution in the charge, by the grand jury in the indictment, and by the judge at the preventive detention hearing itself establish guilt sufficiently to justify imprisonment. The argument challenges the fundamental principle that every individual is presumed innocent until proven guilty at trial. Advocates of pre-

ventive detention reply that this presumption is a "mere rule of evidence assigning the burden of proof to the government at the trial itself." If this is true, then much, if not all, of the protections and procedures of the criminal trial process lose their meaning. If a man is not presumed innocent and if he is probably guilty merely by reason of accusation, then the government's power to deal with him as it chooses between arrest and trial is greatly increased. If we accept mere accusation as the justification for imprisonment, we can begin to question the need for the restrictions we place upon government at the investigator stages of the case and at the trial. These restrictive rules have meaning because we operate under the assumption that that it is a free and innocent man that stands before the bar of justice.

A system of preventive detention must resolve the question of what procedures it will employ in the preventive detention hearing. Certainly the most efficient method is to dispense with an elaborate hearing procedure and simply authorize the judge to deny release upon his estimate that the defendant is dangerous. This approach is, of course, patterned after the existing practice in setting bail bonds. This summary process makes the least demands on court time. However, it is clearly defective as a denial of procedural due process. On the other hand, the more procedural rights afforded the defendant in the detention hearing, the closer it approaches the complexity and formality of the trial itself.

The Administration bill did not elect a summary detention procedure. Instead it prescribes a hearing which offers the forms of procedural rights. Specifically, in order to impose preventive detention, the judge or magistrate must find (1) that the defendant before him is the person charged; (2) that the offense falls within the category of offenses for which preventive detention may be imposed; (3) that there is substantial probability that the defendant committed the charged offense; and (4) that no other bail conditions will assure the safety of the community. The defendant is permitted the assistance of an attorney, he may present evidence, and he may cross-examine prosecution witnesses.

The defendant's testimony is privileged only as to the issue of guilt; it may be used for bail violation proceedings, impeachment, and perjury. Further, the rules of evidence do not apply in a preventive detention hearing.²³ Yet while such a hearing offers the forms of procedural rights, it offers no substance.

Theoretically, the hearing is a dress rehearsal of the trial itself, except of course that the defendant has had no time to prepare a defense or gather witnesses; he does not have the protections of the rules of evidence; he threatens to disclose his line of defense to the prosecution if he submits opposing testimony; his testimony can be used against him for all purposes except the issue of guilt; the issue is whether he committed the offense, rather than whether he is legally guilty or will be convicted; and the government's burden of proof has been lowered from "beyond a reasonable doubt" to a "substantial probability."

A defendant placed in such a proceeding has the choice of submitting quietly or of prejudicing his case irrevocably. To the extent that he contests his detention, the greater will be the weight that can be assigned to the judicial determination of "danger" and "probable guilt," and consequently the greater the prejudice and "presumption of guilt" he will have to overcome at trial. In a very practical way, the preventive detention hearing serves to shift the burden of proof to the defendant when he faces the jury.

The so-called "due process procedures" of the Administration's preventive detention

law are a mockery of due process; yet, they will result in a complicated charade of form over substance and the addition of yet another procedural obstacle to the main purpose of determining guilt or innocence of trial.

The Administration's preventive detention law, with its opportunities for extended procedural maneuvering by the parties and the complications of appeals, delays, and judicial refinements of the ambiguous statutory language, amounts to the creation of a preliminary "trial" on the merits at the very beginning of the criminal process.

It will greatly burden a court system already largely incapable of accomplishing the primary objective of a speedy trial on the merits. Preventive detention was originally offered as a panacea to reduce the crime caused in large part by the breakdown of the judicial process. In all likelihood it will aggravate this problem, deprive countless people of their rights, and yet not produce any more "law and order."

A particularly unfortunate aspect of the debate on preventive detention is that the Administration for the most part ignored arguments based on effectiveness or on unconstitutionality and relied primarily on the emotional appeal of "law and order." For much of the time that preventive detention was an issue, the Department of Justice did not submit reliable evidence of the need for this bill.

No studies were offered to show that certain types of defendants or certain types of crimes could be statistically correlated to patterns of rearrests in the pretrial period. There was not even an accurate assessment of the amount of pretrial crime that existed, the causes, or an examination of alternative means to deal with it. Support for the bill consisted largely of recitations of individual cases in which defendants were continually rearrested while released on bail. Yet even most of those cases on close examination would not have been prevented by the Administration's bill.

Only after repeated demands for a scientific analysis of preventive detention did the Justice Department commission a study by the National Bureau of Standards. Significantly, this study was not authorized until August 1969, after the Department had already submitted its preventive detention bill. The study was released in April 1970, after the Department had succeeded in getting its legislation added to the District of Columbia Crime Bill. At first, the Department was tempted to suppress the study but decided simply to ignore it.

The Department's reaction is understandable since the National Bureau of Standards analysis showed that many of the assumptions upon which the proposal was based could not be supported and that there was no accurate way for a judge to predict who the "dangerous" defendants would be. The Bureau of Standards study also showed that the number of rearrests between release and trial increased with the amount of trial delay. Very few rearrests were made during the first 60-day period following release.²⁴ This is particularly significant because the preventive detention bill authorizes detention only for the first 60-day period after which the defendant presumably is to be released in accordance with the provisions of the Bail Reform Act.²⁵

Regrettably, the Department's approach to the study was emulated by the Congress when the issue came for a vote. There was little effort on the part of preventive detention advocates to join in a debate. There was not even much formal speech-making in support of the proposal. The main argument used was that this was an "anti-crime" proposal. That was all that was said and all that needed to be said. "Law and order" had become such a powerful political slogan that

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very little could be done to any proposal championed in its name.

Almost by the day the ranks of those who would dare cite the Constitution to defeat or amend anti-crime bills had evaporated. It became almost impossible to oppose a proposition which was labeled "anti-crime." In the end, the D.C. Crime Bill, with preventive detention and no-knock, passed the House by a vote of 332 to 64 and the Senate by a vote 54 to 33.²⁶

Preventive detention and no-knock are the two most objectionable provisions of the now well-known District of Columbia Crime Bill. The bill contains innumerable other changes in procedural criminal law which reflect an ignorance of or an animosity to constitutional rights and sound criminal law rarely exhibited by Congress in the past. The bill was conceived as a vehicle for reversing unfavorable interpretations of criminal procedure by the courts. It is a grab bag of prosecution briefs on esoteric questions of law. The number of times cases raising these issues will again come before the courts and the number of added convictions that will result from these legislative reversals will be few. The bill's major value is as a legislative vindication of unsuccessful prosecution interpretations of criminal procedure. Its great danger is as a model for the country of conviction-dominated criminal law.

Yet another Administration anti-crime proposal (of which there has been little notice taken in Congress or elsewhere) would give the police the authority to detain but not "arrest" citizens for the purpose of subjecting them to tests and experiments and other so-called "nontestimonial identification procedures."²⁷ The permitted tests include lineups, blood tests, fingerprinting, photographs, saliva samples, handwriting samples, hair samples, voiceprints, footprints, measurements, and the like. In order to perform such tests, the police officer must submit an affidavit sufficient for the judge or magistrate to find that there is probable cause to believe an offense had been committed and that there are "reasonable grounds, not amounting to probable cause to arrest, to suspect" that the person named in the affidavit committed the offense. No doubt such tests would be helpful to the police in a number of cases. Yet to authorize such a gross violation of personal dignity on the basis of a suspicion by the police which does not even amount to cause for arrest is a flagrant example of callousness to constitutional principles.

II. Law and order in the executive branch

These bills do not exhaust the series of questionable legislative proposals offered by the Administration to fight crime. Nor are these legislative proposals the only illustrations of the attitude toward constitutional rights that these troubled times have produced. Not too long ago the nation's press was subjected to sharp criticism for its supposed anti-administration views. One does not have to get bogged down in a debate as to whether the first amendment gives Administration officials just as much right to speak their minds as it does the press. And we can concede that the press or some parts of it does have a bias. Still, the official attack was a clear attempt to bully the press into changing its attitudes. The Administration assaulted the very integrity of the press and called into question its right to disagree with official views. Other administrations have had a hostile press, but other administrations have been content to complain or cajole. This time the very bona fides of the press were put in issue.

Another Administration action directed at the press came with an effort to subpoena notes and tapes of reporters who had covered groups which the Justice Department was

investigating. The problem of requiring newsmen to reveal confidential sources of information is a recurring one and is handled differently in various states. Until the Justice Department announced its new policy of dragnet subpoenas, the problem had been handled on an *ad hoc*, informal, and cooperative basis. Apparently, a fairly well-established spirit of accommodation had been reached which satisfied both the press and the Justice Department.

For that reason, the new tough attitude by the Department, coming as it did in an atmosphere of mutual antagonism and suspicion, raised considerable fears. The law on this question is vague and untested. The press was afraid that a first amendment claim of privilege would not be upheld by the courts;²⁸ yet the practice of subjecting newsmen to interrogation by grand juries would have the effect of cutting off their access to many sources of views.

It would be especially effective in preventing the press from having access to those groups which are very sensitive to official surveillance. If the press lost its access to these groups, the result would be a further isolation from the mainstream of society and encouragement of the tendencies in many of them to turn to lawlessness and violence. While violence cannot be tolerated, the doors to peaceful, legitimate avenues of political action should always be open. Whatever one's views on the policies advocated by these groups, the preservation of our democratic society requires that we encourage them to work within the system for the accomplishment of their ends. It also requires that the press have independent access to them so that the public can be kept informed of their activities.

Yet another recent act by the government in the name of "law and order" must be added to this recital. Not long ago it was reported that law enforcement officers, in this case Treasury agents, were visiting public libraries to check on the names of individuals who had borrowed books on explosives, guerrilla war, and other so-called subversive literature. This produced a wave of protest from Congress as well as from others, and the practice was apparently stopped.

One can justify an investigation of library records to determine whether a particular suspect in a bombing case had access to literature which gave instructions on how to build a bomb. Such evidence would be just as valuable in building a case as would be evidence of the suspect's access to the physical components of a bomb. But there is no justification for a wholesale inquiry into the reading habits of an entire community.

This is thought control. It is reminiscent of the deplorable events of the early 1950's, when the voicing of unconventional or merely disapproved views brought about official and unofficial retribution. That era was a low point in the history of political freedom in our country. The idea that government is reviewing the reading habits of the people and creating categories of what it considers "subversive" reading material is likely to result in widespread feeling that the former era is returning.

Other Administration attacks on individual liberty in the name of "law and order" include a proposal by the Post Office that it be permitted to open sealed first-class mail from abroad without notice to the writer or the addressee. This assault on the right to exchange private thoughts without fear of government intrusion was undertaken in the interests of controlling obscenity, lottery tickets, and drugs.

In another action, the Attorney General a few months ago asserted the "inherent right" of government to wiretap phones in the interests of preserving domestic security. This authority, according to the Attorney General, is independent of any statutory au-

thority from Congress and presumably independent of the first and fourth amendment as well.

No discussion of the "law and order" syndrome which now afflicts our country is complete without at least brief mention of the proliferation of intelligence and security data banks and the application of computers to law enforcement. Computers are rapidly being introduced into the private and government sectors, and it is a rare field of human endeavor which is immune from its benefits or blandishments. Already it is evident that computers will have an impact on our society in coming years which will equal in magnitude or even surpass the changes brought about by the automobile. The exact nature of these changes can be perceived only dimly at present. We do know the impact will be felt within a very short time span, and like other examples of progress, the computer age will be a mixed blessing. Nowhere is the debit side of the computer more evident than in the area of individual liberty and personal privacy.

The ability of computers to receive, store, analyze and retrieve large amounts of data has naturally resulted in its increasing utilization in the large numbers of personal dossiers maintained by our government. With the advent of the computer, these information systems can be improved, expanded in scope and depth, and utilized more easily and by more people. The computer for the first time gives the government the ability to gather and use large amounts of information on large numbers of people. The sheer bulk inefficiency, and dispersion which characterizes old-fashioned paper files and thereby imposes some practical limits on their usefulness and their dangerousness no longer exists with the introduction of this new technology.

Computers provide the potential for cataloging all the diverse information about citizens which is now stored in different government files and for making such information accessible on very short notice to very large numbers of people. If at present it is beyond a computer's capability to keep under daily surveillance all persons of "security interest," certainly all important personal information about them and their activities and associations can be noted, stored in a computer, retrieved upon demand, and circulated or made available to other agencies which might be interested.

The advent of the computer into government operations has served to stimulate its insatiable hunger for information. As a result the number of intelligence data gathering operations is expanding enormously. In the area of criminal law enforcement and domestic security we already have:²⁹

1. An intelligence reporting system and data, partly computerized, established within the Army to record the peaceful political activities of ordinary American citizens and groups. Although some aspects of this political surveillance system have reportedly been stopped, it is unclear whether some or all of these functions are still performed by the Army or by the Justice Department.

2. A computerized data bank maintained by the Secret Service containing names of persons thought to be potential threats to the President. The information is gathered from a wide variety of police sources, and the Service has made a special effort to include as many persons as a "security interest" as it can to err on the side of safety. Included in this category are "gatercrashers," persons who make "embarrassing" statements about government officials and those who make "anti-government" or "anti-American" statements.

3. A civil disturbance computer operation in the Justice Department containing the names of 13,000 persons and organizations involved in political activities which have developed into disorders or which have had

Footnotes at end of article.

the potential for a disorder. The name file is tied to an incident file listing 14,000 civil disturbance events.

4. A Justice Department file system, now being computerized, on organized crime containing intelligence information on some 200,000 individuals, including their habits, associations, business connections, and other information useful in controlling organized crime.

5. The computerized National Crime Information Center operated by the FBI, which contains information on wanted persons and which serves as a national center to aid in the apprehension of fugitives.

6. A Civil Service Commission card index file on 2,000,000 persons who may be ineligible for government employment on security grounds.

7. A Commission card index file of every security investigation conducted by the government since 1939. There are over 10,000,000 cards in this index.

8. A project to create a central communications center to permit the exchange of criminal law information between state computer data centers. This project SEARCH, sponsored by the LEAA, has just successfully completed its demonstration stage.

Each of these data bank and computer systems varies greatly in its potential for harm and abuse, just as each varies greatly in the kinds of information gathered, the sources tapped, the reliability and accuracy of the information, the uses to which the system is put, and the persons who have access to them. With the notable exception of Project SEARCH which devoted considerable attention to questions of privacy, confidentiality, and security, these systems are generally lacking in controls designed to safeguard individual rights and prevent abuses. Collectively, these data banks provide the framework for a comprehensive system of record-keeping and surveillance of large numbers of American citizens.

Such a system can result in great personal injury to the innocent in the form of social ostracism, loss of employment, and of course loss of liberty. It also has the effect of discouraging legitimate political activity by those who fear that their views and acts will be recorded by government and stored for some future use. This fear is not restricted to so-called "nervous nellys." Knowledge that the government is engaged in surveillance of its citizens creates an atmosphere of fear which is inimical to freedom. It stifles political discussion and leads to a cowed and subservient population which does not dare disagree with government policy or accepted wisdom. Democracy cannot survive if the people are sullen, scared, and rebellious.

CONCLUSION

There has been much public discussion about whether the present Administration is "repressive" or whether certain of its actions amount to "repression." In some circles, talk of repression has become an epithet which is casually applied to every act or statement which is disapproved. Such casual use of the term is a disservice, for it dulls political perception and converts analysis and discussion into sloganeering. There is no clear line between freedom and repression. Freedom is a fluid, intangible condition of our society. It thrives at some periods and is beset at others. It is lost not all at a time but by degrees.

The past 2 years have not produced a repressive society. But they have resulted in an atmosphere in which freedom is on the defensive. The balance is shifting decisively toward the acceptance of harsher laws and the cutting of constitutional corners which impede this search for security. The Administration has not been sensitive to this changing atmosphere. Rather, it has nurtured, encouraged, and fostered it. It has taken a political approach to the very real

dangers of crime, violence, and political unrest and has made it an intensely partisan issue. Its policy has increased public fear, intolerance, and division; it has produced a mood in the country which is extremely receptive to harsh, punitive, and draconic measures in the name of security.

This is a dangerous game. It produces a situation in which fear breeds fear and in which the government is encouraged to use its powers ever more freely. Ours is not a country in which government can become a tyranny against the will of the people. But tyranny can come just as surely if the people are willing to deliver over their freedom in search for safety. It is incumbent on every citizen to resist the temptation to excuse constitutional excesses in the name of "law and order."

FOOTNOTES

¹ 4 Wall. 2 (1866).

² *Id.* at 120-21.

³ "No-knock" was proposed by the Justice Department in two bills in the 91st Congress: S. 2601, 91st Cong., enacted as District of Columbia Court Reform and Criminal Procedure Act of 1970, Pub. L. No. 91-358, § 23-591 O.C.C.E., 84 Stat. 473 (D.C. Crime Bill, July 29, 1970); and S. 3246, 91st Cong., 2nd Sess., enacted as Comprehensive Drug Abuse Prevention and Control Act of 1970, Pub. L. No. 91-513, § 509, 84 Stat. 1236 (Oct. 27, 1970). In the D.C. Crime Bill, the "no-knock" provision is authorized for any search or arrest; in the latter bill, it is limited to narcotics cases.

⁴ 5 Coke 91 a, 91 b, 11 ERC 629, 77 Eng. Rep. 194, 195 (1603).

⁵ A summary of the writs controversy may be found in SCHARTZ, *Rights of the Person*, 3 COMMENTARY ON THE CONSTITUTION OF THE UNITED STATES 178-80 (1968).

⁶ 18 U.S.C. § 3109 (1948).

⁷ 374 U.S. 23 (1963).

⁸ *Id.* at 47.

⁹ In their final versions, "no-knock" differs in the drug bill and in the D.C. Crime Bill. In the former, the standard is "probable cause" to believe that prior notice "will" result in the destruction of the evidence; Pub. L. No. 91-513, § 509(1)(A), 13 U.S.C.A.N. 5308 (Oct. 27, 1970). In the D.C. Crime Bill, the standard is "probable cause" to believe that destruction of the evidence is "likely" to occur; Pub. L. No. 91-358, § 23-591 D.C.C.E., 8 U.S.C.A.N. 2698 (Aug. 20, 1970).

¹⁰ Preventive detention was introduced on behalf of the Justice Department in S. 2600, a bill which would have amended the Bail Reform Act of 1966 and which would have applied to all federal courts. It was later attached to the D.C. Crime Bill, S. 2601, and as enacted applies only to the District of Columbia. See Pub. L. No. 91-358, §§ 23-1328-32 D.C.C.E., 8 U.S.C.A.N. 2713-23 (Aug. 20, 1970).

¹¹ Estimates of pretrial recidivism vary greatly. The only scientific study of preventive detention was done by the National Bureau of Standards. The study, "Composition and Use of Criminal Court Data in Relation to Pretrial Release of Defendants," project number 4314410, report number 10181, is dated March, 1970. It is published in *Hearings on Preventive Detention Before the Subcommittee on Constitutional Rights of the Senate Judiciary Committee*, 91st Cong., 2nd Sess. 765 (1970) [hereinafter cited as 1970 *Hearings*]. Professor Zeisel's analysis begins in 1970 *Hearings*, *supra*, at 144.

¹² This study was conducted by the D.C. Bail Agency in 1968. It appears in *Hearings on Amendment to the Bail Reform Act of 1966 Before the Subcommittee on Constitutional Rights of the Senate Judiciary Committee*, 91st Cong., 1st Sess. 71 (1969).

¹³ The figures are from a report of the D.C. Department of Corrections to the Constitutional Rights Subcommittee. See 1970 *Hearings*, *supra*, note 11, at 756.

¹⁴ These figures were reported in various news reports at the time of the October New York City jail riots. See Irvin, *Rebellion in the Jails—The Alternative to Bail Reform and Speedy Trial*, 116 Cong. Rec. 17720 (daily ed. Oct. 12, 1970).

¹⁵ 342 U.S. 524 (1952).

¹⁶ 342 U.S. 1 (1951).

¹⁷ *Id.* at 5.

¹⁸ 342 U.S. 524, 537 (1952).

¹⁹ *Id.* at 544-46.

²⁰ *Id.* at 557.

²¹ 342 U.S. 1 (1951).

²² *Id.* at 4.

²³ Pub. L. No. 91-358, § 23-1322(c)(5) D.C.C.E., 8 U.S.C.A.N. 2715-17 (Aug. 20, 1970).

²⁴ My analysis of the study was set forth in a speech entitled *Fact or Fancy; The Department of Justice Preventive Detention Study and the Department of Justice Preventive Detention Bill*, Cong. Rec., vol. 116, pt. 12, p. 15884.

²⁵ There is considerable doubt as to the procedure to be followed at the conclusion of the first 60-day detention period. The statute provides that the defendant is to be treated in accordance with § 23-1321, which authorizes preventive detention under procedures set forth in succeeding sections. The Department of Justice denied that the bill permitted renewable detention orders, but did not say that the defendant had a right to be released. Pub. L. No. 91-358 § 23-1321 D.C.C.E., 8 U.S.C.A.N. 2713 (Aug. 20, 1970).

²⁶ The House vote on the conference bill took place on July 15, after 1 hour's debate. The Senate vote, on July 23 followed 5 day's debate.

²⁷ S. 3563, introduced Mar. 9, 1970. The bill was not reported by the Senate Judiciary Committee during the 91st Congress.

²⁸ Very recently a Ninth Circuit decision upheld Earl Caldwell of the *New York Times* in his refusal to comply with a subpoena to testify before a grand jury on the grounds the subpoena was an unnecessary infringement on the "public's right to know," a right it said was protected by the First Amendment. *Caldwell v. U.S.L.W.* 2281 (9th Cir. Nov. 17, 1970).

²⁹ This information is from an as yet unpublished survey of the Constitutional Rights Subcommittee into federal data banks and computers and their impact on constitutional rights.

HOUSE RESOLUTION 319

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 3, 1971

Mr. JACOBS. Mr. Speaker, the following is the language of House Resolution 319, which I introduced on March 17, 1971. I was hoping it might catch the attention of the administration.

H. RES. 319

Whereas the President of the United States on March 4, 1971, stated that his policy is that: "as long as there are American POW's in North Vietnam we will have to maintain a residual force in South Vietnam. That is the least we can negotiate for."

Whereas Madam Nguyen Thi Binh, chief delegate of the Provisional Revolutionary Government of the Republic of South Vietnam stated on September 17, 1970, that the policy of her government is "In case the United States Government declares it will withdraw from South Vietnam all its troops and those of the other foreign countries in the United States camp, and the parties will engage at once in discussion on—

"The question of ensuring safety for the total withdrawal from South Vietnam of United States troops and those of the other foreign countries in the United States camp—

"the question of releasing captured military men."

Resolved, That the United States shall forthwith propose at the Paris peace talks that in return for the return of all American prisoners held in Indochina, the United States shall withdraw all its Armed Forces from Vietnam within sixty days following the signing of the agreement; Provided, That the agreement shall contain guarantee by the Democratic Republic of Vietnam and the National Liberation Front of safe conduct out of Vietnam for all American prisoners and all American Armed Forces simultaneously.

THE NATIONAL AGRICULTURAL BARGAINING ACT OF 1971 AND THE NATIONAL AGRICULTURAL MARKETING ACT OF 1971

HON. BOB BERGLAND

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 3, 1971

Mr. BERGLAND. Mr. Speaker, today I have introduced two bills designed to increase the marketing strength of farmers throughout the Nation: The National Agricultural Bargaining Act of 1971, and the National Agricultural Marketing Act of 1971. Joining me as cosponsors of both of these bills are Mr. ABOUREZK, Mr. ANDREWS of North Dakota, Mr. BLATNIK, Mr. FRASER, Mr. KARTH, Mr. LINK, Mr. OBEY, Mr. ROY, Mr. THONE, and Mr. ZWACH.

This legislation is identical to that of S. 726 and S. 727 introduced by Senator MONDALE on February 10.

All of you are aware of the renewed interest in legislation to give farmers additional bargaining and marketing power. It is my belief that the approach, philosophy, and mechanics of the marketing and bargaining bills I am introducing today offer greater hope for effective bargaining by the producers of agricultural products than other like measures. My concern over the need for the farmer to have a considerably greater voice in his economic plight, however, has led me to support other similar legislation. Support for such legislation will encourage and focus debate on the benefits and problems that may be associated with farmer collective bargaining.

Extensive hearings on this legislation were held in the 90th Congress, but no legislation was reported or recommended by the Senate Agriculture Committee. The hearings at that time disclosed a great deal of controversy, but at the same time widespread and deep support for the concept of farmer bargaining legislation across the country.

The bargaining act would provide for farmer-elected committees—a separate committee for each commodity—who would have the power to bargain and negotiate with processors and other buyers for fair and adequate prices. The marketing act would make all commodi-

ties eligible for marketing orders and give farmers expanded powers—including collective bargaining—under the orders.

These bills offer two methods of attacking the same problems: the disastrous economic plight of our farmers. Either bill, or a combination of the two, would be a great stride forward in our efforts to save the American farmer.

The American family farmer lags far behind the prosperity enjoyed by nearly every other segment of our society. The record is clear. Consumers in this country are estimated to have expended about \$85.5 billion during 1967 for domestic farm products. This represents an increase over the last 20 years of 100 percent. The farmer's share, or the farm value of that food marketing bill, is only \$27½ billion and has increased in the last 20 years by only one-half.

For example, the farmer receives only 2.7 cents for the wheat in a pound loaf of white bread, or 12 percent of the cost of that loaf. It is a fact that the American farmer subsidizes his consumer counterpart by continuing to produce food for substandard returns. At the same time, the farmer has been increasing his own productivity fourfold over the last 30 years. Between 1950 and 1965 alone, the output per man-hour in agriculture rose nearly three times as fast as in nonfarming occupations, 132 percent in agriculture against 47 percent for the rest of the economy. Consumers pay more but farmers get less.

No business—and farmers do run businesses—could function or stay in operation under the conditions faced by most farmers. They are, first of all, at the mercy of many variables, including the weather, entirely outside their control. In addition, farmers have no economic power to establish the price on the commodities they produce. They must take, in all reality, whatever is offered by way of the market price or Federal programs. They have no alternatives.

This legislation or something very nearly like it is sorely needed and must be passed if we expect the American family farmer to continue in the business of farming. Without it, the farmers are doomed to economic disenfranchisement. Without it, farmers will continue to be the low man on our economic totem pole without any real hope of attaining the just portion of national income to which they are entitled.

Surely this legislation merits serious consideration and I shall work to see its active review during this 92d Congress.

BIG BUS BILL

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 3, 1971

Mr. SCHWENGEL. Mr. Speaker, the May 12 issue of the Washington Daily News contains an editorial which very accurately puts the big bus bill into proper perspective. The editorial follows:

BIGGER, BIGGER AND BIGGER

On the face of it, adding six inches to the width of a highway bus may not seem like much—a little more than 6 per cent.

But the bill just approved by the House Public Works Committee means more than that.

Give the buses another six inches of width and how can Congress refuse to do the same, or more, for big trucks?

On many highways, a half-foot addition to a bus will increase the likelihood of fudging over into the other fellow's lane, some of the time at least. Bigger buses will make it that much harder to see around one, if you can catch it. And the bigger they are and the faster they go, the stronger the wind blast on the cars they pass.

The argument for this bill is that the wider buses will be more comfortable for the passenger. An extra inch or so per passenger? Come, now.

The purpose is to provide more cargo space. No one will blame the bus companies, or the big trucks, for wanting more room, which would affect their operating costs. But it is Congress' duty to think about other people, too.

TWENTY MOST SEGREGATED CITIES

HON. HARRY F. BYRD, JR.

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Thursday, June 3, 1971

Mr. BYRD of Virginia. Mr. President, the May 26 edition of the Richmond News Leader included an interesting and informative editorial on the subject of segregation of the central cities of the United States.

The editorial points to the results of a study showing that Chicago, and not a southern city, has the highest degree of racial segregation in the Nation. Of the 20 "most segregated" cities in the Nation, according to the survey, only two—Memphis and New Orleans—are in the Deep South.

In the light of the findings of this study, the practice of forced busing to achieve an artificial balance in the schools, enforced in the South but not in the North, seems singularly ironic and inappropriate.

The editor of the editorial page of the Richmond News Leader is Ross MacKenzie.

I ask unanimous consent that the text of the editorial, "The Most Segregated," be included in the Extensions of Remarks.

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

THE MOST SEGREGATED

Let's play a guessing game. What is the nation's most segregated city? Nashville? No. Atlanta? No. Charleston? No, sir. Well, then: It must be Tallahassee or Birmingham, Louisville or Raleigh, Little Rock or Baton Rouge? No again. But surely it must be in the deep South: Is it Richmond? Sorry: No. According to Pierre de Vise, a leading population expert, "the most segregated big city in America" is Chicago. In fact, of the country's 20 "most segregated" cities, only six are in

the South; only two—Memphis and New Orleans—are in the deep South. De Vise's ranking:

City and rank	
Chicago	1
Indianapolis	2
Milwaukee	3
Dallas	4
St. Louis	5
Cleveland	6
Detroit	7
Baltimore	8
Houston	9
Philadelphia	10
Boston	11
Memphis	12
Phoenix	13
New Orleans	14
San Antonio	15
San Diego	16
Washington	17
New York	18
Los Angeles	19
San Francisco	20

De Vise's report, entitled "Chicago's Widening Color Gap: 1971 Status Report," was prepared for a bi-racial group in Chicago. According to the report, Chicago was the nation's most segregated city in 1960, and it is even more racially segregated now. Chicago Tribune reporter Robert Unger, in a front-page Tribune story appearing May 20, described the four indicators used by de Vise to measure racial segregation:

"(1) The Negro centralization index, which measures the tendency of metropolitan area blacks to be confined in central cities, increased from 80 to 81 (in ten years). The central city's proportion of black population rose from 25 per cent to 32.7 per cent. The suburbs' proportion remained at 3 per cent.

"(2) The Negro consolidation index, which measured the speed of racial turnover of neighborhoods after entry by blacks moved up from 72 to 80. This, according to the study, means that it takes a neighborhood 12 years to change from all-white to all-black. The 1960 figure was 13 years.

"(3) The Negro concentration index, which indicated the per cent of blacks living in all-black neighborhoods, went from 66 to 78. This means 78 per cent of the city's blacks now live in over 90 per cent black neighborhoods, compared with 66 per cent in 1960.

"(4) The Negro neighborhood segregation index, which represents the uneven distribution of white and black residences in neighborhoods, increased from 86 to 90. In essence, this means that if the city's 860 neighborhoods were to match the city's 67-33 percent overall complexion, 90 per cent of Chicago's residents would have to move."

These days those set in authority over us make a big deal about one time "de jure" segregation in the South. They say that the Southern States' official policies of segregation fostered today's Southern housing patterns—patterns that must be changed by such sweet things as block-busting and compulsory busing. But isn't it interesting, and isn't it ironic, that major Northern cities, allegedly devoid of official policies of segregation all these years, are more segregated than major cities in the South? And isn't it interesting—Isn't it ironic?—that in those major cities of the North, the most segregated cities in the nation, they don't forcibly bus a single kid? Why, those deprived children in Northern cities are being denied equal protection of the law. Somebody ought to tell the NAACP. Somebody ought to tell the American Civil Liberties Union. Somebody ought to tell the Supreme Court.

DEPRECIATION REFORM

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 3, 1971

Mr. KEMP. Mr. Speaker, the House concurrent resolution which I am introducing today reaffirms the Treasury Department's power to issue in final form its proposed regulations liberalizing depreciation allowances. This resolution is necessary in order to counteract House Concurrent Resolution 290—introduced May 4, 1971—and similar resolutions, which declare that only the Congress has the power to make the proposed changes in allowances for depreciation.

Treasury lawyers, as well as competent counsel not connected with the Government, have concluded that the Treasury Department is authorized, under present law, to issue in final form the so-called asset depreciation range system regulations. This legal conclusion was reached after thorough study of the problem.

Without wanting to burden the record further with technicalities, I submit that the Treasury's conclusion as to its own rulemaking power in this case makes good sense. There have been several instances in the past—most recently the issuance of revised guideline lines in 1962, without even holding hearings—where the Treasury has altered depreciation allowances within reasonable limits. The adoption of the asset depreciation range system, which to some extent would close the gap between our country's depreciation allowances and those provided by other industrialized countries competing with us, would certainly appear to fall within the "reasonable allowance" mandate of section 167(a) of the Internal Revenue Code as presently in effect.

I am fully aware, of course, that it is the prerogative of the Speaker to determine the committee to which a resolution shall be referred. I also recognize that my resolution, at least superficially, would seem to fall within the general category of tax legislation. Nevertheless, I ask that this resolution not be referred automatically to the Committee on Ways and Means.

Referral of this resolution to the Committee on Ways and Means would tend to prejudge the merits of the resolution itself. Such referral might be interpreted to imply that the Treasury's proposed revision of depreciation allowances is a change which can be accomplished only through substantive tax legislation. This, of course, is exactly contrary to the purpose of the resolution, which states that no amendment of the Internal Revenue Code is required.

My resolution deals with the issue of separation of the executive and the legislative powers, rather than with the desirability of a proposed amendment to

the Internal Revenue Code. I most respectfully request, therefore, that the Speaker give serious consideration to referring my resolution to some committee other than the Committee on Ways and Means, possibly to the Committee on the Judiciary.

THE ARMED FORCES DRUG CONTROL ACT

HON. RICHARD H. FULTON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 3, 1971

Mr. FULTON of Tennessee. Mr. Speaker, today I am pleased to join in cosponsorship of the Armed Forces Drug Control Act of 1971 originally introduced May 1 by the gentleman from Connecticut (Mr. MONAGAN).

The Vietnam war and our involvement in it has brought little glory and much suffering to this Nation and our people. Among the casualties, in addition to the killed, wounded, and maimed and those who have been taken prisoner, are the thousands of American servicemen who have become drug addicts.

The figures on the use of narcotics by our American servicemen are shocking. What is even more shocking and sobering is the realization that very little if anything is being done currently to help these men while they are in the military to combat their addiction and return to civilian society with the hope that their habits may have been overcome.

It is estimated that 10 to 20 percent of the Americans in Vietnam each year, up to 20,000 young men, have a serious drug habit. And this is only an official guess. Other estimates run this head count to as high as 60,000.

At present there is little help available to the serviceman addict in the military. If he is in Vietnam and is discovered he can expect to be shipped home, court martialed and kicked back into civilian life with a dishonorable discharge which will make employment difficult to secure and a hard drug habit which must be maintained at a cost of \$80 to \$200 or more a day. Where does an unemployed drug addict get that kind of money?

About the only Federal help available to these men is through the Veterans' Administration which has an excellent but limited program. Within the next 2 years the VA program expects to be able to treat 6,000 addicts on a voluntary basis. But this simply is not adequate no matter how excellent the program. Nor is it available to the drug addict who has been dishonorably discharged.

The place to attack the problem is within the military services and the time to do it is while the men are still on active duty.

The pressures toward drugs in military life today are ever present and apparently great.

Last month I was given a glimpse of these pressures from a young army man who was arrested for the illegal sale of LSD to another serviceman. I was very impressed and touched by the sincerity of the author of the letter and shaken by the picture which he drew. I ask unanimous consent to include the text of this man's letter in the RECORD at this point. I am not disclosing his name in order to respect his right to privacy.

The letter follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C.

DEAR CONGRESSMAN FULTON: My name is _____ I am writing to you for help. Not necessarily for me, but for many young such as me. You have already been contacted by my family. And now I am asking you personally for help.

I am now in pre-trial confinement at the Stockade at Fort Gordon, Georgia. I will be court-martialed by a general court on June 1, 1971. It will be for two specifications of Article 134 of the UCMJ. The charge is possession and sale of LSD.

Mr. Fulton, every year there are thousands of young people that are either drafted or enlist in the service and in doing so, they are continually being exposed to drugs. Both hard drugs and psychedelic. They work with and take orders from servicemen that use them as well as sell them. Plus, the serviceman is under a lot of pressure and is very lonely, bored and disillusioned. And in most cases, the young enlistee (as was my case) already have serious personal and emotional problems. And as a result of the above, are a lot more prone to use drugs. And now, Mr. Fulton, some facts and circumstances concerning my drug problem and the Army.

I first started to use drugs in January of 1970. While I was overseas in Germany. It started with the smoking of Hashish. Why? Because I was lonely, bored and unsatisfied and disillusioned with the Army and my life in it. I was a Medic stationed in the 46th Medical Battalion. I enjoyed being a Medic because I enjoyed helping people. But all I ever did in Germany was pull motor stables and drive trucks and go to the field. I got to work in my Army trade for only two out of the sixteen months in Germany. And that was the only time that I have been happy in the Army. Congressman Fulton, it is very essential for me to keep busy and to help people. Being the kind of person I am. It is my ambition to be a Social Worker and if possible a Juvenile Probation Officer. But now I see my field and life rapidly fading into nothingness. Since if I get a DD or a BCD, I won't be able to work for state, local or federal governments. Which I would have to almost invariably do being a Social Worker and a Probation Officer.

I have never done anything that mattered in life except for the time I was working at the Hospital for those two months. It was the only time that I have felt alive since being in the Army.

While in my unit, I was constantly coming into contact with drugs and drug users. 90% of my unit used them. And I first received and used drugs under the urgings of fellow servicemen and friends in my unit.

At the time I started using drugs, I was on the verge of a nervous breakdown. I was having to take tranquilizers and was under the care and consultation of psychiatric and social workers.

Because of my use of drugs at that point in my life, I didn't have a nervous breakdown or didn't get into trouble for hitting a Sergeant or going AWOL. Which it seems that I was certain to do. The reason I didn't do any of the above and haven't (because I have an excellent service record so far) was because while under the influence of

drugs (hashish) things in the Army didn't bother me so much. In short, I could escape and cope while doing it with the Army. The Army at that time was nothing but a tool of destruction for my life. Because I knew that I was going to jail either way. Either for drugs or for bad conduct. And I also knew that eventually I would hurt myself and get caught with drugs. But drugs was the more pleasurable way to the Stockade and being human, I took the most pleasurable way.

As the Spring of 1970 came, I started using LSD. Then only once in awhile being afraid that I would become a slave to it because I liked it so much.

And the latter did happen. By July of 1970, I was taking 10 to 15 tablets of LSD a month. I kept on at that pace until November 15, 1970. The day I left my unit to come home and also my birthday. I didn't desire or seek drugs while at home because I was happy and didn't need them. I went back to Fort Gordon on December 14, 1970 and also I went back to the pressure, the unhappiness and the deadness of spirit that I thought I had left in Germany.

My first two months there was one of mounting pressure and frustration. I held out until the last couple of days of January. Then I almost had a fight with my platoon Sergeant at the time (I was a squad leader and had the best squad) and was continually having arguments with my friends. My Platoon Sergeant said that I was headed for jail. So after the formation, a friend of mine said come to his room and I did. And he turned me on to a joint (a marijuana cigarette) and that night I decided I had better start to use drugs again. The cravings for drugs had been apparent and growing since I returned to the Army from leave. I was losing hope and the love of life and my spirits steadily grew more cold and dead.

I knew that I wouldn't cause any trouble and the Army wouldn't bother me if I was messed up on drugs. I was also afraid that I wouldn't be able to control my drug problems if I started back and I couldn't. When I started back, I became psychologically addicted to LSD.

I was doing 20 and 30 tablets a month from February until I got busted. In early February, the fellow serviceman that was constantly talking drugs to me and turned me on to my first joint in the U.S. suggested that we go to Atlanta and buy some drugs and sell them for a profit. He put in a third of the money and we did just that. He took some of his money from an instructor from his course here to buy LSD and grass with. When we came back, I sold to people (my friends) that already used drugs and he brought around some people (friends of his) and we sold to them also. All the people I sold to were older than me and had been using drugs for a long time. And they always came to me. I didn't ask them, they asked me. My friend said that he wanted to put in \$75 on a deal at the first of March but changed his mind. He approached me, I didn't approach him. The drugs I bought in Atlanta were bought with the money of the group I was a part of. For their own personal use and I did it.

Approximately a week before the end of March, my friend again approached me and wanted to put together a deal to buy some drugs with. But I told him that I didn't know yet. I told him to talk to me after pay day. He did but again he said that he wanted to but he had to pay off his personal debts first.

By April, I think that I was subconsciously trying to be caught because that was the only way that I could end the drug cycle I was in. Being by this time unable to do it myself.

And on April 8th, after the friend that I have already mentioned had been hounding me for a week to sell me a quantity of LSD

so he could sell it to a friend of his for a higher price, I finally relented and on April 8th sold him \$50 of LSD. He then informed on me and they searched my room and found 118 LSD tablets and the money was also marked. Since then I have been in the Stockade at Fort Gordon, Georgia.

Here is a list of information about me and my service record. 1. I received a guarantee for Medic School and got it. However, after going overseas I never worked as a Medic except for two months. I then re-enlisted (while I was still 17) with my parents consent for another year. I re-enlisted on the most part to get out of Germany and to be able to come home for Christmas. They sent me here to Avianic Navigation Equipment Repair to attend the above course. And I did. But the school wasn't important. I wanted to stay in the Medic Corps but was told by my Platoon Sergeant and CO that there was no way that I could. 2. (Name), Sp/4, November 21, 1969 is when I was promoted to E/6. (Social Security No.).

3. My attorney is Captain John Dunnsmore, Staff Judge Advocate General, Fort Gordon, Georgia.

4. (A) I was processed at Fort Campbell, Kentucky on February 28 to March 7th, 1969. (B) Took basic at Fort Lewis, Washington, March 7 to May 2, 1969 in the Training Company of C-4-1. (C) Took my Medic training at Fort Sam Houston in C-2 Class 258 from May 4th to July 11, 1969. (D) Was stationed permanently at Company C, 46th Medical Battalion, 4th Armored Division, APO New York 09066. (E) CO. D/2 School Brigade, Fort Gordon, Georgia 30905.

5. I had real good grades in school until I had problems with my parents at home. And then I still made A's when I wanted to. I quit in the 11th grade to join the Army and get away from my family. The differences have since been dissolved. I scored a 92 percent and a 94 percent on the NEDT test in the 9th and 10th grade and received a certificate both times for being in the top 10 percent of the Nation on the test.

Mr. Fulton, earlier in the Month of March, I told my CO that the Army was messing up my head bad and that it was making me an addict. But I received no help from him except an appointment with mental hygiene which I didn't keep.

The story I have told is a true account of the pressures of the service and what it has led me to. All I want to do is get home with my family and try to redeem myself and get the rest of my problems straight.

Mr. Fulton, I am not bad but I am afraid that what I said will fall on deaf ears in the military. It usually does. As long as I am in a military atmosphere like the one at Fort Gordon or Germany, I am afraid that I will never get away from drugs, but if at home, I know I can. I am happy at home and I feel alive and as if life is worth living. To lick this problem, I need my family's love, help and support. I need help, not punishment, but it doesn't appear as if I will get any help, only time in jail and punishment.

6. So far I have had an excellent service record at every duty station I have been. I have never been in any trouble in the military and have had no Article 15's. And I have never been convicted of any civilian offense either. I have had 25 months of excellent duty so far.

7. My friend, the one that informed on me, was a big factor in starting me back again on drugs and especially the sales part of drugs. I never sold drugs except to the people in the group that I belonged to and I usually didn't make any profit, just my money back.

8. My Chaplain is Chaplain Crouse, 2nd Bn., School Brigade, Fort Gordon, Georgia 37915. My CO is Captain Edgar Steele, Co. D-2, School Brigade, Fort Gordon, Georgia 30905.

Mr. Fulton, I have had many problems

with my parents in my life but I think that now we can what is left of them straightened out. It is probably the most important thing in my life to have my parents to understand me and me to understand them, but I have to be home to do it. I want to make my parents proud of me before I die.

Your understanding of this matter and help may help to get my sentence lightened. But I feel the most important thing to do is to bring to the attention of the military particularly the Army the extent of the pressures they forced on young soldiers and the extent of the drug problems. They both go hand in hand.

Mr. Fulton, I found this letter very hard for me to write because I am not one for seeking help even when I need it. The Army has made me feel like half a man but I am now on the road to recovery and discovery of my full potential. I want to finish my time in the Army but if permitted to do so will have to be either at Fort Campbell or the Induction Center at Nashville. It is essential to my growth and rehabilitation that I be close to home if still in the service.

If you think I am worthy of your help and understanding then please try to help me.

I apologize for the sloppiness of this letter and I hope that I have made it clear and factual enough.

Mr. Speaker, if this bill were law this young man and probably thousands like him past and future would have received medical help for their problem rather than moral condemnation which does not serve the addict nor the society from which he has been barred.

Under this bill no serviceman with a drug abuse problem could be discharged until he was adjudged free from drug dependency. Under the bill a serviceman could not be discharged dishonorably for drug abuse.

Thus the problem of economic opportunity deprivation due to a bad service record would be overcome while the necessity to turn to crime to support a hard drug habit would be obviated.

The sponsor of this legislation, Mr. MONAGAN, states further:

By placing full responsibility for treatment of drug abuse on the military services themselves, the current madness of allowing military addicts to reenter civilian life with dishonorable discharges which prevent them from being treated in a veterans hospital would be promptly halted.

Mr. Speaker, not too long ago the military treated venereal disease as a moral rather than medical problem and the problem of venereal disease was not overcome until this approach was changed.

Unfortunately the laws today under which drug addiction is treated in the military are based more on moral concepts than medical knowledge. This should be changed and this bill is a proper approach.

PLANS FOR THE FUTURE

HON. JOHN G. SCHMITZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 3, 1971

Mr. SCHMITZ. Mr. Speaker, an important study on the world balance of power was recently prepared by Richard B. Foster, director of the Strategic Studies Center of the Stanford Research

Institute. Included in this study were several charts which so clearly illustrate the growing disparity between United States and Soviet Union defense investment that I felt they should be made available outside of the professional military and defense strategy circles.

The graphs along with the comments elaborating on the charts, were included as part of a report entitled, "The Overall Balance of Power in the 1970's: Military, Economic, Moral" presented at a recent strategy seminar.

When looking at this material we might recall that a budget is nothing more than the financial expression of a plan.

Fifteen years ago the U.S.S.R. was expending about one-half as much as the United States for national security purposes. Currently the U.S.S.R. is spending about the same amount as is the United States. If the cost of the Vietnam war is excluded, the U.S.S.R. exceeded and surpassed the U.S. level of expenditures 2 or 3 years ago and currently probably is spending at least \$10 to \$15 billion more than the United States on this basis, even when what appears to be a generous allowance is made for Soviet military aid to Vietnam and to the Arab nations of the Middle East and North Africa.

Perhaps the most striking difference of all between the defense outlays in the two countries is the apparent difference in the trend and the magnitude of strategic offensive and defensive force budget. Since the early 1960's the U.S. budget for strategic offensive—SOF—and defensive—SDF forces has declined steadily, both absolutely and relative to any other aggregate such as U.S. national security expenditures—total—or GNP. The U.S.S.R. is currently spending somewhat more than twice as much as the United States for the combined SOF and SDF forces.

While there are some who hope that talk at the SALT negotiations will slow the Soviet buildup, the Soviets rapidly increase their forces knowing that, "every treaty is merely an expression of forces operative in the realm of facts." The Soviets know that the stronger they are the more desperate the United States will become to make an agreement—any agreement.

THEOLOGIAN REINHOLD NIEBUHR

HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 3, 1971

Mr. HUNGATE. Mr. Speaker, I would like to call to the attention of the House the death of the distinguished theologian Reinhold Niebuhr who was born in my District in Wright City, Mo.

The article follows:

[From the Washington Post, June 3, 1971]

THEOLOGIAN REINHOLD NIEBUHR

(By William R. MacKaye)

Reinhold Niebuhr, who died Tuesday in Stockbridge, Mass., at 78, was one of the intellectual giants of the 20th century, a man who shunned the titles of theologian

and political philosopher but was those and more.

He came as close as any man of his time to marrying the immiscible strands of the American past—the society's biblical, Christian inheritance and the secularist, utilitarian origins of its political institutions—into a unified view of the world.

He was one of those rare church leaders who spoke with power not only to the church on churchly matters but also to the world on worldly matters.

Dr. Niebuhr's principal pulpit during his long public career was as professor of applied Christianity at New York's Union Theological Seminary, on whose faculty he served for more than 40 years. But even as he taught new generations of ministers and academic theologians, he took on such assignments as adviser to the State Department's Foreign Policy Staff and officer of the Liberal Party, a political third party in New York state.

An early Socialist and pacifist, he abandoned these positions in the 1930s in favor of staunch support of the New Deal and a conviction that the United States was morally obligated to intervene internationally to put down Nazism.

The nature of his times, an era that saw the rise of a multiplicity of totalitarianisms, and his own reading of the Bible and of history stimulated in Dr. Niebuhr a skepticism about man and society that he called "Christian realism." His understanding of man was in effect an emphasis on human limitation and fallibility that set him in opposition to the easy optimism preached for opposite reasons by both theological liberals and by fundamentalists.

Dr. Niebuhr's dark vision of the human situation is illustrated in typical fashion in the closing paragraphs of his major work, "The Nature and Destiny of Man," a two-volume essay that grew out of his delivery of the Gifford Lectures at the University of Edinburgh in 1939:

"The freedom of man transcends the flux of nature in such a way that the hope of completely severing the spirit from the integuments of nature is an understandable illusion. The processes of growth in history are, furthermore, so obvious that the modern error of confusing growth with progress may be regarded as an equally inevitable mistake.

"Yet both these mistakes also rested upon a willful disregard of some of the obvious evidences.

"It is obvious that man does not have the power to extricate himself from flux and finiteness, as idealists and mystics of the ancient and the modern world believed.

"It is equally obvious that history does not solve the basic problems of human existence but reveals them on progressively new levels.

"The belief that man could solve his problem either by an escape from history or by the historical process itself is a mistake which is partly prompted by the most universal of all 'ideological' taints: the pride not of particular men and cultures, but a man as man."

The rolling sentences of this passage also illustrate the sonority that was characteristic of most of his writing, lecturing and preaching. One Niebuhr admirer recalled that a woman rushed up to him at the conclusion of one of his appearances, saying that she couldn't understand a word he said but that she would be content to hear him recite the alphabet.

Reinhold Niebuhr—his friends called him "Reinie"—was born in Wright City, Mo. He was the son of an immigrant father who was a pastor of the Evangelical Synod of North America, a denomination of German origin that is now a part of the United Church of Christ.

Of the Niebuhr children, three achieved exceptional ecclesiastical distinction. In addition to Reinhold Niebuhr there were also

H. Richard Niebuhr, for many years a professor at Yale Divinity School, whose theological impact on American Christianity was nearly as profound as his brother's and Hulda Niebuhr, a sister, who had a long career as a teacher at McCormack Theological Seminary in Chicago.

Reinhold attended Eden Theological Seminary, a seminary of this denomination, and graduated from Yale Divinity School in 1914.

After receiving a Master of Arts degree in 1915 he was ordained to the ministry of the Evangelical Synod and thereupon took up the only pastorate of his career, a 13-year stint as minister of Bethel Evangelical Church in Detroit, a struggling congregation composed principally of laborers on automobile assembly lines.

Before long the young minister found himself locked in struggle with Henry Ford. Mr. Niebuhr's outrage at the conditions under which auto workers of that era labored led him into his temporary espousal of socialism an embrace, he later confessed, that preceded his reading the works of Karl Marx.

In 1928 he moved on to the faculty of Union Seminary, where he spent the remainder of his life.

The multifariousness of Dr. Niebuhr's interests and activities and the prodigiousness of his energy led him over the years into close associations with such disparate figures as diplomat George Kennan, Episcopal Bishop William Scarlett, Supreme Court Justice Felix Frankfurter, historian Arthur Schlesinger Jr., Scottish theologian John Baillie, Jewish scholar Rabbi Abraham Herschel, lawyer and public figure Dean Acheson and a list that could run on much longer.

Many of these men kept up with the unfolding of Dr. Niebuhr's thought by following his writing in "Christianity and Crisis," a Christian journal of opinion he founded in 1941 to promote the activist, interventionist stance he espoused.

During World War II and thereafter, Dr. Niebuhr relied more and more firmly on his historical analysis of issues he saw confronting his nation and world.

Ronald H. Stone, one of his students and the collector of the most recent volume of his essays, noted:

"As his thought became more historically oriented, it also grew more pragmatic. The results of the New Deal and Franklin D. Roosevelt's pragmatic foreign policy convinced Niebuhr of the dangers and irrelevance of ideology to the problems confronting the United States . . .

"His influence on purging Protestantism of absolutisms in social ethics has been one of his more important contributions in American life. No man or political idea was good enough to be trusted completely; both had to be checked by other men and ideas and continually evaluated in the light of their contribution to the common good."

Dr. Niebuhr suffered the first of a long series of crippling strokes in 1952 when he was only 60, and physically he was a semi-invalid thereafter.

But if his body was weakened, his mental energies remained undaunted, and commentary and analysis continued to flow from his pen at a scarcely lessened pace.

In addition to innumerable articles in newspapers and magazines, Dr. Niebuhr was the author of more than 20 books. Besides "The Nature and Destiny of Man," some of the more memorable are "Leaves from the Notebook of a Tamed Critic," "Moral Man and Immoral Society," "Beyond Tragedy," "The Children of Light and the Children of Darkness," "Faith and History," "Irony and American History" and "The Structure of Nations and Empires."

Dr. Niebuhr's participation in the exchange of ideas covered so long a span of years and grappled with such a variety of public issues that at least one younger scholar forgot too soon that he was still alive and active.

This writer imprudently suggested a few years ago that Harvard Divinity School theologian Harvey Cox was "this generation's Reinhold Niebuhr." The scholar was promptly assailed by an angry swarm of Niebuhr disciples who retorted that "Reinhold Niebuhr is this generation's Reinhold Niebuhr."

Dr. Niebuhr's funeral will be conducted at 3 p.m. Friday in the United Church of Christ in Stockbridge, Mass., the western Massachusetts town where he died. Friends said a memorial service would probably be conducted later in New York.

He is survived by his wife of 40 years, the former Ursula Keppel-Compton, a son Christopher, Albany, N.Y., and a daughter, Elizabeth Sifton, Brooklyn.

FOREIGN-FLAG THREAT TO GREAT LAKES SHIPPING

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 3, 1971

Mr. DINGELL. Mr. Speaker, on May 19, 1971, my colleague and friend from Michigan, Congressman WILLIAM D. FORD, addressed a meeting of the Maritime Trades Department of the AFL-CIO in Washington on the subject of the foreign-flag threat to Great Lakes shipping.

I found Congressman FORD's comments to be of great interest and very much to the point. So that his colleagues may have an opportunity to be aware of his views, I include the text of Congressman FORD's statement at this point in the CONGRESSIONAL RECORD:

REMARKS OF CONGRESSMAN WILLIAM D. FORD, (DEMOCRAT OF MICHIGAN) AFL-CIO MARITIME TRADES DEPARTMENT LUNCHEON, E. L. BARTLETT MEMORIAL AUDITORIUM, TRANSPORTATION INSTITUTE, WASHINGTON, D.C., MAY 19, 1971

Everytime the economic news turns bad—as it did last week with the attack on the dollar—there is a tendency for all of us to shrug our shoulders and wait until the money men straighten out the problem. But we've been doing that too long, and the time has come for us to change our perspective a bit on the international economic picture.

The attack on the dollar is a case in point. Paul Samuelson, the M.I.T. economist, analyzed the dollar crisis as being "the Volkswagen problem." That was a handy example for him, and one that a Congressman, from the Detroit area, certainly can agree with.

Professor Samuelson said that it had become too easy to get Volkswagens in the United States and too difficult to get Fords and Chevys into West Germany. Thus, said the good professor, the German mark had more strength than the dollar.

He could have said the same words about a host of products sent to these shores from abroad. Radios, televisions, textiles, heavy machinery all pour into the United States from abroad. The goods that make up our foreign trade number in the hundreds of millions of tons a year. And when you talk about moving that much material, you have to be talking about ships.

All the Volkswagens that get to the United States and most of the rest of the material that is imported come in ships of the foreign-flag fleets. That is true of the deep water ports and it is true of the Great Lakes ports as well. It is sad and shocking that we have deprived our U.S.-flag fleet for so long that last year it carried less than five percent of U.S. cargoes sailing to foreign shores.

It is no less shocking and far sadder for me that the Great Lakes foreign fleet carried less than four percent of the foreign bound commerce from Lakes ports. And these aren't minor ports.

The Port of Chicago, to take just one example, is second only to the Port of New York in volume of trade and it has been in second place for many years. And if the ports are major league, then so is the sailing schedule.

More traffic passed through the locks of Sault Ste. Marie in seven months of operation than passed through the Panama Canal in a year. And the canal at Welland, Ontario, handles more traffic than either the Panama Canal or the Suez Canal when it was operating.

So the potential for a defense against "the Volkswagen problem" is there, sailing the waters of the Great Lakes. And it would be a defense led by the American-flag fleet that sails there.

It is possible that the Great Lakes fleet could pick up a lot of the slack that the nation's unfavorable balance of payments situation has created. It is possible but it will take a lot of work.

I believe we began that work last year with passage of the Merchant Marine Act of 1970. We began it humbly by permitting Great Lakes operators the privilege of tax-deferred construction reserve funds and I notice that among the first to receive approval for tax-deferred funds were two Great Lakes shipping companies.

That means, that as we always thought it would, there will be new American-flag vessels sailing in the Lakes soon. And I should think they will be far better ships than we have seen on the Lakes in recent years.

For the current Great Lakes fleet is small, and slow and old. Only 28 ships in the fleet were built after 1950 and some of the veteran ships still sailing are past their 60th birthday. If the deep-sea fleet was considered old with its average ship age of more than 20 years, then the Great Lakes fleet which its average ship age of over 40 years must be considered antique.

But we're going to get new blood in that fleet and that I think will be the first sign of recovery. Tax deferral is a handy tool to encourage building. To get new ships sailing.

But the Great Lakes fleet is in need of more than that, and if we are to begin a defense of the dollar here at home, then it needs more help now.

I don't think it is at all unreasonable to insist that Great Lakes ships be given the same operating subsidies that all deep-sea traders get. And I don't think it at all unreasonable for Great Lakes operators to get construction differential subsidies in the same manner as their deep-sea counterparts.

In fact, I think those two suggestions are totally reasonable and economically sound.

It is economically sound to suggest expanding construction and operating subsidies since they are an investment in the future—an investment that I am sure will be paid back many times over once the Great Lakes fleet becomes able to handle the great volume of trade that sails the Lakes.

By rebuilding the fleet in the Great Lakes as quickly and as thoroughly as we will rebuild the deep-sea fleet under terms of the 1970 Act, we can achieve the goals of the act that much sooner.

And by concentrating our effort on the Great Lakes fleet, in partnership with the deep-sea fleet, we can add strength to the dollar and protect it from the money speculators in Europe.

We don't need periodic attacks on the dollar, attacks that undermine confidence in our currency abroad. If we can strengthen our Great Lakes fleet and get it back into competition with the foreign-flag, we can make our fourth seacoast the beachhead for the defense of the dollar.

TWO SIDES TO THE COIN

HON. CARLETON J. KING

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 3, 1971

Mr. KING. Mr. Speaker, recently we have read and heard about an alleged scorched-earth policy of the U.S. Government in the carrying out of its bombings in Laos. We have heard of the destruction of villages, hamlets, and the taking of civilian lives.

In the May 30, 1971, edition of *Twin Circle*, a national Catholic publication, Rev. Daniel Lyons, S.J., has written an article which would lead us to believe that there are two sides to the coin, and I thought it important that the Members of the House be apprised of this article so that they can draw their own conclusion.

While President Nixon is doing everything he possibly can to wind down the conflict in Southeast Asia, there are still those who are doing everything they can to discredit the administration by spreading false propaganda.

The article follows:

(By Daniel Lyons, S.J.)

The "big issue," said Congressman Paul McCloskey (R.-Cal.) a few weeks ago, is "truthfulness in government." The controversial congressman went to Laos in order to launch his candidacy for the Presidency. "I'm dedicated . . . I'm going to run against him (Nixon) now," he said.

Congressman McCloskey went to Laos last month supposedly to investigate the refugee problem. Before leaving Washington he charged that the U.S. has "pursued a program of deliberately destroying Laotian villages . . . and may have destroyed thousands of them."

The whole story of his trip to Laos was obtained by *Twin Circle* in an exclusive interview with Father Matt Menger, O.M.I. The congressman was less than 36 hours in Laos, during which time he spent less than two hours speaking with 7 or 8 refugees.

On his return, Congressman McCloskey testified before the Kennedy subcommittee, doing his best to discredit U.S. policy. Sources who accompanied the congressman told how he went with a totally closed mind and "with a single purpose: to discredit the United States."

Before leaving for Laos, he told *The New York Times* that he knew it to be "the official policy" of our government to wipe out villages and drop cluster bombs and napalm on civilians. The U.S. is engaged in "war crimes," he said.

On his return he accused both the U.S. Ambassador in Laos and Father Menger of deliberately trying to deceive him. Father Menger was "erroneous" in his translations charged the congressman. Father Menger was "being used" by the State Department, he said, "to keep us from learning the truth." McCloskey apparently intended to keep up these charges in the press, but when he found out that Father Menger made a trip to Washington to defend himself and our government, the congressman abruptly stopped commenting on the subject.

I spent ten days with Father Menger in Laos and Vietnam last year, and found him to be one of the most dedicated missionaries and one of the finest linguists I have met. His knowledge of the native languages in Laos, where he has worked for the last 14 years, is excellent.

WHAT REALLY HAPPENED

What really happened on the congressman's visit? Father Menger explained it at our *Twin Circle* offices very carefully. McCloskey called on U.S. Ambassador Godley in Vientiane, the capital of Laos. He was offered any interpreter he wished, but the congressman said he "could not trust anyone" who worked for the U.S. government. The Ambassador explained that the natives do not speak sufficient English, but that Father Menger and a veteran Protestant missionary, the Rev. Ed Roffe, could do a professional job as translators. The congressman agreed to them.

OMITTED TESTIMONY

Representative McCloskey learned from a reporter where he could find a refugee prison camp that was either pro-Communist or Communist dominated, in order to get replies that were against our defense of Laos. He took Father Menger and the Rev. Roffe there, and talked briefly, with seven or eight refugees. At least two of them told him they would never return to Communist-dominated areas because of the cruelty practiced by the Communists, but the congressman left that out of his testimony.

"It is true," explained Father Menger, "that some natives are refugees because of military action in certain areas. But the great majority are refugees because they do not like living under Communist rule." That was certainly the experience of this writer on visiting Laos last summer with Ross Perot.

ABUSIVE SOLON

Father Menger tried to point out the true facts to McCloskey, but the congressman became abusive and ignored him. Father Menger told the congressman there was not one veterinarian in Laos, and that he could help the refugees immensely if he would use his influence in Washington to see that a veterinarian was sent over, particularly since the U.S. had just given 5,000 pigs to the refugees. But he found the congressman completely disinterested in doing anything that might be of help to the people.

That the congressman went to Laos with a closed mind is evident. That he deliberately distorted his findings when he returned is evident. That he slandered Father Menger and the American Ambassador is also evident. Father Menger took time he can ill afford to come all the way to this country last month, hoping to undo some of the harm the congressman was causing in governmental circles and in the press.

To say that Congressman McCloskey is dishonest may seem a little strong to some sensitive souls. But if the big issue is "truthfulness in government" that leaves him out.

CONTROLLED NUCLEAR FUSION—STATUS AND OUTLOOK

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 2, 1971

Mr. HOSMER. Mr. Speaker, there is an old saying that the empty barrel makes the most noise. There are many empty barrels "noising" around the United States today about declaring a moratorium on the installation of nuclear powerplants, about foregoing any additional research on the fast breeder reactor and concentrating all U.S. research efforts on fossil, solar, and fusion energy generators. The people

making all this noise—and noise, I might add, is a heinous form of pollution—evidently are unaware of the facts of life as they exist today.

Those who would have us concentrate on fossil fuel are evidently unaware of the terrible arguments now raging between environmentalists and those who would obtain coal in the most economical manner—by strip mining. They probably are not aware of the serious arguments raised recently in the Southwest by the Governor of New Mexico and others for a moratorium on the installation of any additional coal plants in that area. New coal-fired generating plants are forbidden in my district in California. The same noisemakers are evidently not aware of forthcoming shortages of oil and natural gas in this country. Even oil poses a problem today, because of strict controls on sulfur in the atmosphere.

In the future these same noisemakers, who are now against nuclear energy, as they sit in their caves scratching themselves by the light of a log fire making marks on a piece of clay that they have pulled from the roof of their abode, they might just reflect on their demands that solar energy be pushed for the generation of electricity. It has been calculated that piping in special heat absorbing containers spread over 13,000 square miles of Arizona desert—more than 10 percent of that State's land mass—could produce enough steam, when the sun reaches the ground at an appropriate angle, to operate a 1,000-megawatt electric generating plant. And the people pushing for fusion because "wishing will make it so" are evidently quite unaware of the status of fusion research today.

The Federal Government has spent about \$450 million in this country on controlled thermonuclear reaction research in the past 18 years. The Atomic Energy Commission's fiscal year 1972 budget requests over \$30 million for next year. Worldwide, over \$1 billion has been spent on research to learn how to control thermonuclear reactions.

I would like to insert in this record two articles which examine the status of thermonuclear research throughout the world. The first is by Prof. David J. Rose of the Massachusetts Institute of Technology, who is on leave from MIT and is presently at the Oak Ridge National Laboratory as Director of Long-Range Planning. He wrote an outstanding status report "Controlled Nuclear Fusion: Status and Outlook," which is in the May 21, 1971, edition of *Science* magazine. I recommend that all who are interested in the future of fusion read the article in the magazine since the version to be printed in the *RECORD*, following my remarks, will have none of its numerous illustrations.

I would like to make a single quote from Professor Rose's article:

With regard to Time Scales there is some real misunderstanding. Controlled fusion is not an alternative to the first generation breeders as was at one time thought. The question is whether fusion or some second generation breeder will be preferable.

The second article is from *Fusion Forefront*, a quarterly newsletter pub-

lished by AEC's Division of Controlled Thermonuclear Research. Dr. Robert L. Hirsch, the author, points out that it is not possible to draw a direct analogy between past fission reactor development and future fusion reactor development. His article "Editorial—The Fission-Fusion Anti-Parallel" follows Dr. Rose's article:

CONTROLLED NUCLEAR FUSIONS STATUS AND OUTLOOK

(By David J. Rose)

The attempt to generate power by controlling nuclear fusion will make an interesting topic for philosophers and historians of science and technology. If such an extravagant statement sounds forced, it is just meant to say at the outset that many factors, not all scientific, and some for the first time, have helped put the state-of-the-art where it is now. I shall try to give some account of these things.

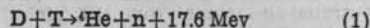
ELEMENTS OF THE PROBLEM

Controlled fusion research has passed through several epochs, the first of which was initiated by four items. First came measurements of reaction energies and rates between hydrogen isotopes and other light elements, which showed that under proper conditions large energy releases would be possible. Second, the well-known laws of single particle physics seemed to show how an assembly of high energy ions and electrons could be confined in magnetic fields long enough to establish the proper conditions. Third, the radioactive ingredients and by-products of fusion appear to be much less hazardous than those associated with nuclear fission; therefore, fusion reactors would be simpler and safer than fission reactors. Fourth, deuterium is a fusion fuel in plentiful supply—one part in 7000 of ordinary hydrogen; and extraction from ordinary water is not difficult. So matters stood in the early days, say up to 1955. Only the first of these items is necessary to make H-bombs. The combination of all four items captured the imagination of a sizable and very competent fraction of the physics community. The ensuing search for controlled fusion—the ultimate power source—has sometimes taken on a moral character, possibly as a reaction to the darker uses to which nuclear energy had been put. Whatever the reason, the efforts exerted by some might be compared to those of an Everest climber who knew that Prometheus was chained to the top. And a good thing, too, for the 1953 worker didn't see the whole field of plasma physics that lay yet to be discovered between his hopes and their realization. Whether it is a field or a gulf is yet to be discovered, and attempts to cross it during later epochs are briefly accounted below.

The present consensus is that, scientifically speaking, controlled fusion is probably attainable. But if fusion reactors are to be truly practical, there are other requisites: producing large volumes of magnetic field at low cost, minimizing the effects of material damage by high energy neutrons, and so forth. All these are equally essential to success; their natural laws being better understood than those of plasma physics, less room exists either for maneuver or speculation.

These phrases introduce the several major topics: how things are now, what is still needed to demonstrate scientific feasibility, what more is needed to make a practical fusion reactor, and how fusion does or does not fit our supposed future requirements.

Several exothermic fusion reactions exist. The reaction of deuterium (D) and tritium (T)



is the most attractive, and I build the discussion upon it. The energy is small compared with 200 megaelectron volts per re-

action from uranium fission but is more per unit mass. At about 100 kiloelectron volts, the reaction cross section reaches a peak at 5×10^{-28} square meter, which is very large by nuclear standards. Of the 17.6 Mev, 3.5 appears with the ${}^4\text{He}$ nucleus, and 14.1 with the neutron.

Many difficulties in the way of developing fusion power can be derived from these simple facts. First, consider the nuclear fuel. Deuterium is almost cost-free, but tritium does not occur in nature and hence must be regenerated with the neutrons from the fusion reaction.

The worst problem is presented by the nature of the reaction itself, because the particles must have (about) 10 keV energy or more so that the D and T nuclei can overcome their mutual electrostatic repulsion and fuse. Unfortunately, the cross section for scattering via this repulsion considerably exceeds the fusion cross section at such energies; hence the particles scatter each other several times before reacting. Thus it follows that the fuel will be a randomized collection of ions whose average energy must exceed 10 keV. In conventional terms, this is a gas at a temperature exceeding 10^8 degrees Kelvin. In fact, it will be a fully ionized plasma of D+ and T+ ions containing an equal total density of electrons to make the medium macroscopically neutral.

As I have implied, the principal difficulty comes in confining this plasma. A D-T nuclear explosive device stays together long enough—less than 10^{-7} second—by inertia alone for the components to react. In the process, the ${}^4\text{He}$ nuclei (and to some extent the neutrons) slow down in the unreacted material and heat it to an "ignition" temperature; transient pressure is millions of atmospheres. For a slower, controlled reaction, the pressure must be something that real structures can withstand; systems that we visualize will have dimensions of the order of 1 to 10 meters, and therefore pressures exceeding (say) a few hundred atmospheres are hardly believable. This restriction, plus specification of temperature already made, determines the density of the ions. Depending on the arrangement, desired D+T ion density turns out to be 10^{20} to 10^{23} m⁻³, some 7 to 9 orders of magnitude below solid densities, and 4 to 6 orders of magnitude below that in the air around us. Required confinement time for a useful fraction of the nuclear fuel to react is 0.01 to 1 second. The most important parameter is the product of the density by the time, which should be 10^{20} sec m⁻³ or more—the so-called Lawson criterion. Total reacting nuclear mass at any one time would be only about 1 gram, even in a system that operates continuously at several thousand megawatts. All this is remote from any explosive regime.

PRESENT SCIENTIFIC PROGRAM

I will not review in depth the voluminous plasma physics underlying the schemes by which the plasma is hoped to be confined; but some acquaintance is necessary for what follows. The main schemes being developed so far involve use of large volumes of high magnetic fields. Plasma ions and electrons are hindered by magnetic forces from moving across the direction of magnetic fields, but can spiral along the field lines, as in Fig. 1. Thus (naively), confinement in the two directions perpendicular to the field direction is achieved, and one might have to worry only about confinement along the field direction.

From these simple thoughts arose in the first epoch two largely separate categories of device (1) In Fig. 2, field lines are curved to form a closed toroidal system; there is no escape except across field lines, and devices of this generic type are called closed systems. In the other generic type of Fig. 3, ions (and electrons) are reflected by increasing mag-

netic fields at each end. Here, an additional mechanism is required: each ion moving along a magnetic field line has fixed total kinetic energy U —at least until it interacts with the other ions and electrons in the system, or undergoes fusion. The total energy U can be thought of as being composed of two parts, an energy U_{\perp} of gyrating motion perpendicular to the field line, and a part U_{\parallel} of motion along the field line. That is

$$U = U_{\perp} + U_{\parallel} \quad (2)$$

Now it can be shown (2) that the magnitude of the perpendicular component U_{\perp} is proportional to the magnitude B of the magnetic field; that is

$$U_{\perp} = \mu B \quad (3)$$

where μ is a constant (called the magnetic moment) for each particle, depending on details of its orbit. From this we find

$$U_{\parallel} = U - \mu B \quad (4)$$

The consequence of Eq. 4 is straightforward—if the field B becomes high enough in the ends of the device shown in Fig. 3, then μB rises to equal U itself, and no energy U_{\parallel} is left for parallel motion. The particle must be "reflected" from these high field regions, hence contained in the center part. The device is appropriately called a magnetic mirror (3).

A difficulty of these "open-ended" systems of Fig. 3 is just that—open ends. An ion or electron whose orbits happen to lie almost along the field direction in the middle of the device has a low value of the magnetic moment. Then the maximum field B at the mirrors is insufficient to reflect the particle, and it escapes out one end. Coulomb interactions continually scatter particles into such directions; hence magnetic mirrors are inherently leaky, even if no worse calamities befall.

In each case, the confining field might typically have a maximum strength of 8 to 10 tesla (4), and an equivalent magnetic pressure $B^2/2\mu_0$ (in meter-kilogram-second units) of 300 atmospheres.

The difficulty with all these truly ethereal schemes is that the plasma turns out to be unstably confined, because a number of electric effects which are negligible for a few isolated particles but important in a large assembly (that is, a plasma) were not included. Thus ended the first epoch of fusion research, a sort of age of innocence. For either the closed or open systems of Figs. 2 or 3, some field lines necessarily bow outward, away from the plasma: at such places the plasma tends to develop uncontrolled aneurisms. Modifying the basic configurations (and increasing its cost and complexity (substantially) will reduce these unstable growth, but it seems certain that a weak turbulence will remain. As a result, plasma could diffuse toward the surrounding vacuum walls and out the ends at a high rate.

The idea of diffusion is useful for illustrating the situation in the present second epoch of fusion research. If the plasma internal motions can be described by a diffusion theory (there is some doubt about this, which we ignore here), then a diffusion coefficient D can be assigned. The theory then states that the confinement time τ_c in (say) a long cylinder of wall radius r_w should be about

$$\tau_c = r_w^2/6D \quad (5)$$

For long τ_c we desire small diffusion, but even more importantly large systems. Present custom (5) has it that the diffusion coefficient is likely to be some small fraction of the Bohm value D_B for a fully turbulent plasma, where

$$D_B = \frac{kT_e}{e} \cdot \frac{1}{16B} \quad (6)$$

Here, (kT_e/e) is the electron temperature measured in electron volts. Then according to this rubric, we have

$$D = D_0/A \quad (7)$$

where the dimensionless factor A represents confinement quality, measured in "Bohm times." If $A = 1$, the plasma would be lost by diffusion with a coefficient equal to D_0 . For adequate fusion system confinement, it turns out that we must have $A \geq 100$ at least, the precise number depending upon the arrangement (6).

It is both encouraging and salutary to see where present experimental devices are in relation to these goals. There are many such, but in this summary one example must suffice. The Tokamak, one of the most promising devices today (7), is an easy extension of Fig. 2, developed first at the Kurchatov Institute in Moscow, now also appearing in various guises at several plasma laboratories in the United States. Figure 4 shows the arrangement: the strong azimuthal field B_ϕ remains as before; but now the toroidal plasma is itself also the secondary loop of a transformer, which accomplishes two additional purposes. First, a strong current pulse on the primary winding ionizes the gas and generates a secondary plasma current I_ϕ ; that current heats the plasma by inducing weak second, the current I_ϕ produces a new poloidal magnetic field B_θ as shown; the two fields combined, reminiscent of the crossed plies of a tire tread, make up the confining structure. Analysis shows that the plasma should be stable against ordinary hydromagnetic instabilities in the magnetic well so formed. The remaining higher order modes might be too weak to cause excessive diffusion. One penalty for these improvements is abandonment of true steady-state operation, for the device must now be run in long pulses—vide the transformer.

At this time, hopes that a Tokamak device will establish the scientific feasibility of fusion reactors are high. The largest device operating ("T-3" at Kurchatov) has a major diameter of 2.0 m, the minor plasma diameter is about 0.3 the maximum field B_ϕ is 3.5 telsa, and the current I_ϕ is 10^6 amperes. For these efforts, the results (8) are: plasma density is $3 \times 10^{19}/m^3$, confinement time T_e is 0.03 second, the electron temperature is >1 kev, and the ion temperature is 0.5 kev. Each of these numbers (which has been measured both by the U.S.S.R. and a visiting team from the United Kingdom) is about a factor of 10 too low, but very good by recent standards; and there is more to the story. From Eqs. 5 to 7, we calculate $A \approx 80$; that is, the confinement time of 0.03 second is some 80 times as long as turbulent Bohm diffusion would predict. This bespeaks a fairly quiescent plasma, almost good enough (in these peculiar terms) for a fusion reactor. A respectably optimistic expert could argue that only the small size and relatively low magnetic field prevent the plasma from lasting an adequate number of seconds. Exploring whether larger or higher field devices give a closer approach to fusion reactor parameters is now an exciting activity; the next generation of experiments should tell much.

Analogous descriptions might be made about some magnetic mirror experiments [the so-called 2X experiment at the Lawrence Radiation Laboratory, Livermore, California, for instance (9)] or fast shock-heated plasmas [Scylla at Los Alamos, for example (10)]. This last device is shown very schematically in Fig. 5. The capacitor discharge through the single-turn coil generates a rapid-rising strong magnetic field ($<10^{-6}$ second, 15 tesla). The field acts as a radial piston, compressing an initially cool plasma into a hot, dense one. In each of these various schemes, the combinations of density, temperature, and confinement time differ. For the Scylla experiment, we find densities up to $5 \times 10^{23} m^{-3}$, and temperature ≈ 5 kev, which are nearly satisfactory for fusion; but $\tau_e \approx 10^{-8}$ second is very short: plasma squirts

out the open ends of the device. A longer one (Scyllac, 10 m) is being built to reduce these end effects.

GENERAL TECHNOLOGICAL FEASIBILITY

Divinations from plasma physics may permit or deny the possibility of useful power from controlled fusion, but they cannot guarantee it. Some applied problems that are substantially independent of the particular geometric model are:

(1) Plasma conditions in imagined practical devices, such as ion and electron temperatures, the fraction of fuel burned up per pass through the reactor, and radiation from the plasma surface. This might be called plasma engineering.

(2) Regenerating tritium (for a D-T reactor) in a surrounding moderator-blanket by means of the 14.1-Mev neutrons.

(3) Heat deposition, temperature of the moderator and vacuum wall, and heat removal.

(4) Providing large quantities of high magnetic field and structure to withstand high stress.

(5) Radiation damage by the 14.1-Mev neutrons, the consequences of which may be frequent and expensive replacement of much of the structure.

(6) Size and cost, which are implicit in many of the above. Other problems are model-dependent; some device concepts seem to require additional developments. The list is long.

Most of the engineering-type problems that are model-independent can be described with the aid of Fig. 6, which shows a stylized fusion reactor as a series of cylinders. The main confining magnetic field is into (or out of) the paper; whether the cylinder is the center section of a stabilized mirror or is wrapped into a torus need not concern us here. The fusion plasma occupies the evacuated center, is surrounded by a neutron-moderating blanket and, at large radius by a set of magnetic field coils. Here now are summary remarks on the problems listed above, generally slanted to a steady-state (or quasi-steady-state) device (6, 11).

(1) *The plasma.* How is the plasma heated? What are the equilibrium temperatures and other parameters? The confinement being imperfect, we imagine plasma fuel continually being lost from the ends or sides into some suitable pump, hence also being replaced by some injection process into the center. Thus, the plasma continues in existence, but each ion or electron remains confined only for the period τ_e discussed before. Helium nuclei born in fusion reactions are also trapped for about τ_e , and deliver much (possibly all) of their 3.5-Mev energy to the plasma. Thus, the plasma is at least partly heated by its own reaction. For some fixed τ_e then, a certain through-put of plasma is needed to keep up its density; consequently, a certain calculable fraction f_b of the fuel will be burned per pass through the device; and helium from the reaction heats electrons and ions (unequally) to temperatures T_e and T_i , respectively. As τ_e is raised, the f_b and T_e and T_i also go up; the fuel is confined better and is not diluted by so much unreacted through-put. Fractional burnup f_b is a more useful display criterion than is τ_e . Difficulties of replenishing the fusion plasma seem to limit us to $f_b \geq 0.02$; $f_b > 0.1$ would cause too high plasma temperatures and also, demand unimaginably good confinement.

With some rather restrictive assumptions, these things can be calculated. Figure 7 shows the expected rise of electron and ion temperatures with increasing fractional burnup, for typical conditions expected in a fusion reactor. At high f_b , electron temperature falls below that of the ions. The reasons for this are that energetic electrons radiate energy, and that the ^4He nuclei tend to heat the ions preferentially, if the electron temperature exceeds about 33 kev.

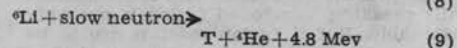
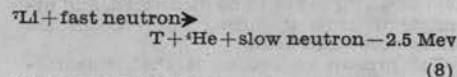
Are these temperatures (once established by some startup scheme) high enough, or must more energy be added? This question lies at the heart of determining energy balance in a fusion reactor. At a given plasma pressure, the highest fusion reaction rate per unit volume occurs at temperatures of 15 to 20 kev. Then Fig. 7 appears to show ample heating if only $f_b \geq 0.03$. For toroidal systems, this may be satisfactory, but an additional problem appears for open-ended systems (mirrors): the ions scatter out of the ends intolerably rapidly unless the ion temperature is very high, perhaps 100 kev or more.

For mirrors, heating the ions (probably by injecting them into the plasma at high energy) appears to be a necessary but expensive step. The expense arises both in additional equipment and in energy. Most of the energy from a D-T fusion reactor will appear as heat, which can be converted to electricity with (at most) about 50 percent efficiency. Then using large amounts of electric power to inject ions could make the system unfeasible.

These objections are serious enough so that a very different energy cycle is being investigated for mirrors (12). The field lines of such a device are shown ethereally in FIG. 8. Plasma escaping through the mirror (only one end is shown) is expanded radially to the periphery of a large disk, where the density is so low that electrostatic direct energy conversion can recover the plasma energy with high efficiency. This energy is used (also with high efficiency) to reinject ions. The scheme will not work well with a D-T fusion cycle, but a D- ^3He cycle which produces charged particle reaction products almost entirely might be better. Such a cycle requires ion energies of several hundred kilovolts, a factor of 10 higher than for a D-T cycle. If the idea works, it would indeed make a virtue out of necessity; but the additional difficulties seem immense, and the outcome is problematical. Nevertheless, it may represent an important hope for the entire class of open-ended fusion machines.

A major difficulty with all these calculations is that they are still nebulous. The hidden assumptions may be unrealistic in serious ways. For example, how are the energy exchange rates inside the plasma affected by the presence of weak turbulence? No one knows. Will the curves of FIG. 7 be affected by inclusion of space charge effects? A sub-field of fusion plasma engineering, for lack of a better phrase, needs developing before a fusion reactor can be sensibly designed.

(2) *Tritium regeneration.* For a D-T reactor, tritium must be regenerated; the two lithium reactions



are essential and seem adequate.

The general idea in Fig. 6 is, then, to make the vacuum wall and blanket supporting structure of thin section refractory metal. Within it, there would be liquid lithium or a lithium salt coolant, plus an artfully disposed neutron moderator (probably partly of graphite). Leading choice for metals is niobium in that it can be formed and welded, retains its strength at 1000° C. and is transparent to tritium. This transparency helps in two ways: tritium generated in the lithium-bearing coolant is not trapped in the metal; and tritium can be recovered by diffusion through thin section walls into evacuated recovery regions. Some additional neutrons also come from the niobium via (n,2n) reactions, but in this particular respect molybdenum would be a better material.

Liquid lithium cooling has the advantages

of high heat transfer, few or no unfavorable competing neutron reactions; main disadvantage is its high electric conductivity, which makes it hard to pump through high magnetic fields—just how hard is not well enough known. In regions near the vacuum wall where the high lithium flow rate might cause excessive pumping loss, a nonconducting molten salt can be used. The likeliest candidate is Li_2BeF_4 ; the main penalty for its use is the presence of fluorine, which slows down energetic neutrons unprofitably, hence inhibiting the beneficial Tl reaction of Eq. 8. That is, using Li_2BeF_4 makes it harder to regenerate enough tritium.

However, with either of these schemes or a combination of them, tritium regeneration seems adequately assured. Calculations with semirealistic combinations of vacuum wall and blanket show that something between 1.1 and 1.5 tritons can be regenerated per neutron incident on the vacuum wall (13). Because one triton is used up per neutron generated, we have in fact a tritium breeder reactor, using the raw materials deuterium and lithium. The view of fusion as compared to nuclear fission breeder reactors has not been much emphasized in the past.

In addition to this favorable breeding ratio, present estimates put the tritium inventory in a fusion reactor at only a few weeks' supply—maybe less (14). Thus the tritium fuel doubling time in a fusion reaction might be much less than 1 year. Doubling time is an important measure of how quickly new reactors could be built (that is, fueled) either to match expanding power demands or to take over from a prior power-generating scheme. This short doubling time for fusion is in marked and favorable contrast to the situation with fission breeder reactors, where the doubling time tends to be uncomfortably long (≈ 20 years in some designs). Here is one of the predicted large advantages for fusion.

Approximate size of the fusion reactor I have in mind comes directly from these considerations. Fairly simple nuclear calculations establish that the blanket plus a radiation shield (not shown) to protect the outer windings must be 1.2 to 2.0 m thick. This substantial thickness implies not only substantial blanket cost, but also very high magnetic field cost, to energize such a large volume. The only way to make the system pay is to have it generate a great deal of power; but nearly all this power must pass from the plasma into or through the vacuum wall. Engineering limits of power density and heat transfer then dictate large plasma and vacuum wall radii as well—between 1 and 4 m, say. Then overall size will be large, and total power will be high—almost certainly more than 1000 megawatts (electric) and perhaps 5000 megawatts.

(3) *Heat deposition and the vacuum wall.* Energy is deposited in the vacuum wall facing the plasma, mainly from three sources: (i) some of the fusion neutrons suffer inelastic collisions as they pass through; (ii) gamma rays from deeper inside the blanket shine onto the back side; (iii) all electromagnetic radiation from the plasma is absorbed there. The plasma itself makes no additional load, being imagined to be pumped out elsewhere. The three sources may constitute 10 to 20 percent of the total reactor power. This is a modest fraction; but the vacuum wall region is thin, and heat deposition (and removal) per unit volume determines the power capability of the whole system. Here is a disadvantage of fusion systems compared to fission reactors; in the latter the energy is more nearly produced throughout the reactor volume and all must not pass through one critical section.

From these considerations, I imagine a total power assignment in the reactor of not more than 15 Mw per square meter of vacuum wall—say 10 Mw/m² being 14-Mev

fusion neutrons passing through, and the rest consisting of plasma radiation and neutron captures in Li . Some (15) imagine substantially higher energy fluxes to be possible, with the use of heatpipe walls—about 30 to 40 Mw/m²; but the design poses many problems. Even at 15 Mw/m², total reactor power is very high, as said before. If the vacuum wall radius is only 2 m, the system of Fig. 6 produces 140 Mw of heat per lineal meter (into the paper) of cylinder. If it is wrapped into a torus, the major diameter can hardly be less than 20 m. Total power of such a device would be 12,000 Mw thermal, or 5000 to 6000 electric, several times that of the largest plant now existing.

One possible way (16) out of this and some other difficulties is to run the reactor at substantially lower thermal stress—at ~ 2 Mw/m². Total power is conveniently less; and because the plasma density is reduced, so is the magnetic field and the cost of it. Neutron damage (see below) is also ameliorated. Whether this option increases the cost per unit of power excessively has not yet been estimated.

The vacuum wall must support approximately a pressure of 1 atm, which is no small task for a thin-section material in such large sizes. However, preliminary designs indicate that a structure built up in depth of thin sheets (the same principle as in corrugated cardboard boxes) will have the necessary strength, and contain proper passages for coolant flow (17).

(4) *Magnetic field windings.* Generating even 15 tesla (150,000 gauss) continuously is not the problem; superconducting coils do so routinely at low cost, a dramatic improvement from state-of-the-art 10 years ago. The problem is size: a simple solenoid generating 15 tesla has a magnetic bursting force of 900 atm on its windings. In comparison, contemporary fission reactor pressure vessels are smaller than we imagine here, and are limited to some 40 atm operating pressure. To make matters worse, the magnetic field is not a simple solenoidal one, and stresses arise that cannot be held in simple hoop tension. To be sure, no nuclear excursion impends if the coils fail structurally, but failure would still be an economic calamity. Perhaps also 15 tesla is not required, but no assurance now exists.

Almost all conceptions involve superconducting coils at 4°K, or at least cryogenically cooled ones at 10° to 20°K. This is the reason for placing them outside the blanket, outside a radiation shield; otherwise the refrigeration problem would be intolerable. To make a reinforcing structure for operation at such a temperature, with size and stress loads I have described, is a task yet to be fully contemplated. Titanium is very strong at such low temperatures; but it is also very brittle—as are most other materials under those conditions.

(5) *Neutron damage.* This is a very serious problem, for either a fission or fusion reactor. In one way, fusion appears at a substantial disadvantage, as follows. One fission reaction produces 200 Mev and about 2.5 neutrons, each with no more than about 2 Mev. One fusion reaction produces 17.6 Mev, of which 14.1 Mev appears in one high energy neutron. Thus, the "energetic neutrons/watt" is an order of magnitude higher in fusion than in fission, and the structural damage caused by these neutrons is correspondingly high. For the high power levels discussed in the preceding examples, every metal atom in the vacuum wall would be displaced almost once per day (18). Many of these displacements anneal out at the high operating temperature; but, even with the delicate choice of materials, design, and temperature, long-term integrity of the vacuum wall against neutron damage will be a major problem facing fusion power development.

In another way of looking at the problem, fusion has an advantage. The damaging neu-

tron flux in this high power fusion reactor is predicted to be about 10^{15} /cm²-sec; but in reference designs for liquid metal fast breeder fission reactors, it will be an order of magnitude higher. We see here a principle of conservation of wretchedness—the fast breeder fuel elements and perhaps the components will require frequent replacement, at substantial expense.

For fusion, this problem translates into the problem of either protecting the vacuum wall (via lower power?) or replacing it. The cost of either of these options may be high; unanswered questions are whether the vacuum wall can be replaced at a cost small compared with the total reactor cost and how often replacement will be required.

Compounding the problem are the facts that probable fusion reactor conditions and materials are not in the fission breeder range of interest. Moreover, no source of 14-Mev neutrons (to test possible arrangements) now existing is intense enough—by a factor ~ 1000 .

Within the framework of fusion systems envisaged here, this damage problem cannot be circumvented, cannot be well predicted on the basis of present knowledge, and affects the feasibility of every fusion reactor scheme.

(6) *Size and cost.* Size is large for lowest power cost, as I showed earlier. However, over many decades unit size has increased by a factor of 2 to 3 each 10 years. Thus, 10,000 Mw thermal is liable to be quite acceptable before 2000, when fusion might, with good fortune, come into its own.

Cost per thermal kilowatt of capacity makes a reasonable basis for comparison with other generating systems. Components stylized in Fig. 6 are equivalent to the core of a nuclear fission reactor, without some of the nuclear ancillaries (and without any of the turbines and generators of a power station). No definite cost can yet be given for what is shown there; too much is still uncertain. However, outside estimates have been made that the cost might run somewhere between 6 and 20 1970 dollars per thermal kilowatt (6). If neutron damage does not require too frequent replacement of the structure, the whole cost range is interesting, and the lower limit is uncontestedly attractive.

Such costs warrant continuing development, but they are very perishable commodities, depending on the imperfect and changing state-of-the-art. Designs, costs, trends, and comparisons must be continually reassessed.

MODEL-DEPENDENT PROBLEMS

What of the host of model-dependent problems, more specific than those hitherto listed? I mention just three, to show their kind and importance.

(1) *Fuel injection into closed toroidal systems.* Plasma is lost by diffusing toward the vacuum wall and then being absorbed (no mean task, and not well understood) at specific peripheral regions. Implicit in this statement is that, something replenishes the plasma at or near the middle (if the device runs on anything like a steady-state basis). Ionized particles will not move across the confining field, so neutral ones must be somehow injected. The trouble now is that the energy flux (of hot electrons) in the plasma is about 10^{14} watt/m², some 10^3 times that of the strongest electron beam made today. Lifetime of a neutral atom or a small cluster of atoms against being ionized in this hostile environment is about 10^{-7} second; upper limit on injected atom velocity is about 10^6 m/sec; otherwise the plasma energy balance is upset. Then the atom penetrates perhaps 0.1 m, a negligible fraction of the way in.

An alternative scheme is to inject pellets so large that they shield themselves by ablation on the way in (as a reentry vehicle into the atmosphere from a space flight). Calculation of what happens here—for example,

whether the pellet must be so large that it chokes the fusion reaction—is much more difficult than calculating the fate of atmospheric reentry bodies, and not much has been done (19).

(2) *Direct energy conversion for open systems.* The necessity for high energy injection and recovery directly as electricity was mentioned in the discussion related to Fig. 8. What cannot be illustrated well is that the diameter of the disklike expansion region may be 100 times the diameter of the mirror confinement region. Can such a structure (albeit with low magnetic field) be built cheaply enough? Can plasma stability and individual particle orbits be controlled well enough throughout this immense region? No one knows.

(3) *Fast-pulsed systems.* The scheme of Fig. 5 has advantages of automatic plasma heating, apparently good stability against radial excursions, and some others. But several perplexing complications are as follows.

(i) The system requires a substantial amount of stored energy to be delivered in about 10^{-6} second to the coil. At present this is done by capacitors, perhaps at a cost of \$100,000 per megajoule. Some cost reduction is clearly possible, but much is necessary. (ii) The fast pulse requires that the magnet coil be next to the plasma in that it forms the vacuum wall. Then the coil must have high strength at high temperature. Electric losses in this coil reduce power output from the system. The coil also slows down and absorbs neutrons, and this process decreases the tritium yield (20). (iii) Pulsed operation at (say) 900 atm pressure on a microsecond basis exacerbates problems of mechanical stress failure; yet more reinforcing structure imperils the tritium breeding even more.

FEARLESS FORECAST

To assess the relative merits of many approaches to controlled fusion is a difficult task, and disputatious. But some sort of perspective must be developed from time to time. What follows is partly opinion, partly fact; it is no one's policy but my own.

Figure 9 helps to focus and confine the discussion. In the middle is a level of achievement called Scientific Feasibility: a density-time product of 10^{20} sec/m³ or more, and true thermonuclear temperature—say 15 keV or more, depending on the system envisaged. Whether the device looks like any eventual fusion reactor is immaterial in this context. This level of accomplishment would be crudely the analog of building the Stagg Field fission reactor in 1942: the physics is permissive, but engineering and economics are yet to come. Figure 9 has no absolute scale, but shows where each present scheme is presently situated—all are now below the feasibility waterline. Closest is the Tokamak, but the figure shows two gaps yet to be crossed. These gaps are that it is not yet known whether scaling to larger size really will work (as described earlier) or whether the ions can actually be heated enough in the device, via weak turbulence or some other means. To put some calibrating point on all this, I will bet a modest amount of even money on success of the Tokamak in the next few years.

The stellarator is a related steady-state device, where the toroidal configuration is stabilized not by induced plasma currents (as the Tokamak), but by added helical windings on the periphery of the torus. The big advantage is steady-state operation. The main disadvantage is that a field configuration made this way seems to give poorer confinement. Thus the density-time product ($n\tau$ in the figure) needs more substantial improvement, and in addition both the ion temperature (T_i) and the electron temperature (T_e) will be harder to raise (21). The stellarator lies significantly below the Tokamak at present.

Some toroidal confinement schemes require solid conductors totally surrounded by

plasma. The so-called multipoles at the General Atomic Corporation and at the University of Wisconsin, and the spherator at the Princeton Plasma Physics Laboratory are examples (22). These internal conductors can be (and are) made superconducting, so true levitation without supports or hangers is possible and has in fact been achieved. On the other hand, no large levitated experiment has yet been performed at high enough field. Thus in the third column of Fig. 9 we see the need to operate without hangers, and to raise both T_e and T_i by some plasma heating schemes yet to be fully developed.

Next in the figure comes the fast-pulsed devices, as shown in Fig. 5. Whether the side losses are now small and whether just reducing end losses will give satisfactory confinement are still questions, but I give the device the benefit of the doubt. One estimate is that the device needs to be 2 km long if linear and the ends are not stopped up (how?); also if wrapped into a torus, new and unresolved questions of a plasma stability enter.

All open-ended mirrors suffer from high loss from the ends, and schemes to reduce these losses (by applying high frequency power at the mirrors, for example) seem not to be very effective (23). Heating both ions and electrons adequately is an additional problem. The "hot electron mirror" scheme uses large amounts of microwave power to produce an exceedingly dense hot electron plasma, with apparently fair confinement at least (24). Ions might be heated (T in Fig. 9) by injecting high energy neutral atoms into this "seed plasma." The chances of this scheme making a scientifically feasible fusion plasma are at least fair.

Ion injection mirrors, when the plasma is not substantially aided by hot electrons, face more difficulty. The losses are high; and, as discussed above, it seems that the high losses will require as part of the "in-principle" solution the development of "in-principle" direct energy conversion (see again Fig. 8 and the accompanying discussion).

The Astron at Lawrence Radiation Laboratory is interesting, but hard to describe (see Fig. 10). It starts out generically as a mirror (Fig. 3); but instead of confining a plasma directly there, the aim is to confine a ring of relativistic energy electrons (relativistic protons in a full-scale reactor). This is called an E layer; if dense enough, its diamagnetism actually reverses the magnetic field and sets up a new configuration of closed magnetic field lines; a torus inside the mirror. This configuration holds the fusion plasma. So far, a modest diamagnetic reduction (and no reversal) of a low field experiment has been achieved (25). True field reversal in a larger, high field device will be needed to set up the desired magnetic configuration. Beyond that, how the plasma is to be heated is a problem; and high end-losses may also require direct energy conversion.

The continuous-flow pinch is favored in some quarters, particularly in the U.S.S.R. The idea stems from the discovery that plasma can be focused into a small, very high density (10^{25} /m³), high temperature (several kiloelectron volts) plasma thread a few millimeters long, at the end of a coaxial plasma gun. This is the so-called plasma focus, which is a copious source of fusion neutrons during the time scale of its pulsed operation, about 10^{-8} second (26). Can this very dynamic object be formed and preserved on some more steady-state basis, and spun out from the end of the plasma gun, as a thread from a spinnerette? No one knows what all the problems are, so I arbitrarily define scientific feasibility as the production of a 10-m thread.

These activities below the waterline of Fig. 9 have taken nearly all of the more than \$1 billion spent around the world on fusion up to now. But how do things look for making

a reactor? Above the line appear many of the problems discussed earlier. Damage to the structure by high energy neutrons may render the whole idea uneconomic, as discussed before. But besides this, the various schemes have different relative merit above and below the waterline.

Tokamaks no longer look quite so attractive. Special plasma pumps called divertors have been developed for stellarators, seem necessary for Tokamaks also (where access is more difficult), but must be vastly increased in effectiveness. Plasma stability considerations may demand that the plasma density be uncomfortably low, or the field uncomfortably low, or the field uncomfortably high [15 to 20 tesla, or more? (27)]. Also, the geometry, inherently pulsed nature, and necessarily large size of the thing are hard to work with.

Some of these problems appear with the stellarator too, but with reduced intensity. Steady-state operation is easier; the additional refueling problem may be no more than moderately serious. Thus, the stellarator tends to look better, if we are given scientific feasibility. Stellarator and Tokamak scientific programs support each other extensively, hence the joining arrow on Fig. 9.

The internal conductor devices just will not make fusion reactors, because there is no way of cooling a levitated conductor, especially inside a fusion plasma. This is well understood; no one ever thought otherwise; these experiments are designed specifically for plasma physics and to shed scientific light on other schemes.

The theta pinches have very severe problems, as discussed in the last words of the section on fast-pulsed systems. I am pessimistic about the outcome, as Fig. 9 shows.

Pure hot electron mirrors appear unfeasible for fusion from an energy-balance point of view, but again that is a personal opinion. As with internal conductor devices, the idea is to reach the waterline, not an economic reactor. In addition, some electron heating may be valuable for more conventional mirrors.

If conventional mirrors can attain scientific feasibility according to the definition given here, they should be the most likely reactor candidates. The questions are whether direct-energy conversion can be developed at a reasonable price; whether the magnetic field is efficiently used (that is, cheap enough); and of course radiation damage.

The Astron seems heir to more difficulties: the size may be very large, and it is not at all clear whether relativistic-energy, high-current guns will be cheap enough. Direct conversion is still a problem.

Even if a continuous flow pinch, 10 m long, can be developed, I doubt that an economic fusion reactor can be made of it. The power density is immense, and presumably an exceedingly high magnetic field is needed to confine the plasma string. Could this ever be done without putting the field coils near the plasma, thus exacerbating heat transfer and tritium regeneration problems? There are more problems besides.

Several quite different schemes for achieving controlled fusion are not shown in Fig. 9; the so-called "laser ignition" schemes deserve mention (28). In that, the pulse from an ultra-high-energy laser is focused on a small pellet of solid D-T and heats it to fusion temperatures before the pellet has time to disassemble. The disassembly speed is about 10^8 m/sec at fusion temperatures, and the pellet size is the order of 1 mm. Thus the main heating pulse must be less than 10^{-9} second long. Even more, the most efficient heating scheme involves using several smaller preheating pulses to set up initial temperature and density gradients in the pellet, and these must be applied with temporal accuracy of perhaps 10^{-11} second. These requirements can be met. About 10^5 joules is the

minimum estimated to be necessary for energetic break-even: enough fusion energy out to equal the laser energy deposited. Even these large values are not discouraging; what seems to me very difficult is producing power cheaply enough: for reference, 5×10^7 joules of such "explosive" raw heat deposited in (say) lithium coolant is worth about \$0.01; can one do all this repetitively with an expensive and fragile device?

Many of the questions raised above will require systems research, systems development, and systems engineering to answer. These arts have been put secondary to plasma research and experimental device development up to now.

TIME SCALES

Present pressurized water or boiling water nuclear reactors are satisfactory as interim devices, but their relatively low thermal efficiency and inability to breed much nuclear fuel (from ^{235}U or thorium) condemn them to a brief existence in our society, unless much more uranium is found. The total installed capacity of such devices will be much less than that of fossil fuel plants, so complaints about them are and should be based on relatively local considerations—for example, thermal effects in Biscayne Bay. These words should in no way be taken as denigration of the validity of local complaints.

The view here is broader, and of longer time scales. The real question concerns second-generation fission breeder reactors (for example, a liquid metal fast breeder, or molten salt breeder) vis-à-vis the possibility of controlled fusion. At one time it was thought that fission suffered a relative disadvantage of insufficient nuclear fuel because of lack of uranium in the earth's crust, whereas deuterium is in plentiful supply. This is not true; there are adequate supplies of ^{235}U and ^{233}Th , D, or ^6Li for some 10^8 or more years of society based on high energy consumption. Even better, all these are resources for which little alternate use is forecast.

The real questions of fission breeders versus fusion breeders (which have to breed their tritium, as we have seen) involve feasibility, relative cost, time scales, and environmental factors, which all tend to be related. I have discussed the first of these topics and will not return to it in detail. To put the costs in some perspective, I point out that an additional penalty of \$20 per thermal kilowatt—that is, doubling the maximum cost mentioned earlier—would add by itself less than \$2 per month to the present average residential electric power bill. That is no invitation to adopt expensive options thoughtlessly—as electric power use increases, extra costs hurt more—but it is a way of saying that substantial changes could be afforded in reactor cores (fission or fusion) if even moderate social benefits were likely to accrue. That view will affect remarks to come later.

With regard to time scale, there is some real misunderstanding. Controlled fusion is not an alternative to the first-generation fission breeders, as was at one time thought. The question is whether fusion or some second-generation fission breeder will be preferable. The time scale goes like this: even if scientific feasibility is demonstrated by 1975, basic studies related to topics above the waterline in Fig. 9 will occupy several years beyond. After that, at least one pilot model fusion device would occupy our attention until the mid-1980's; then fission reactor experience shows that the lead time is long for designing and building the economic plants to follow. My own guess is that fusion power will be available in appreciable quantity by 2000, even with a fortunate outcome along one of the paths in Fig. 9. A few optimists propose 1990; pessimists propose never.

This long time before beneficial installation might seem to permit a comfortable period of grace before basic decisions about the overall feasibility and future of fusion need be taken. That is not so: other time

scales enter. An important one is the fact that present gas diffusion plants for uranium enrichment may reach the end of their life by about 1990. First, generation fission breeders will have come into service well before then, but large, new, gas diffusion plants will still be needed. The question is in part whether the replacements are for an interim continuation, for a long-term continuation, or something else. Such expensive construction (several billion dollars) and the concomitant commitment bespeak a fairly clear decision by 1980 about what is to be built. For that, relative rank ordering of nuclear power systems will be needed several years earlier. Thus important decisions need to be made about the relative merits and eventual feasibility of nuclear power systems in the next few years. When the decisions start to be made, it becomes increasingly difficult to alter the course of events, because large economic and intellectual investments start to be made in the chosen course, and it usually is easier to stumble forward than to reach back. In truth, controlled fusion must from here on be subject to increasingly detailed technological assessment. To be late or unresponsive in this activity is to risk being irrelevant.

HAZARDS

Upon the topic of the next two sections, much arrant nonsense has been written, reminiscent of Ben Jonson's *The Alchemist*.

Almost everyone agrees that the most appreciable nuclear hazard of controlled fusion is that of tritium. A 5000-Mw (thermal) fusion plant would cycle about 10^8 curies of tritium through the plasma per day at 0.05 burnup, and actually burn 5×10^6 curies per day. How big will the inventory be? That depends on the rapidity with which unburned tritium can be reclaimed from the plasma pumps and the efficiency with which regenerated tritium can be scavenged from the moderating blanket. What little has been done on the pump problem suggests that something like 1 day's throughput may be held up in transit between exhaust from the fusion plasma and reinjection. For the blanket, more thoughtful analysis (17) suggests that 10 or 20 days of bred inventory may be held up in the huge bulk of lithium coolant, graphite, and so forth. At 0.05 fractional burnup, the two inventories would be about equal: a total of 2×10^8 curies.

This is a lot of radioactive material, comparable (in curies) to the amount of the most hazardous fission product ($\approx 10^6$ c of ^{131}I) expected to be found in a fission breeder reactor of the same size. But after that the comparison is not parallel. Per curie, tritium is relatively benign (9 keV average energy β^-) and in the gaseous form is only weakly biologically active. Then to this stage in the discussion, the relative hazards of fusion versus fission are perhaps 1:10⁶; on that basis fusion reactors could be installed anywhere without any containment shells (17). Still, extreme care must be exercised.

Complicating this story are the starting-to-be-assessed hazards of tritium being released as T₂O, of tritium leaking through the reactor structure, and the like (29, 30). For the first, T₂O enters the life cycle as does water, which increases the relative hazard considerably. For the second, hydrogen (hence tritium) delights in diffusing into and through metals, much more so than does any other element. This is no hazard of critical nuclear accident, but rather the problem of preventing the plant from having radioactive B.O. It can be solved technologically, for example, by placing vacuum barriers at critical places where tritium will migrate. But what will it cost? For example, if the fusion system cost including all such protective arrangements equals the cost of a liquid metal fast breeder plus a carefully prepared hole beneath the city to hold it, any advertised safety advantages of nuclear fusion become hard to see.

These tritium migration and scavenging problems are now starting to receive some attention, and in a few years a lot more can be said. In the meantime, I guess that fusion will retain a substantial advantage, which will be reflected in a price differential of \$10 to \$20 per thermal kilowatt.

Another nuclear nuisance is that the 14-Mev fusion neutrons will make the basic structure of a fusion reactor highly radioactive (31). Fission reactors have the same problem; the components are in no danger of being spread through the environment, so this activation poses more of a maintenance problem than a hazard.

About nonnuclear accident hazards, fusion and fission seem to be a standoff; one uses large amounts of liquid lithium or fused salts; one uses similar amounts of sodium. These hazards seem small, perhaps less than those enjoyed by people who live next to railroads on which many things are transported.

Permanent storage of long-life fission products is an additional problem for fission reactors; the advantage to fusion is modest, because total storage charges are expected not to be severe (on the scale of things discussed here).

OTHER ENVIRONMENTAL AND TECHNOLOGY ASSESSMENT QUESTIONS

Arguments about fossil as compared to nuclear power have often been made in terms of which kind of plant should be installed somewhere remote from population centers. As a corollary, the environment is imagined to be restored by having many nuclear power plants at remote locations producing electricity, which is transmitted to load centers.

That is all very well, but some kind of Sutton's Law (32) suggests that we look at the heart of the problem, which is elsewhere. Most people in the United States and other developed countries live in cities. Predictions vary for the energy requirements in (say) 1980, but all agree that even with the trend toward electric power accounted for, the nonelectric energy requirement will exceed the electric energy requirement by nearly an order of magnitude (33). Much of this nonelectric demand is for transportation. But even space heating, industrial process heat, and so forth still add up to much more than the predicted electric demand, and all this is now supplied by fossil fuels. Therefore, if fossil fuels are to be substantially traded for nuclear ones, nuclear power plants must be built in or very close to population centers. The question of hazards and the cost of assuring safety discussed in the previous section must be looked at from this point of view.

Analysis of the total social costs and benefits is complicated enough for fission breeders versus fossil plants, and is yet in a primitive stage. Including fusion as an option will make further complications. Either advanced fission breeder reactors or fusion reactors are expected to have good thermal efficiency; some propose 50 percent or more (compared with about 32 percent for present reactors, 41 percent for present fossil fuel plants, perhaps 50 percent for advanced ones). Proponents of fission breeders promote that the total environmental difficulties and social cost of nuclear power are substantially less than those of fossil fuel plants. I agree with this when the various diseconomies—those charges put upon the public sector and not now made a charge on the generating company—are included. That is, the effects of sulfur and nitrogen oxides, and of particulate emissions, place considerable burdens upon us as a whole; the country is taking steps to deal with them, and the curative costs are very large.

Beyond that, many more factors enter; here are some. Strip mining of coal can despoil large tracts of land for long periods. Deep mining of coal or uranium is hazardous; lithium mining also brings problems. Any

fission reactor located on the surface in a city probably must have an exclusion area around it. Analyses show that this valuable land can be used for some agricultural purposes, very possibly in combination with some of the reactor's waste heat (34). But even if no direct economic use of the land is made, what large city could not do with an internal area having a pleasant vista? It is hard to quantify such social values, but surely they are substantial: recall the view down the Serpentine from Kensington Palace in London. Plant size and tradeoffs between capital cost and fuel cost can and should have substantial leverage on proper urban planning, but so far they do not. For example, large plants with low fuel cost could afford to be run with a policy of very cheap (free to some users?) off-peak power. With such a policy, different activities and living prospects can be stimulated in cities. The well-known positive feedback—via larger plant size, hence lower unit electricity cost, hence increased demand and accelerated technology change toward electricity—involves assessing much of future technology: Can transportation be based on some electric process, for instance?

Even fission and fusion are by no means mutually exclusive choices. They might complement each other, because fusion is predicted to have a large available neutron excess, and some otherwise attractive fission breeder schemes look dubious because the fuel doubling time is too long (35). Can fusion reactors then be used to manufacture incremental fissionable material, hence bringing about a useful symbiosis?

Yet all this does not reach the deepest layers of the problem. If we assign importance to the fact that controlled fusion could supply our energy needs for aeons, we should also see what constitutes the energy policy. Just producing more is clearly inadequate; using it sometimes brings difficulties too, such as the summer temperature rise in ghettos because of operating air conditioners. Then should we reduce energy dissipation by having better insulated buildings? Perhaps some principle of minimizing the entropy increase needs to be factored in. For fossil fuel utilization, this certainly seems required: jet plane travel is not wholly satisfactory, when almost as much fuel is burned per trip as if each and every passenger drove the distance by himself in his own automobile.

These are not empty phrases; if high speed intercity transport switches from aircraft to tunnel vehicles, substantial switch from fossil to nuclear (electric) power is possible. There is a lot at stake, an adequately broad assessment has not been made, and we are uncertain about what the policy ought to be. Indeed nowhere have problems of this scale—as they really exist in society—been approached in such an integrated fashion hitherto. This comment has broader implication than just to controlled fusion and relates to what appear to be very basic difficulties in how we organize ourselves to solve large societal problems. But that is another story (36).

It is in this broad context that controlled nuclear fusion will or will not be brought to fruition. I believe that for fixed plant requirements, nuclear fission can be made substantially more attractive than can burning coal or oil, for most purposes. As implied in earlier sections, I also believe that the situation could be improved even more with successful fusion power. But these are still beliefs, not yet firm facts.

It would be rash to predict the outcome; not all schemes now being worked on will be adopted, which is the price in technology assessment of keeping options open. Surprises come, not all unpleasant, and a historic parallel occurs to me (37). In 1680 Christiaan Huygens decided to control gunpowder for peaceful purposes, as a perpetual boon to mankind, and set his assistant

Denys Papin to invent a controlled gunpowder engine. After 10 years of difficulty, Papin had a different idea, wrote in his diary: "Since it is a property of water that a small quantity of it turned into vapour by heat has an elastic force like that of air, but upon cold supervening is again resolved into water, so that no trace of the said elastic force remains, I concluded that machines could be constructed wherein water, by the help of no very intense heat, and at little cost, could produce that perfect vacuum which could by no means be obtained by gunpowder," then invented the expanding and condensing steam cycle, which made possible the industrial revolution.

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FUSION FOREFRONT

The Fission-Fusion Anti-Parallel—There are three general steps between the conception and commercialization of any new idea. These are the demonstrations of scientific feasibility (establishing that the process will indeed work), engineering feasibility (estab-

lishing that a system can be built to operate as desired), and economic feasibility (establishing that the system can perform at a reasonable cost). In the fission reactor program conception occurred in 1938 and scientific feasibility was established in 1942, when the first atomic pile went critical. This first step in fission power development was essentially completed only a few years after the first theoretical calculations and the subsequent commitment to go ahead. The first pile was an assembly of reasonably available materials, and it involved little of the technology and engineering necessary for fission power reactors. Engineering feasibility was established when the Shippingport reactor produced significant amounts of power in 1958. This system was an outgrowth of the high priority Naval Reactor Program conducted during the late 1940's and the early 1950's. The economic feasibility of fission power required time and numerous system refinements. This process spanned many years, generally taken to be the period from 1961-1967.

The Controlled Fusion Program has been an activity of the AEC for the past 18 years and yet the first of a number of demonstrations of fusion scientific feasibility will probably not occur before 1976-1978. If a simple parallel with fission development were to be drawn, the outlook for fusion power might indeed appear dismal. But this is not the case because a direct comparison with fission development is not proper for a number of important reasons. The first and foremost is the fact that the demonstration of fusion feasibility will involve the realization of a larger number of conditions necessary for a fusion power reactor, i.e., there is just no simple method of demonstrating fusion feasibility short of building a machine which in a number of ways is a prototype reactor. Therefore, the demonstration of fusion feasibility will inherently require a great deal of fusion reactor engineering, certainly much more than was required for the first fission pile. A significant fraction of this work has already been done for the experiments which have been built to date, and more will be required for the upcoming feasibility experiments.

Another reason why the analogy to fission development is not valid is the difference in the state of nuclear technology then and now. When the Manhattan Project began, little was known about radiation interaction with matter, the behavior of materials in radiation fields, nuclear diagnostics, nuclear system design, etc. Today large reservoirs of knowledge and trained scientists are available for application to the fusion reactor problem. Work undertaken in the fission breeder program in the areas of materials, heat transfer, and liquid metal technology will be of significant value to fusion development. In addition a great deal of experience in managing large development programs has been accumulated, and this experience can be brought to bear also.

These and other factors invalidate the direct analogy to fission development but they are not meant to understate the nature of the fusion development problem. Rough estimates now suggest that the first commercial fusion power plants might be available in the period 1990-2000 depending upon funding and technical developments. If indeed this comes to pass, then fusion power will have required 37-47 years to develop and commercialize. This is a longer period than required for fission (about 20-25 years) for two reasons: the fusion problem is significantly more difficult and the fusion program has not been able to benefit from high priority military requirements of the type which hastened fission development.

AND NOW, IT'S A QUIET JET

HON. GARNER E. SHRIVER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 3, 1971

Mr. SHRIVER. Mr. Speaker, the business and finance section of last night's Washington Evening Star included an article by Charles Yarbrough pointing out the ecological advantages of the new Citation business jet built by Cessna Aircraft Co. of Wichita, Kans. This development is of paramount importance to our environment, especially in view of the tremendous growth which is now predicted in the general aviation fleet during this decade. I am sure all of my colleagues join me in congratulating Cessna and its vice president for commercial jet marketing, Mr. James B. Taylor, on this initiative. I also want to commend Mr. Frank E. Hedrick, president of Beech Aircraft of Wichita and chairman of the safety committee of the General Aviation Manufacturers Association, for the additional actions being taken by the association to insure adequate safety measures during this growth period.

The article follows:

[From the Washington Star, June 2, 1971]

AND NOW, IT'S A QUIET JET

(By Charles Yarbrough)

There is a new jet airplane coming out this Fall so quiet they had to compare it with freeway auto traffic noise and that of a vacuum cleaner in the next room to get a reading. And it isn't powered by rubber bands.

Just about the time the builders of personal and business aircraft vow a new program for ecology, environment and safety, along comes Cessna with the Citation business jet, which the builder says you wouldn't believe if you heard it.

"What we are saying," says James B. Taylor, Cessna's vice president of commercial jet marketing, "is that the Citation cannot be compared with noises commonly heard around airports.

"It is so much quieter than common airport sounds that we had to look in traditionally quiet places—in our home, our backyard, the office—for sounds which could compare with the Citation."

Some of the comparisons he listed: Sound levels coming from automobile traffic on a freeway; the sound heard inside a sports car; average sound level of a washing machine; sound levels in a tabulating room; sound of a vacuum cleaner as heard in an adjoining room.

As one example, the Cessna literature shows the next-room vacuum cleaner rising to 70 decibels; the Citation at about 85 and a three-engine jet transport at about 108.

The Cessna announcement came as a great piece of timing—though very likely only by coincidence—with one from the General Aviation Manufacturers Association (GAMA) on launching of "positive programs on ecology and safety."

The idea is to co-ordinate, compile and make known environmental research data on all aspects of general aviation aircraft, including the airplane, its engines and its avionics.

Ivan E. Speer, group vice president of The Garrett Corp., is chairman of the GAMA technical committee which will conduct the

ecology program. The program is timely in other directions.

Only recently, FAA Administrator John H. Shaffer said forecasts indicate that the general aviation fleet will leap from 131,000 now to more than 230,000 by 1980; that active pilots in the country will total 1.5 million in 1982. The current total is about 131,000.

"This means," Shaffer said, "that more people will be using private aircraft and air taxes as a form of transportation."

Objective of the GAMA program, Speer outlines, "is to present the facts about what our industry is doing and plans to do in the area of environmental protection."

The safety objectives described by Beech Aircraft President Frank E. Hedrick and chairman of the GAMA safety committee, include:

Improved flight training and periodic refresher courses for pilots; more navigational approach aids and control towers; simpler systems for cockpits; better weather information for pilots, and separate all-weather general aviation runways at major airports or nearby reliever airports.

IRISH IMMIGRATION

HON. LOUISE DAY HICKS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 3, 1971

Mrs. HICKS of Massachusetts. Mr. Speaker, on May 3 of this year, I introduced a bill to amend the Immigration and Nationality Act to make additional immigrant visas available for immigrants from Ireland.

The present immigration law has caused a great deal of concern among my fellow Bostonians as well as many residents throughout the State of Massachusetts.

I would like to share with my colleagues and all those who read the RECORD a resolution adopted recently by the Massachusetts State Legislature which urges the Congress to allow greater immigration to the people of Ireland:

RESOLUTIONS MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO ALLOW GREATER IMMIGRATION TO THE PEOPLE OF IRELAND

Whereas, Unfortunately, there seems to be a part of the new United States immigration policy which is neither just nor equitable toward the Irish, and, as a practical matter, the average Irish person who desires to come and settle here in the United States will no longer be allowed to do so; and

Whereas, If the present immigration law had been in effect one hundred and fifty years ago, at least ninety per cent of the Irish in America would not have been allowed to enter the United States; and

Whereas, It is recognized that the old immigration law was unjust, and unfair to some other nationalities but that the 1965 Immigration Act substituted a law which, now, is as unfair to Ireland as the old law was to these other nationalities; and

Whereas, Irish nuns and brothers have, for many years, staffed schools, hospitals, orphanages and rest homes for the aged in our nation and these religious groups, who desire to come here to continue this work, must now wait their turns because of this new Immigration Act; and

Whereas, In nineteen hundred and sixty-five, the Irish ranked fifth among the nationals immigrating to the United States and, since then, they no longer rank fifth or even

tenth. Irish immigrations is at an all time low. In nineteen hundred sixty-seven, two thousand six hundred and sixty-five were admitted. Since the enactment of the new law in July of nineteen hundred and sixty-eight, a total of one thousand and seventy-six persons applied for visas and through November the thirtieth, nineteen hundred and sixty-eight, only seventy-two were issued; now, therefore, be it

Resolved, That the General Court of Massachusetts respectfully urges the Congress of the United States to enact such legislation as may be necessary to allow greater immigration to the people of Ireland; and be it further

Resolved, That copies of these resolutions be sent forthwith by the State Secretary to the President of the United States, to the presiding officer of each branch of Congress and to each member thereof from the Commonwealth.

SCIENTISTS URGE PRESERVATION OF THE BIG THICKET

HON. BOB ECKHARDT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 3, 1971

Mr. ECKHARDT. Mr. Speaker, the battle to save America's natural majestic beauty is being waged in every State of the Union, as well as in the halls of Congress. The bill I introduced on February 4, 1971, designed to establish and maintain 191,000 acres of wilderness and virgin forest in the rolling woodlands of east Texas, commonly known as the "big thicket," is but one battle in that fight.

On February 12, 1971, I was joined by a most distinguished group of 607 scientists representing over 100 universities, colleges, and institutes of intellectual endeavor from 27 different States. This group, the Ad Hoc Committee to Save the Big Thicket, working in cooperation with the Citizens for Ecological Action, has been established and coordinated primarily through the efforts of Dr. Thomas Eisner, professor of biology at Cornell University in Ithaca, N.Y. Dr. Eisner and his distinguished colleagues across the country have helped to place the preservation of the big thicket in a context of national priorities that the U.S. Congress cannot ignore.

Originally the big thicket contained 3½ million acres of lush vegetation, but has now been reduced to a paltry 300,000 acres. Orchids of 21 different varieties, four of the five carnivorous plants in America, magnolia trees hundreds of years old, beech grooves, palmetto thickets, and virgin loblolly pines are all being lost to the crunch of the bulldozer and the shriek of the chain saw at the astonishing rate of 50 acres per day.

Dr. Eisner and his committee have been quick to grasp the timeliness and the national implications of this tragedy that occurs daily in the eastern part of Texas. They are diligent in recognizing that the true big thicket of 3½ million acres has been plundered and virtually destroyed, like so many of America's other sanctuaries of natural beauty. To preserve 191,000 acres out of an original 3½ million is not a sacrifice but an obli-

gation that these scholars urge, that the people of Texas implore, and that the citizens of this great Nation deserve.

It is totally fitting that each name appearing on these 165 pages of the petition be printed in the RECORD, but in the name of conservation, of money and resources, I respectfully submit the listing of each institution and the States they represent:

University of North Dakota, Grand Forks, N.D., 1.
 Harvard, Cambridge, 19.
 University of Maryland, College Park, 40.
 University of Minnesota, Minneapolis, Minn., 20.
 Adelphi University, Garden City, N.Y., 1.
 Brigham Young, Provo, Utah, 36.
 Wright College, Chicago, 1.
 University of Wisconsin, Madison, 3.
 University of Iowa, Iowa City, 4.
 University of S. Florida, Tampa, 1.
 Harvey Mudd College, Claremont, Calif., 1.
 Carthage College, Kenosha, Wisc., 1.
 Kendall College, Evanston, Ill., 1.
 Morgan State, Baltimore, Md., 1.
 University of Cal at Berkeley, Berkeley, Cal., 1.
 University of Washington, Seattle, 2.
 New College, Sarasota, Fla., 4.
 College of Idaho, Caldwell, Idaho, 1.
 Texas A & M, Bryan, Texas, 2.
 University of Cal at Santa Barbara, Santa Barbara, Cal., 1.
 Hamilton College, Clinton, N.Y., 17.
 University of Montana, Missoula, Montana, 30.
 Utah State, Logan, Utah, 34.
 Rhode Island College, Providence, 1.
 California Western, San Diego, 1.
 University of Missouri, St. Louis, 9.
 North Carolina Department of Mental Health, Raleigh, 8.
 Encyclopedia Britannica, Chicago, 8.
 Indiana University, Bloomington, 20.
 Mars Audubon Society, Lincoln, 20.
 University of Nebraska, Lincoln, 12.
 University of Virginia, Charlottesville, 21.
 Rhode Island Junior College, Providence, 10.
 University of Dallas, Irving, 8.
 University of Cal at Davis, Davis, Calif., 20.
 Kansas State University of Agric. & Applied Science, Manhattan, 32.
 Bellville Area College, Bellville, Ill., 12.
 Queens College, New York, 19.
 University of Kentucky, Lexington, Ky., 16.
 De Paul University, Chicago, Ill., 1.
 University of Rhode Island, Kingston, 1.
 University of Arizona, Tucson, 1.
 Kent State, Kent, Ohio, 1.
 Chicago State, Chicago, Ill., 1.
 Eastern New Mexico Univ., Portales, 1.
 University of Oklahoma, Norman, Okla., 2.
 Cleveland State, Cleveland, Ohio, 1.
 North Dakota State University, Fargo, N.D., 1.
 University of Puget Sound, Tacoma, Wash., 1.
 Kirkland College, Clinton, N.Y., 4.
 Dartmouth College, Hanover, N.H., 11.
 King's College, The Briarcliff Manor, N.Y., 5.
 Pace College, Westchester, N.Y., 1.
 Mercy College, Dobbs Ferry, N.Y., 1.
 Sarah Lawrence College, Bronxville, N.Y., 1.
 Good Counsel, White Plains, N.Y., 1.
 Kansas Wesleyan University, Salina, Kansas, 3.
 Central State University, Wilberforce, Ohio, 20.
 Highland Community College, Freeport, Ill., 11.
 Richmond College, Staten Island, N.Y., 14.
 University of Kansas, Lawrence, Kansas, 15.
 University of Chicago, Chicago, 23.
 Temple University, Philadelphia, 1.
 Shippensburg State College, Shippensburg, Pa., 1.

West Virginia University, Morgantown, W. Va., 1.
 University of Illinois, Chicago, 7.
 University of North Carolina, Chapel Hill, 2.
 North Carolina State Univ., Raleigh, 2.
 Oak Ridge National Laboratory, Oak Ridge, Tenn., 1.
 State University of New York, Buffalo, N.Y., 1.
 Cornell, Ithaca, N.Y., 3.
 Illinois Institute of Tech., Chicago, 1.
 Denison University, Granville, Ohio, 1.
 Ohio State Univ., Columbus, Ohio, 1.
 Kingwood Center, Mansfield, Ohio, 1.
 Sauk Valley College, Dixon, Ill., 1.
 Rice University, Houston, Texas, 1.
 State University of N.Y., Albany, N.Y., 1.
 Georgia State Univ., Atlanta, 1.
 Rockefeller University, N.Y.C., 1.
 University of Mass., Amherst, 1.
 Albert Einstein College of Medicine, N.Y.C., 1.
 National Academy of Engineers, Washington, 1.
 College of Pharmaceutical Science, Columbia U., N.Y.C., 1.
 Tufts University, Medford, Mass., 7.
 Elmhurst College, Elmhurst, Ill., 1.
 State Univ. of N.Y., Brooklyn, N.Y., 2.
 Community College of Denver, Denver, 1.
 Loyola College, Baltimore, Md., 1.
 University of Southern Calif., Los Angeles, 1.
 University of Georgia, Atlanta, 2.

BILL TO SIMPLIFY AND GUARANTEE PAYMENTS IN MEDICARE

HON. MANUEL LUJAN, JR.

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 3, 1971

Mr. LUJAN. Mr. Speaker, at the present time, many of the extended care facilities and home health care businesses both in my district and throughout the United States are faced with a situation that is causing them a great deal of distress.

The Social Security Administration is refusing to pay bills that these businesses have submitted for the care they extend to patients covered by medicare. The Administration contends that the services are custodial and not covered, while the patients and the businesses believe them to be covered under existing legislation and thus eligible for medicare payments. Since the bills are rejected after the fact, the businesses are faced with unpaid bills and clients who are unable to pay them out of their own pockets.

My bill would simplify the procedures involved and guarantee payment. If a physician provides certification, specifying the type and frequency of the services required, before care begins that it is not custodial and meets the requirements of medicare for reimbursement, then the payment must be made. I believe that this should clarify both the intent of the act, and the situation that now exists. I hope that such an amendment will be included in the social security amendment bill we will soon be called on to consider.

The bill follows:

H.R. —

A bill to provide for advance approval of extended care and home health coverage under the Medicare program

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1862 of the Social Security Act is amended by adding at the end thereof the following new subsection:

"(c) (1) In any case where post-hospital extended care services or post-hospital home health services are furnished to an individual and—

"(A) a physician provides the certification referred to in subparagraph (C) or (D) of section 1814(a) (2), as the case may be, and the condition of the individual with respect to which such certification is made is a condition designated in regulations,

"(B) such physician (in the case of such extended care services) submitted to the extended care facility which is to provide such services, prior to the admission of such individual to such facility, a plan for the furnishing of such services, or (in the case of such home health services) submitted to the home health agency which is to furnish such services, prior to the first visit to such individual, a plan specifying the type and frequency of the services required, and

"(C) there is compliance with such other requirements and procedures as may be specified in regulations,

the provisions of paragraphs (1) and (9) of subsection (a) shall not apply (except as may be provided in section 1814(a) (7)) for such periods of time, with respect to such conditions of the individual, as may be prescribed in regulations.

"(2) In specifying the conditions included under paragraph (1) and the periods for which paragraphs (1) and (9) of subsection (a) shall not apply, the Secretary shall take into account the medical severity of such conditions, the period over which such conditions generally require the services specified in subparagraphs (C) and (D) of section 1814(a) (2), the length of stay in an institution generally needed for the treatment of such conditions, and such other factors affecting the type of care to be provided as the Secretary deems pertinent.

"(3) If the Secretary determines with respect to a physician that such physician is submitting with some frequency (A) erroneous certifications that individuals have conditions designated in regulations as provided in this subsection or (B) plans for providing services which are inappropriate, the provisions of paragraph (1) shall not apply, after the effective date of such determination, in any case in which such physician submits a certification or plan referred to in subparagraph (A) or (B) of such paragraph."

SEC. 2. The amendments made by this Act shall be effective with respect to admissions to extended care facilities, and home health plans initiated, on or after January 1, 1972.

HOUSE RESOLUTION 449 HOLDS LITTLE PROMISE OF IMPROVED CAPITOL SECURITY

HON. BILL FRENZEL

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 3, 1971

Mr. FRENZEL. Mr. Speaker, yesterday this House voted to create 214 new positions for the U.S. Capitol Police force at a cost to the taxpayers of this country of nearly \$2 million.

The spending vehicle, House Resolution 449, was not without merit. It provided for selection of future guards on some selective basis other than patronage. It contemplates an improved training program. It provides a method to pay deserved overtime pay.

However, there is no escaping the fact that for nearly \$2 million, it gives little promise of increasing security at the Capitol at all. A few more policemen at our entries inspecting the brief cases of every third entrant will not keep a "mad bomber" out of our buildings. Our force is not now able, nor will it be under House Resolution 449, to secure our buildings from May Day type aberrants.

There is also no escaping the fact that House Resolution 449 does nothing to purge existing patronage appointments in the force. By adding new positions it merely dilutes the patronage group from 35 percent to 20 percent of the force.

Since there was no recorded vote in committee or in the House, I would like this RECORD to show I voted "nay" on House Resolution 449 in the House Administration Committee and on the floor of the House. It is a well-intended effort, but it wastes our taxpayers' resources with little probability of improved security.

JEFFERSON DAVIS

HON. CHARLES H. GRIFFIN

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 3, 1971

Mr. GRIFFIN. Mr. Speaker, I wish to call the House's attention that today is the 163d anniversary of the birth of Jefferson Davis.

Although a controversial political figure of his time, no one questioned his sincerity or doubted his enormous intellectual capacity.

Jefferson Davis lived most of his life in Mississippi. His boyhood was spent at Rosemont, near Woodville and he later lived in Natchez, Warren County and, in retirement, at Biloxi.

The May 30 issue of the Vicksburg Sunday Post carried two impressive articles on our most revered statesman. They follow:

JEFFERSON DAVIS: SYMBOL FOR A PEOPLE
(By Gordon Cotton)

He was an old man, rising to speak before a group of young men at Mississippi City.

Though his shaggy hair was snowy white, there was little trace of the years of physical suffering, mental anguish and personal disappointment which he had endured. Despite his 81 years, his posture and bearing belied a military discipline.

"Mr. Chairman and fellow citizens," he began. Then pausing, he said, "Ah, pardon me, the laws of the United States no longer permit me to designate you as fellow citizens, but I am thankful that I may address you as my friends."

The old man, the Great Chieftain, was enjoying a love from his people like he had never known before. He had received their admiration and respect during the years when they had followed him at Monterrey, when they had sent him to Washington as a representative, as a senator.

His name had been a household word when they elevated him, against his wishes, to the highest office in the land.

But as the fortunes of that New Nation ebbed, he had been the scapegoat as a desperate people sought an answer to why The Cause had failed.

Two years he had spent in prison, physically abused, placed in irons in a dungeon-like room.

While he suffered in prison, his people also suffered. Groping for a way to restore their fortunes, many took the bitter cup of asking for a pardon from those who had waged war against them.

But Jefferson Davis never bowed.

As an old man, he told the Mississippi Legislature that "if it were to do over again, I would again do just as I did in 1861. I cannot believe that the cause for which our sacrifices were made can ever be lost. . . ."

"'Tis been said that I should apply to the United States for a pardon," Davis said, "but repentance must precede the right of pardon."

"I have not repented."

The Great Chieftain had become a symbol for his people.

WHAT OTHERS SAID

What type man was President Jefferson Davis, Warren County's most famous son?

Volumes have been written about him where he is portrayed from saint to sinner and varying degrees between those two extremes.

No doubt he had his faults, as all men have, and historians have been prone to point them out.

But his contemporaries, both political friends and political foes, saw him in a different light. Below are what some of them said of Jefferson Davis:

Union officer and later GOP cabinet official Carl Schurz, an opponent of Davis', said that he was "struck by the dignity of his bearing, the grace of his diction, and the rare charm of his voice."

William Seward of New York, Lincoln's secretary of state, described Davis as "such a splendid embodiment of manhood," and Iowa Senator George Jones remembered their college days together when "Davis was the bravest and handsomest of all."

He was a good soldier, as witnessed by President Polk and Gen. Zachary Taylor who spoke of his "distinguished gallantry and military skill" and "distinguished coolness . . . under fire."

And he was a good winner, as attested by his prisoner, Chief Black Hawk, who called him "a good and brave young chief. . . ."

Davis was a faithful friend, for President Franklin Pierce wrote to him upon leaving office, "You have been strength and solace to me for four anxious years and never failed me."

Aging John Quincy Adams, former president, said of Davis: "The young man is no ordinary man. He will make his mark. He will go far."

Davis received many honors, including an honorary doctorate from Bowdoin College in Massachusetts. He could have been the presidential nominee in 1856 or 1860 for the Democrats, but he was not interested. He could have been a brigadier general in the United States Army, but he refused the commission.

But when his home state called him, he told the Northern senators, "I go hence . . . to take my place among her sons. . . ."

And when his Southland beckoned him, he pushed aside personal wants and accepted their call.

"The Confederates believe in no other man except Davis," the London Times wrote, and his hometown newspaper, the Vicksburg Sentinel, simply described him as "A man, every inch a man."

As fortunes for the Confederacy ebbed, many turned against Davis and wished for another leader, saying that many could do a better job.

But Gen. Robert E. Lee replied after the war that "I have never known one who could have done as well."

And his Secretary of War, Leroy Pope Walker, wrote that Davis "was the only man I had ever met whose greatness grew upon me the nearer I approached him. . . ."

One of the greatest compliments came from England's outstanding jurist and prime minister, Gladstone, who said that "Jefferson Davis, without money, without supplies, without resources, without industry, made a nation."

DRUG ABUSE: THE TRAGEDIES PERSIST

HON. JAMES H. SCHEUER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 3, 1971

Mr. SCHEUER. Mr. Speaker, many of us have become insensitive to numbers and statistics. But, we cannot forget that in 1970, there were 1,050 deaths from drug abuse in New York City alone. Three persons died each day. Three more will probably die today. We must stop this senseless waste of lives.

We must develop a comprehensive national program aimed at both reducing the supply and demand for drugs of abuse—and we must do it now. The time for action has long since passed.

The following article reminds us of the personal tragedy caused by unchecked drug abuse. The story it relates has become all too familiar in cities across the country. When will it move us to act?

The article follows:

[From the New York Times, June 3, 1971]
GIRL, 16, MAN, 22, FOUND DEAD FROM DRUGS ON HOSPITAL STEPS

(By James F. Clarity)

A 16-year-old girl whose older brother died of a heroin overdose several weeks ago was found dead early yesterday on the steps of a Queens hospital, her head in the lap of a dead male companion. Both, the police said, had apparently died of overdoses of narcotics.

The police and officials at St. John's Hospital, Elmhurst, said they had received anonymous phone calls at about 4:20 A.M., stating that two persons had been left at the hospital. "Hurry, there are two O.D.'s on your steps," the caller said advising the authorities to "get to them before they died."

It was not known how long the two had been on the steps before they were found dead, minutes after the phone calls. Nor was it known how they had arrived at the hospital, or whether they had been alive when they arrived.

The dead girl was Margaret Golup of 45-36 39th Place, Sunnyside, Queens. Her brother, Peter, 20, died of an overdose of heroin three or four weeks ago, the police said. The police said that another brother, John, had recovered from a heroin overdose at the time his brother died of one.

The dead man found with Miss Golup was Frederick Kraft, 22, whose parents live in Huntington Station, L.I. Mr. Kraft, who had apparently been living away from home, was arrested three weeks ago in Queens on a charge of possession of heroin.

The deaths made Miss Golup and Mr.

Kraft, the 423d and 424th persons to die in the city this year from acute reaction to heroin or other drug-related causes. Miss Golup would be the 52d teenager to die of such causes.

Miss Golup's father, Charles, who works as a truck driver in New Jersey, identified her body. He has three surviving sons and a daughter. On the door of their third-floor walk-up apartment is written: "Peace and Love."

Mrs. John Kraft, the dead man's mother, stood in front of her stucco house on 19th Street in Huntington and said, "It was an accident. He was a damn good kid." She appeared on the verge of tears when her husband led her into the house.

GIRL WEARING RING

When she was found on the hospital steps, Miss Golup was wearing a gold ring inscribed "Love George." Mr. Kraft had a tattoo of a peacock on his left arm.

Some persons who knew Peggy Golup said she was friendly and respectful. Some of her friends on 48th Avenue said last night they had seen her Tuesday afternoon skipping along the street with her dog.

At Woodside Junior High School, where she was repeating the ninth grade, school officials described her as intelligent, but not particularly interested in study. Both her friends and the detectives of the Long Island City precinct knew that she took "pills," but were surprised to learn that she had apparently died of an overdose of hard drugs.

Policemen who know the predominantly Irish, Italian and Polish neighborhood said of Miss Golup and two of her brothers, "They're just neighborhood kids, not heavy with junk." The police said that while they believed the Golups and some of their friends used narcotics, they did not have heroin habits. "We can't search them without a warrant," one officer noted.

While Mr. Kraft had been arrested for possession of heroin, a detective said, the others in his group had not been involved in serious crime. "Whatever they've been in," he said, "is petty in nature, like loitering. Hippie kids hustle because they're on drugs," he said. "Yes, these are all white kids."

The police said they were trying to determine how the two arrived at the hospital, and other circumstances of the deaths. "They're a bunch of idiots," said one policeman, without rancor in his voice. "They don't know what they're doing and now they are dead."

FNMA ACTS TO HELP STABILIZE MORTGAGES

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 3, 1971

Mr. HANNA. Mr. Speaker, during the past several weeks, dating back to approximately mid-April, we have been witnessing in the housing industry a unique phenomenon in which mortgage interest rates have gone up even in face of an abundant supply of mortgage money in the hands of thrift institutions. This behavior was inconsistent with the considered judgment of a broad cross section of expert professional economic opinion.

As it has done in the past, and as it will continue to do, the housing and home finance industry turned in its time of need to the Federal National Mortgage Association. In its free market system auction of April 26, FNMA received near-

ly \$700 million in offers after a sustained period in which there was a declining use of FNMA's auction system. The following auction—on May 10—FNMA received offers of \$1.2 billion which was in excess of the biggest auctions during the height of the 1969-70 credit crunch. In the May 24 auction, offers in excess of \$700 million were received. And during this period of time, interest rates on home mortgages continued to inch upward and pressures began to mount to raise the ceiling on FHA and VA mortgage loans.

One of the factors which has been causing such unprecedentedly heavy demands upon FNMA is the large volume of mortgages which have been issued by mortgage bankers but for which the mortgage bankers have not arranged takeout commitments. In the face of the unexpected and inexplicable turnaround in home mortgage interest rates, the bidding for the available commitments tended to drive interest rates upward even further.

Some authorities in the mortgage finance industry estimate that as much as \$500 million in commitments issued by mortgage originators need to be covered by takeout commitments by permanent investors and that this large overhang is causing severe unsettlement in the industry.

In an effort to quell this feeling of uneasiness, the Federal National Mortgage Association on Wednesday of this week took the unprecedented step of announcing a special auction for the purchase of immediate delivery mortgages to be held on June 9. This action is consistent with the highest public purposes of the Federal National Mortgage Association, and I want to commend the corporation for this step. It will help to stabilize the industry, it should help to relieve the upward pressure on mortgage interest rates, and enable the housing industry to maintain the momentum it has achieved this year in marking up a highly commendable record in the number of housing starts.

None of us know, of course, whether the purposes of FNMA's special auction will be fully accomplished. But the decision of FNMA to undertake this auction at this particular time provides ample evidence that the confidence we have had in this corporation is fully justified.

THE VIEW FROM GIG HARBOR, WASH.

HON. FLOYD V. HICKS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 3, 1971

Mr. HICKS of Washington. Mr. Speaker, it is with pleasure I cite to you and the House an article which appeared on the front page of the Washington Post this morning about Gig Harbor, Wash., a small community in my district. The article by Haynes Johnson is the second one to appear in about a year. As the writer notes, here is a beautiful community that is majestically located on Puget Sound with a view of Mt. Rainier

and two snow-capped mountain ranges, the Cascades and the Olympics.

This article reflects the spirit of this community and it is this spirit I wish to pass on to you:

THE VIEW FROM GIG HARBOR

(By Haynes Johnson)

GIG HARBOR, WASH.—Pete Bujacich is still serenely mending his nets, and still expressing the faith and values of an older, simpler day. "Nobody's depressed here," Pete said, carefully holding up a tangle of nets in his back yard overlooking the dark waters of Puget Sound and the fleet of small fishing boats nestled in the harbor. "Here, you do whatever you want. Do what you have to do and enjoy yourself, but don't make too much noise doing it."

Let me be personal about this. Pete is probably my favorite American, and Gig Harbor is one of those places that restores your sense of perspective about the country. Pete is a sunny, modest fisherman with sandy hair and eyes that crinkle up at the corners when he smiles. I first met him not long after John F. Kennedy's assassination. Pete was shaken, but philosophical. "It's a great country," he said, "we'll survive." Nearly four years later, after the riots in Watts and Detroit and Newark and the poisonous dissent over Vietnam, Pete was still saying the same thing.

Today, he remains unperturbed—but by no means unconcerned—about all the bewildering changes since then. He takes the long view. He is, at his best, a philosopher. I've never known him to get angry; he always tries to find a good word for people who are different, and with whom he does not agree.

"Love's not afraid, you know," Pete was saying, after we walked down to the boats in the harbor and began talking to the other fishermen. "I'm not afraid of you. We seem to understand each other. We like each other."

"So when I see you, I say, 'Hello, how are you?' But we do seem to have a poison in the system, and I don't know how that got there, but we've got to eliminate it."

At the moment, a bell was tolling somewhere off in the village, and it was a bright, clear day, the kind when you see Mount Rainier far off in the distance, and Pete was saying:

"What is an American, really? He's a person trying to do his own thing. You can't put him in any kind of category, whether he's black or Chinese or anything. In China they're all Chinese, and they're all doing their own thing. Well, over here we have a mixture, so let them all do their own thing. That's why I get mad with Agnew. He wants to say an American is such and such. Well, maybe in China they're all yellow. Well, in the United States they're not all yellow. They're not all white. They're yellow, black, red, brown—and blue—and there he laughed that marvelous laugh—and they're all doing their own thing. We're just a young country, you know, and I think the older you are the smarter you get."

Pete began talking to his friend, Nick Babich, on one of the boats the fishermen take up Puget Sound and to the coast of Alaska where they troll for salmon and halibut and catch the king crab.

"You know, Nick," he said, "our people came over here to do what they wanted to do. My great-grandmother used to have a house in Yugoslavia that she hauled rocks for. Now, that house was built 150 years ago and it went through Austria and Yugoslavia and the king and under the Communist government, and it's still there, you know. So somehow the strain is stronger than the system."

"Now when our people came over here they built this country up. They built these boats

and the bank and whatever we've got. They came with nothing. They came on borrowed money and hope, that's all. And so they built this up. And now some of the people are trying to tell us it's all wrong, you see. Now some things are wrong, all right, but not everything.

"Nick, is there something wrong with your boat? You don't like your boat? It isn't a good thing?"

His friend nodded gravely, signifying silently that it was, indeed a good thing.

The conversation turned to politics. "Well, Nixon, he's in trouble," Pete said, with a laugh. "But I'm not going to tell him what's good or bad for him. Let him find out for himself. I don't like the idea of business or labor or welfare vs. something else. To me, it doesn't make any sense. I have to laugh, you know, when you get a guy on a big yacht, a \$200,000 yacht under him, and what's he complaining about? He's complaining about some guy on welfare."

"He's got everything. Yacht, money, food, everything. And he's not comfortable. How can a guy feel that way? To me he's an unhappy man. I don't know what he wants out of life."

Pete and his friends are content. They like their lives, and they like Gig Harbor.

"There's something about fishing that kind of grows on you," said Julius Smircich, 58, who was chipping away on his boat down at the harbor. "You're alone on the boat, you fish alone, and you have your discouragement, but you always go back. Actually, it's surprising how you get to know everyone. You may not get to know a fellow's name, but you know him by his boat. It's a challenge, I'll tell you that. I mean, it's one of those things where you feel good when you have a good year, and you don't feel so good when you have a bad year, but when the sun comes out and the birds start singing, you're ready to try again."

Coming back up the hill from the harbor we saw a youth with long hair, a mustache and one of those T-shirts with Capt. America stars on it. He was John Charles Schira III, 19, a new arrival from the East Coast. John is one of many new arrivals in the Gig Harbor area who are beginning, slowly, to change the character of this small hamlet. He told a familiar story: his father, an engineer with a master's degree, gave up his job in Princeton, N.J., to try and fashion a less complicated life. The family got a trailer and headed off to see America, living on their savings. When they got to Idaho, someone told them about Gig Harbor. It sounded like the kind of place they were looking for. "breathing room, and pretty country and good fishing."

His father took a job working on the guidance systems of planes at nearby Tacoma, and the family moved into Gig Harbor.

"The whole area is super-nice," young John was saying. "You couldn't want anything better for just living, you know. Outdoors, the air is great, there's no smog. There's a big city close enough if you want to shop and the people are really unique in the United States."

"I've never found people quite like Gig Harborites. They're really a dying breed. Like people like the old fishermen. They can go down to the docks and sit for hours mending their nets and just rap away with their fish stories. Which is like the American culture right there, like it's embodied in Gig Harbor. Like it's America right there like it used to be."

John thought a moment, and went on talking.

"It's dying out," he said, "and you know what I think: they should make this a game preserve, you know, and preserve these people. But I know it can't be done."

OAHE PROJECT

HON. JAMES ABOUREZK

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 3, 1971

Mr. ABOUREZK. Mr. Speaker, there is no project of greater interest to me or the people of my State than the construction of the Oahe unit of the Missouri River Basin project. In the brief time since I have become a Member of Congress dozens of meetings have been held here in Washington and in South Dakota to seek ways to further this long-delayed project. The correspondence I have had with the administration on this matter grows longer and longer each day. I have received thousands of petitions and letters from concerned South Dakotans asking what they can do to help get what is rightfully theirs.

Nothing expresses better the sense of frustration and betrayal of the people of South Dakota than the official statement of the South Dakota Water Resources Commission and the South Dakota Conservancy District in support of early implementation of this project. That implementation is 25 years overdue. Please heed the words of desperate South Dakotans:

STATEMENT OF THE SOUTH DAKOTA WATER RESOURCES COMMISSION AND THE SOUTH DAKOTA CONSERVANCY DISTRICT, MARCH 11, 1971

This Official Statement, expressing the beliefs of the South Dakota Water Resources Commission and the Board of Directors, South Dakota Conservancy District in the matter of the construction of the Congressionally authorized, federal, multiple-purpose, Oahe Unit, is issued in the public interest.

The Commission and Board believe, that the legislative and executive branches of the federal government made promises, morally if not legally binding, to the people in the Oahe Unit area and elsewhere in the Missouri River Basin, which unfulfilled promises (1) encouraged local people to give-up some of their needed resources for ultimate betterment of their living conditions and those of the people in the entire river basin; (2) demanded and received advance contractual and other commitments from the local people not necessarily in these peoples own interests; (3) required extensive organizational endeavors locally and state government legislation; and (4) tended to destroy the faith of people in their government: all of which may be considered to be arbitrary and capricious governmental acts.

The Commission and Board believe that the many newer federal social, environmental and general welfare programs have overlooked these same values in the Oahe Unit and similar older programs. Such oversight creates and amplifies the very problems (economic, social, environmental and general welfare) which these newer programs attempt to solve.

The Commission and Board believe that people in sparsely populated areas are being deprived of a living in the environment of their choice by their government despite every effort put forth by themselves toward stability in economic pursuits, local governmental services, social and cultural surroundings, freedom from the adverse effects of natural happenings and satisfaction of governmental demands.

The Commission and Board believes that the Congress of the United States can correct these conditions, even after twenty-five years of unfulfilled promises, by funding the initiation of construction on the Oahe Unit and insisting that Congressional orders be followed.

The Commission and Board urges Congress to take such corrective action in the interests of local people and their state, region and nation.

On behalf of South Dakota Water Resources Commission and Board of Directors, So. Dak. Conservancy District.

J. W. GRIMES,
Chief Engineer.

WILLIAM GOODRICH, DEDICATED
PUBLIC SERVANT

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 3, 1971

Mr. PICKLE. Mr. Speaker, the retirement of William W. Goodrich, as legal counsel for the Food and Drug Administration, will be keenly felt by all citizens. Mr. Goodrich has been recognized as a top official with FDA for over 30 years. Through seven different administrations, William Goodrich has been available with sound advice and wise counsel. As one official said, he has been the FDA's "institutional memory." To those at FDA, his judgment and advice was requested on all matters. I doubt that few decisions have been reached at FDA over these years that does not bare the imprint of the effective judgment of William Goodrich.

I was privileged to be a colleague of Mr. Goodrich at the University of Texas Law School. At that great institution, "Willie" Goodrich made outstanding grades and was on the Texas Law Review Team—a recognized honor for a brilliant mind, and in all these years Mr. Goodrich has proven to be a worthy son of our State and one of the most dedicated public servants in America—the kind of unsung heroes we must have in our regulatory agencies to make the wheels of Government run smoothly and effectively.

In yesterday's Washington Post, an excellent article appeared pointing out the outstanding services of William Goodrich and I insert this article as follows:

GOODRICH QUITS AS THE FDA'S TOP ATTORNEY
(By Morton Mintz)

William W. Goodrich, regarded by many observers of the Food and Drug Administration as its most influential figure, has retired as its top lawyer.

The retirement, which came as a surprise, is "a great loss" to the Department of Health, Education, and Welfare, Secretary Elliot L. Richardson said in a "Dear Billy" letter.

FDA Commissioner Charles C. Edwards told Goodrich, "More than any single individual I can name, you have played a crucial role in shaping the development" of the entire national program of consumer safety.

Goodrich himself told a reporter, "In general, I've been followed a great many times more than I've been disagreed with."

His retirement became effective Monday, but few knew of it until yesterday. Good-

rich said he had to retire effective May 31 because to delay beyond that would, under a quirk in the law governing retirement from federal service, cost him 4½ per cent of his annuity. And, he told HEW, "I want to try my hand at another career while I can. I need a vacation to refresh myself."

Goodrich, who will be 56 on June 24, was graduated from the University of Texas Law School in 1938, joined the FDA legal staff the following year, and became chief counsel in 1952.

In recent years his formal title was HEW's Assistant General Counsel for Food, Drug and Environmental Health.

NO SUCCESSOR NAMED

HEW has not named a successor. Goodrich plans to serve on a consulting basis until about Aug. 1. Beyond that, he said, he has made no definite plans.

Through a succession of FDA commissioners, Goodrich has been the agency's "institutional memory," as one Capitol Hill aide described him.

Commissioners normally deferred to him on intricate legal matters. He had a detailed knowledge of them. This helped to give him a frequently decisive voice in the FDA's inner councils.

His legal philosophy was expansionist. Thus, for example, he successfully pressed for broad definitions of words such as "drug" and "labeling" in order to enhance FDA's powers. Usually the courts agreed with him.

LOYAL ADVOCATE

Whatever position he may have taken within HEW on sensitive issues, Goodrich was known in public as first of all his client's loyal advocate.

When his client was the strongly pro-consumer HEW of Secretary John W. Gardner and FDA Commissioner James L. Goddard, Goodrich was vigorous in his representation of them.

But when the Nixon administration's first HEW Secretary, Robert H. Finch, wanted an unprecedented legal clearance to relabel a synthetic sweetener, which had caused cancer in rats for use in foods, Goodrich said it could be done within the law and provided a way to do it.

Goodrich said he is proudest of his work in a case involving Panalba, an Upjohn Co. combination antibiotic, because it laid legal groundwork for developing regulations defining adequate and well-controlled studies for drug testing, and for procedures to act against drugs found ineffective.

DISTINGUISHED EUROPEANS CALL
FOR RETURN TO DEMOCRACY IN
GREECE

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 3, 1971

Mr. EDWARDS of California. Mr. Speaker, one of the tragic aspects of American policy toward Greece is that moral, ethical, and political principles have been more and more ignored in the interest of real or fancied military considerations.

It is ironic that our policymakers shrug off those principles of Periclean Athens which helped inspire Jefferson to write our Declaration of Independence. Archibald MacLeish once said:

The citizens of Athens were not subjects of the state; they were men inviolable in their quality as men. And so, in Jefferson's Decla-

ration, should the Americans be. Their Government should exist to secure their inalienable rights, deriving its just powers from the consent of the governed.

Are the Greeks of today unworthy of the right of freedom of speech, of personal liberty, of the right to choose their own government? Of course not. Yet the United States has continued to supply the arms and tacit approval which have enabled a military junta to forge the chains of repression on that ancient land. The Greek people are being denied those fundamental liberties which a rejuvenated Greece had enjoyed in the post-World War II period.

The State Department has been cast, or has cast itself, in the demeaning role of apologist for both the junta and U.S. policy. Tediously, it states our position in terms of a "dilemma," thus insuring inaction. Habitually, it links even the mildest words of disapproval with counterbalancing words of approval of the junta's willingness to fulfill military commitments serving America's military needs. It is never acknowledged, of course, that the same military commitments were honored by all previous democratically elected Greek governments.

The White House, the Pentagon, and the State Department, under both the Johnson and Nixon administrations, have failed to advance those moral and political considerations which in the near term and in the long term override misconceived military arguments for support of the Greek status quo, that is, for continued dictatorship. Fortunately for America's honor, the press and many Members of Congress have not remained silent.

Thoughtful Europeans, dismayed by NATO indecision and American policy, have now joined in an European Atlantic Action Committee on Greece to remind the alliance that NATO was created for the defense of freedom and the rule of law. Under leave to extend my remarks, I set forth for the RECORD an editorial from the June 3, 1971, New York Times discussing this important development:

FOR GREEK DEMOCRACY

Distinguished citizens of nine NATO countries have organized what they call the European-Atlantic Action Committee on Greece in an effort to help end the military dictatorship and restore democracy "in the land of its birth." Their initiative could not have come at a better time.

The Committee's declaration will remind NATO foreign ministers, meeting in Lisbon, that the alliance was created for the defense of freedom and the rule of law. But on purely practical grounds it is also a reminder that Greece under the colonels is "a dangerously weak link in the community of democratic nations"—for defense of the Mediterranean or any other alliance purpose.

"A strong Greece in NATO is preferable to a weak one," the declaration says, noting that "since 1967 the Greek armed forces have been weakened by rifts, purges and interservice friction, and this emasculation will go on." American officers too often ignore the effects of the continuing purges on the Greek forces; also the danger that allied support for the colonels may eventually turn a disillusioned Greek people against NATO itself.

The Committee's declaration should also help focus world attention on the junta when it is preparing another show trial of more

than a score—perhaps as many as 160—prominent Greeks accused of working or plotting against it. The defendants were arrested in raids that began last November and most were held without charge or access to lawyers until last month.

Among the defendants is Christos Sartzetakis, the courageous young lawyer and magistrate whose successful prosecution of high police officials in the 1963 murder of a left-wing Member of Parliament was dramatized in the motion picture "Z." Mr. Sartzetakis was arrested without a warrant last Christmas Eve and held without charge until early May.

The Committee fails to call for specific actions, particularly by NATO and the European Economic Community, but it does suggest that the United States could "withdraw the moral support which the military regime finds indispensable and which discourages and demoralizes the democratic opposition inside Greece." It is not too much to ask.

THE RED SEA AND SUEZ

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 3, 1971

Mr. HAMILTON. Mr. Speaker, John Franklin Campbell, editor of Foreign Policy, delivered an interesting and perceptive speech on the geopolitical and economic situation in the Red Sea and Suez Canal area at a conference on the Indian Ocean sponsored by the Center for Strategic Studies at Georgetown in March 1971. I commend Mr. Campbell's remarks to my colleagues:

THE RED SEA AND SUEZ

(By John Franklin Campbell)

After 98 years as a major sealane of the world, the Red Sea has become again a backwater. In 1966 more than 20,000 ships made the 1200-mile passage between Suez and Bab-el-Mandeb. Today nearly all of those vessels and the 250-million tons of cargo they carried—most of it oil—travel by other routes. Until the Suez Canal is reopened, the Red Sea must remain what it has been since June, 1967: a minor appendage to the Indian Ocean rather than a thriving passage-way from Europe to Asia.

Is reopening of the Canal likely, and what would that mean to the politics and economics of the region? Apart from the Canal question, is East-West military competition intensifying along the Red Sea coastline? Who owns and who will exploit the "oozes" of precious metals recently discovered on the seabed floor? What is the significance of the southern Strait of Bab-el-Mandeb and of political instability close to it: in Eritrea, Djibouti, the two Yemens? Should sober statesmen and company directors, thousands of miles to the north, ponder these questions in their conference rooms, sticking pins in maps and poring over cables from the field? Or should they turn their attention to other parts of the globe, leaving the Red Sea nations to sort things out for themselves?

Posed in this simple fashion, the questions are not entirely answerable. Some provisional answers ought to be possible, however, once we have surveyed the conflicting Great Power interests in the region, examined the situation of each of the nine Red Sea littoral states, and considered different economic and military factors in light of foreseeable political trends in the early 1970's. A good place to begin is with the Suez Canal question, perhaps the most politically difficult and economically misunderstood of them all.

I. SUEZ: WHAT ARE THE STAKES?

As long as the Egyptians and Israelis were shooting at each other across the 1967 armistice line, talk of reopening the Canal made little sense. It is only since the U.S.-sponsored truce began last August that one has heard serious discussion about an East-West, Arab-Israeli "bargain" over Suez. If the present truce fails to hold, the possibilities for a Canal settlement may vanish as quickly as they emerged. But whatever the fortunes of war, the subject will not be likely dropped, for it is the one tangible issue where converging interests seem to make diplomatic movement possible.

Quasi-official news leaks, and "inspired" stories from Jerusalem and Cairo began in the fall of 1970 to suggest that the two main combatants could envisage some partial form of Israeli military pullback from the Canal to permit its reopening. These have been followed, at this writing, by President Sadat's more authoritative statement of February 4. What has undoubtedly helped make this possible is a little-noted and perhaps not yet fully recognized Soviet-American common interest in economic and strategic benefits which would flow from an open Canal.

Since 1967 there seems to have been a double turnabout in the Western assessment of the Canal's importance. At first it was feared that a closure would have serious implications for Europe's oil supplies, repeating the experience of 1956-57. But most of these fears were exploded by technology and efficient organization—in the form of "jumbo" supertankers sailing around the Cape of Good Hope, reduction in normal ship overhaul procedures, and a massive diversion of grain-carrying, ore-carrying and "moth-balled" vessels into the petroleum trade. Within one month after the closure of Suez the "free world" tanker fleet had augmented its capacity by seven per cent; by the end of 1967, it had increased pre-June capacity by 17 per cent, a margin that seemed to make the loss of the Canal route bearable. Shipping charges were up (by half a billion dollars a year), but in many cases could be passed on to the consumer. As the pattern stabilized in 1968 and 1969, there seemed to be no really important disruption of Europe's trade with Asia, and the major European countries were able to compute their dollar foreign exchange losses in the tens rather than the hundreds of millions. Champions of the supertanker began to assert that perhaps, after all, the Canal was being rendered "technologically obsolescent," despite the 5000 sailing miles it saved over alternate routes from the Persian Gulf to Western Europe.

The impression grew that the West had little to gain from a reopened Canal; indeed, of all major powers, only the Russians (along with their Egyptian clients) were viewed as being damaged by its closure. Supplying North Vietnam from half a world away and beginning to expand trade and naval deployments in South Asia and the Middle East, the Soviets clearly incurred greater costs and logistical difficulties by using the long Cape route. With Moscow showing a *Drang nach Süden*, so the argument in Western foreign offices went, then perhaps the continued deadend at Suez might be nearly as frustrating to Mr. Brezhnev as were the blocked Dardanelles to the Czars. Expressing this view, Hanson Baldwin wrote in 1970 that "Russia would probably profit most—logistically, politically, economically, militarily" from a reopening of the Canal, for "the reopening would intensify and abet Soviet expansionism in the Arabian-African-Indian Ocean area."² Conceding part of the Baldwin point, but arguing nonetheless for a Western initiative and interest in reopening the Canal, John C.

Campbell declared last fall: "The fact that the Soviet Union would gain the means to move ships easily from the Mediterranean into the Indian Ocean is hardly a strategic change of such magnitude as to outweigh the general benefits to many nations, not to mention the more important factor of a reduction of the fighting and stabilization on the most critical front."³

Both these commentators, like most Western diplomats since 1967, made an essentially political argument about Suez: to reopen the Canal was seen as giving a benefit to the Soviets and Egyptians for which, in Baldwin's words, "The Israeli price would be high." It was presumed that the West had proved it could live very well without the shorter route to Asia. The economic effects of a closed Canal were only marginally bad for Western Europe and a few East African and South Asian nations.

Recent oil supply problems begin to suggest that this is not the whole story, and that in any case, the time is ripe for reassessment. In the short run at least, Suez does matter to the West. It matters chiefly because, despite much technical ingenuity and jury-rigging, Europe's demand for petroleum is beginning to exceed its supply at a time of "tanker-shortage." Western Europe consumes nearly 10 million barrels of oil each day, a figure that rose eleven per cent during 1970 and should double by 1980. Half of that daily supply comes from the Persian Gulf, and fully two-thirds from Arab states, Libya during 1970 cut back production by nearly a million barrels a day while at the same time raising prices, giving Europeans a first, tentative taste of "oil blackmail." Syria's sabotage of the Trans-Arabian Pipeline last May reduced supply for a nine-month period by another half-million barrels per day. The result, according to *The New York Times*, "is that international oil, to general surprise, has been transformed over the past 12 months from a buyers' to a sellers' market."⁴ The sellers have quickly capitalized on their advantage. Algeria has threatened production cuts in hard bargaining with France for higher oil revenues. The ten-nation Organization of Petroleum Exporting Countries (O.P.E.C.), more unified and muscular in its demands than ever before, warned the Western companies during "crisis" negotiations, begun this January in Tehran, that European supplies might be "shut-off" unless substantial price hikes were accepted. New producer-country taxes on oil company revenues negotiated in 1970, when combined with the additional increases which seem in prospect for 1971, will at a minimum amount to \$10 billion spread over five years, and at the demanded maximum perhaps about \$15 billion (a magnitude equivalent to the total replacement value of all-U.S. oil company investment in the Middle East).

Each of these factors—Europe's rising oil consumption, the tanker capacity shortage, the "sellers' market" and the pressures it generates—come together as the makings of an economic crisis with large political implications. Western Europe's economy could not normally function for much more than sixty days without Gulf oil; contingency plans have never looked much further than this. The United States, which draws only three per cent of its oil requirements from the Middle East, does not share this dependency. America's interest is only a derivative one: her security interest in the economic strength of European allies. New oil discoveries and energy sources and shipbuilding seem to offer no respite for Europe until the mid-1970's. The North Sea's largest oil field, Ekofisk off Norway, may begin to produce 300,000 barrels per day in 1973; Alaska's North Cape is projected to add one million barrels per day around 1975. But meanwhile, demand in the non-Communist world will be growing at an annual rate of

Footnotes at end of article.

3 million barrels per day (the equivalent, in supply terms, of "a new Libya every year"), with the available tanker fleet stretched to endurance—and beyond.

Here, then lies the new significance of the Suez Canal to the West. For it is the long closure of Suez that, combined with a steeply rising consumption curve, has strained Western tanker capacity to the breaking point, producing a sellers' market and all of the growing economic costs and political pressures this implies. Despite the technology of the supertanker, it is estimated that 80 per cent of the volume of Europe's Gulf oil supplies could be more efficiently re-routed through Suez tomorrow if the Canal were to reopen that soon, leaving only one-fifth of the product to come around the Cape. Just as important, a reopening of Suez would, almost overnight, replace today's tanker shortage with a tanker surplus, having the effect of reducing shipping charges and giving oil consumers a much stronger position from which to bargain with oil producers.

Oil economists illustrate the problem mathematically by means of an imaginary unit of measure called the "T-2". Each T-2 is defined as the equivalent of a vessel with a capacity of 16,600 tons dead weight and a speed of 14.5 knots, operating 345 days per year. According to a recent U.S. Government report by the Cabinet Task Force on Oil Import Control, the Free World oil trade in 1969 involved 6,991 T-2 equivalents. The figure is projected to increase to 7,544 by 1975 and 9,957 in 1980.⁵ Western consumption of petroleum had come dangerously close at the end of 1970 to exceeding all available T-2 equivalents. The only way to create "new" T-2's is to build more and bigger and faster ships, to over-utilize existing vessels by reducing safety factors and increasing loads or foregoing normal overhaul and lay-up time, to re-configure other (and older) ships, taking them out of mothballs and/or drafting them out of the grain and ore trade, or to reduce the distances they must travel. Almost all of these expedients have been used since 1967, to the point that there is simply no reserve capacity left. Reopening the Suez Canal would have the immediate effect of creating about 600 new T-1 equivalents—and about 1000 within a year's time; in other words, it would make free world oil supply more efficient by ten to fifteen per cent, a vital margin that would convert today's tense sellers' market to a consumer's market, pushing supply comfortably above demand.

It begins to be clear that the West has its own substantial short-term economic interest in opening the Canal, one which may be congruent with the presumed political interest of all sides in a move toward Arab-Israeli peace ("Something Less Than Peace in Return for Something Less than Total Withdrawal" as one Israeli commentator recently put it).⁶ This European-American interest may be fully as substantial as Moscow's interest in shortening its line of communication to the Indian Ocean. In any case, the possible elements of a common-interest bargain are starting to emerge: Good Politics for the Russians and Egyptians and Israelis may mesh with Good Economics for the West.

II. THE RED SEA NATIONS: WHAT THEY HAVE IN COMMON

While these Great Power interests focus on the Red Sea's Far North, developments of lesser global importance but of some local significance seem to be occurring near its Far South. Before traveling southward, however, a few general comments should be made about the geography, demography and history of the region. It may, for these purposes, be arbitrary to group together in a single category of "Red Sea nations" such diverse and even hostile entities as Israel,

Saudi Arabia, Ethiopia and Sudan. Yet this grouping seems more defensible than any artificial division between "African" and "Asian" countries, and more inclusive than a distinction between "Arab" and "non-Arab" Middle Eastern states (which would pit Israel and Ethiopia against all the others, a misleading juxtaposition). The Red Sea is, after all, just a large, water-filled Rift Valley, which pulled two continents apart only at a very late stage of geological formation. It is a closed world, 245 miles across from African to Asian coast at its widest point, an area whose peoples have come through timeless centuries of war, migration, commerce, and religious enthusiasm. But for the Suez passage it is more nearly like a Big Adriatic than a Little Mediterranean: International lawyers when searching for useful precedents, are most apt to compare it to the Persian Gulf or North Sea.

To its nine littoral states, the Red Sea remains important, Canal or no Canal, for four of them have no other access to the sea. While Suez stagnates, ports such as Ellat, Aqaba, Jidda, Hodeida, Port Sudan, Massawa and Assab are major—and in some cases the only—trade and naval outlets for Israel, Jordan, Saudi Arabia, Yemen, Sudan and Ethiopia. Their world shipping must pass through the 20-mile wide Strait of Bab-el-Mandeb at the southern extremity of the Red Sea, a passageway narrow enough to be dominated by any two states making 12-mile territorial claims along its opposite African and Arabian sides, Perim Island, now a part of the People's Republic of Southern Yemen, sits astride the Strait, standing about 16 miles away from the coast of French Djibouti

and 2 miles from its home coast. If the 500-mile long Eritrean coastline of Ethiopia and France's Somali enclave should fall into Arab hands, the Red Sea would become entirely an "Arab Lake." There is no prospect of either of these contingencies happening, but they are a factor in the thinking of all governments in the region, and one provocative of conflict if the Arab-Israeli war and the Soviet-American competition associated with it spreads southward.

By world standards, the Red Sea nations are underpopulated. Their 86 million people occupy an area about as large as the continental United States—6 per cent of the land mass of the globe lived on by only 2.5 per cent of its total population. In economics and politics and history they are not a study in contrasts. What are perhaps most notable are the similarities among the Red Sea peoples—how much they seem to share in common. They are (Israel excluded) spectacularly poor. Yet each of them has known better days, and is plausibly able to imagine a distant past of grandeur and prosperity, a time a few hundred as well as a few thousand years ago when the local level of civilization and technology contrasted favorably with European development. Today, no more than 20 per cent of these 86 million people can read and write their own languages. (See Table I) In every country it is a small, literate elite, a mixture of military officers and civilian administrators, and, in some cases, monarchs and their courtiers, who hold the reins of government. But the common language of Arabic is spoken along both sides of the 2500 miles of coast.

TABLE I.—THE RED SEA NATIONS, 1970

State	[In thousands]				
	Population (millions)	Coastline (miles)	GNP	Per capita	Literacy rate (percent)
United Arab Republic.....	32	875	\$5,300,000	\$170	35
Jordan.....	14	390	1,500,000	108	10
Ethiopia.....	24.8	505	1,500,000	64	5
FRAI (Djibouti).....	0.125	120	5,500,000	440	10
Israel.....	2.85	4.5	4,500,000	600	90
Jordan.....	2.1	12.5	575,000,000	250	30
Saudi Arabia.....	76.0	1,200	2,300,000	375	15
Yemen.....	5.0	250	500,000,000	120	15
Southern Yemen.....	1.3	15	127,000,000	106	10

¹ At Bab-el Mandeb.

² Estimate.

Source: Background Notes (Department of State, Washington) and U.N. Statistical Yearbook, 1969 (New York 1970, p. 57).

Living standards along the Red Sea are among the world's lowest. Excluding Israel, oil-rich Saudi Arabia and colonial Djibouti (which together account for a mere 8 per cent of the region's population), per capita annual income varies from a high of \$250 (Jordan) to a low of \$64 (Ethiopia). Ranged between are the U.A.R. (\$170), Yemen (\$120), Sudan (\$108) and Southern Yemen (\$106). The economic statistics have only a relative significance, for the manner of life of the citizens of these countries is overwhelmingly agricultural and pastoral. The littoral peoples are "poor" chiefly in the sense that they are "rural" and non-industrial, that they raise and consume their own foodstuffs on an economy of subsistence and barter. Yet, as trade figures show, each nation also has the beginnings of a "modern" economic sector, requiring imports for development and consumption which in every case (with the notable exception of Saudi Arabia) has produced substantial balance-of-payments deficits during most of the past decade.

Along with their common rural and pastoral heritage, the Red Sea lands share a warrior tradition and a history of intermittent religious warfare going back at least thirteen centuries to the rise of Islam. Christians and Moslems and Jews have fought up

and down both coasts, and each religion has in the course of past history achieved at least a temporary dominance around the areas which are now the main seaports of the region. Ethiopia and Yemen during the European middle ages had rulers who converted to each of the three faiths, the conversion generally precipitating internal civil war among followers of other religions. Coptic Christianity—the first of the modern world religions to spread up and down the Red Sea coast, was dominant by the fifth century A.D., followed by Islam, which by the tenth century controlled all but the Ethiopian coast, leaving pockets of Judaism which have continued to exist in Yemen and Ethiopia down to the mid-twentieth century, along with that 7 per cent of the Egyptian population who still profess the Coptic faith. Ethiopia, where monophysite Christianity has for 1500 years been the official faith, has at least 9 million Moslems as well, and a coastal population in Eritrea that is Christian and Moslem in nearly equal proportion. Along much if not all of the coast, religion shapes politics in a pattern reminiscent of Northern Ireland today and the rest of western Europe 400 years ago.

At the northern end of the Red Sea, nearly two centuries of heavy exposure to Western nationalism and colonialism have hardly be-

Footnotes at end of article.

gun to "secularize" policies. But to the mass of the littoral peoples it is still religious tradition—the history of continual "battles for the faith"—that defines and precedes national identity. Allah is alive and well in Jidda—and, for that matter, in Massawa and Hodeida and Port Sudan, as well. Ecumenism awaits literacy and economic development.

Militant and military traditions in the region have been, for the most part, land-based, and south of Egypt, even the most littoral-minded of the Red Sea nations lacks a navy worth the name. Fisheries are less well-developed than agriculture, and the coastal areas are much more sparsely populated than the interior. Yet each Red Sea nation has a substantial army and a reasonably modern air force, for each lives among hostile neighbors and senses violence and the ever-present chance of internal revolt just beneath the surface of its domestic life. A decade of oil exploration along the coasts has produced no major finds except in the UAR's Gulf of Suez. Most governments in the region, with an envious eye on Libya and the Persian Gulf states, look to the discovery of oil as a hoped-for "magic" solution to the problems of their poverty, but do so with increasingly intense frustration. Short of a major windfall in minerals, their common economic development depends primarily upon better systems for catching and using water for agricultural irrigation and power.

III. THE GEO-ECONOMICS OF THE RED SEA

It will come as no surprise, then, that economic development is the one main shared aspiration of the Red Sea peoples. Except for Saudi Arabia, able to finance the beginnings of modernization out of an oil revenue windfall now running \$1.3 billion annually, the other states must look to improved farming, new industries, trade, and a stimulating margin of foreign aid and investment. In rough magnitude, some \$5 billion of foreign government capital flowed into the Red Sea nations during the 1960's, about half of it going to the UAR, one-third of it to Jordan and Israel, and one-sixth to the remaining states. The most recent UN breakdown of the aid, current only up to 1968, is as follows:

TABLE 2.—ECONOMIC AID TO THE RED SEA NATIONS
(In millions of dollars)

Recipient	Capital commitments from Communist States, 1954-68	Official flow from Western nations and World Bank, 1961-68
United Arab Republic.....	\$1,696	\$1,016
Sudan.....	49	184
Ethiopia.....	114	245
FTAI (Djibouti).....	(1)	(2)
Israel.....	(1)	853
Jordan.....	(1)	568
Saudi Arabia.....	(1)	(1)
Yemen.....	119	28
Southern Yemen.....	(1)	129

¹ Nil.

² Not known.

Source: U.N. Statistical Yearbooks, 1969 and 1966.

Despite the ravages of war and internal revolt, and the heavily political motive behind much of this aid, it has wrought significant changes in each of the societies aided. This can be seen with reference to almost any development yardstick: miles of roadway, numbers of doctors and of pupils in secondary schools, industrial production, kilowatts of electrical power. The UAR now has the beginnings of an industrial base, Sudan and Southern Yemen have more engineers and agronomists (but a lower per capita income than a decade ago), Ethiopia and Saudi Arabia have steadily rising incomes and a break with age-old traditions of economic stagnation. All of these economic

trends are provocative of much social and political unrest, no doubt at an accelerating rate; but progress has begun that is bound to continue and to quicken in the 1970's.

Foreign trade is another important factor and index of this. A glance at export and import figures may suggest how the closure of Suez has affected trade development.

TABLE 3.—FOREIGN TRADE OF THE RED SEA NATIONS

(In millions of U.S. dollars)

	1966		1967		1968	
	Imports	Exports	Imports	Exports	Imports	Exports
United Arab Republic.....	1,070	604.0	792	566.0	666	622
Sudan.....	222	203.0	213	214.0	258	233
Ethiopia.....	162	111.0	143	101.0	173	106
FTAI (Djibouti).....	28	2.6	33	2.8	(1)	(1)
Israel.....	813	477.0	754	517.0	1,061	603
Jordan.....	191	29.0	154	32.0	161	40
Saudi Arabia.....			500	1,700.0		
Yemen.....			19	6.0		
Southern Yemen.....	285	191.0	198	135.0	203	110

¹ Not available.

Source: UN Statistical Yearbook, 1969, p. 374ff. For Djibouti: Statesmen's Yearbook, 1969-70; cf, also Balance of Payments Yearbook, Vol. 22 (1965-69) IMF, Washington.

What can be extrapolated from these data is that, in its short-term effect, the closure of Suez cut off most of the littoral nations from efficient access to traditional markets and suppliers in Europe. The result has not proved to be as much of an economic disaster as was first feared in June, 1967, but it has contributed to large trade deficits and, more than that, to an arbitrary cutback in imports required for development. It has cost more to haul Sudanese cotton and Ethiopian coffee around the Cape, while new agricultural exports just getting underway in 1966-67, perishable cash crops such as citrus fruit, have been inhibited. Partly taking up the slack, there has been more coastal trade—between Saudi Arabia and Ethiopia, for example—and Sudan has made a \$54 million trade deal with the UAR. Later figures for 1969 and 1970, while incomplete in some cases, show some improvement (Ethiopia's bumper coffee crop may push her 1970 exports up to a record \$150 million). Still, imports from the industrialized North, so important an aid and index to growth, have suffered. And political uncertainties have kept new foreign investment down to a trickle.

A further economic intangible is the question of who owns the precious metal deposits recently discovered on the Red Sea floor. International research vessels, in the course of eight expeditions during 1963-67, discovered three "deeps" close to the midpoint of the Red Sea containing important sedimentary deposits of copper, zinc, silver, gold and other metals. Prompting the investigations was what seemed at first a geological curiosity: earlier oceanographic samplings had detected abnormally high temperatures and heavy brines some 2,000 meters beneath the surface. Only one of these three "hot spots" has thus far been systematically surveyed, but the top ten meters of its sediment has an estimated commercial value of \$2.5 billion, and further deposits may extend another 20 to 100 meters below the surface.⁷

These discoveries pose dilemmas for international law and mining technology. The metal "oozes" seem to be located slightly west of a hypothetical median line between Saudi Arabia and Sudan, but clearly outside the territorial sea of both states. At the closest points, they are about 60 miles from the Sudanese coast, but it is not certain that they appertain to its continental "shelf" (traditionally defined to extend to a depth of no more than 200 meters). Metallurgists at present do not possess the technology to exploit the discoveries, although the engineering problems involved are thought capable of solution: the Red Sea "oozes" might

be sucked up through pipes by a method much simpler than offshore oil drilling. Still, more research is needed to determine the economic profitability of such an operation, and the possibility of other, richer deposits elsewhere in the central trough of the Sea.

One mining company has applied to Sudan for exploitation rights; another to the United Nations; and still another has incorporated in Lichtenstein on the theory that no country owns these deep-water areas. Lawyers seek possible precedents in the Persian Gulf, the North Sea, and the Gulf of Mexico, yet given the fluid state of international sea law, no hard conclusions can yet be drawn. The precedents and prospects are as follows.

President Truman, by Proclamation on September 28, 1945, declared "the natural resources of the subsoil and sea bed of the continental shelf beneath the high seas but contiguous to the coasts of the United States as appertaining to the United States, subject to its jurisdiction and control." He added that this shelf "extends in some areas 150 miles or more off the coast of our country." The proclamation was accepted without challenge, with the result that some 10,000 oil rigs today crowd offshore Texas and Louisiana as far as 60 miles out, and "fairways" established by the U.S. Army Corps of Engineers regulate international shipping as far as 120 miles beyond the coasts. A UN Convention negotiated in 1958 and entering into force six years later (but without accession of the Red Sea nations, or, indeed, the Persian Gulf states) extended the Truman proclamation further by defining "continental shelf" very broadly as "areas adjacent to the coast but outside the area of the territorial sea, to a depth of 200 meters, or, beyond that limit, to where the depth of the superjacent waters admits of the exploitation of the natural resources of said areas."

The Convention added, "The coastal States exercise over the continental shelf sovereign rights for the purpose of exploring it and exploiting its natural resources," and that "Where the same continental shelf is adjacent to the territories of two or more States whose coasts are opposite each other, the boundary of the continental shelf appertaining to such states shall be determined by agreement between them. In the absence of such agreement, and unless another boundary line is justified by special circumstances, the boundary is the median line," a point equidistant from the two shores.⁸

The Persian Gulf, and almost all of the North Sea, has a maximum depth of no more than 200 meters, and in these two cases the littoral states have drawn median lines to regulate oil exploration. But the central trough of the Red Sea, which geologists define as an "inner shelf," is from 1,000 to 2,600

Footnotes at end of article.

meters deep, clearly not a "continental shelf" by the traditional pre-1958 definition. A logical extension of the 1958 Convention might lead to a worldwide partition of the oceans, a kind of international "closed seas" policy. Yet last summer the U.S. proposed and strongly supported a resolution adopted by the UN General Assembly declaring oceanic resources of the common heritage of mankind, to be administered by new rules to be established by a UN conference in 1973. Washington looks to the new Sea Law Conference to return to the strict 200-meter limit in defining continental shelf rights, to establish an international seabed authority, and to live coastal states the right to administer a yet-to-be defined "intermediate zone," handing over 50 per cent of all mineral and other royalties to the international authority for use as development aid. Meanwhile, most of the Red Sea states have pending applications from U.S. and European mining companies, and Sudan and Saudi Arabia have commenced negotiations concerning

the median line between their two coasts. For the time being, American oceanographers conclude, "there is the distinct possibility that lawyers will profit more from the Red Sea deposits than will scientists or the metal industry."⁹

IV. THE MILITARY BALANCE

In terms of East-West politics, the nine littoral states include four regimes that could be called eastward-leaning and five governments generally friendly to the West, but such descriptions have only an artificial meaning, overshadowed as they are by the Arab-Israeli struggle and other ancient enmities little-determined by Great Power politics. Of the nine nations, only Christian Ethiopia has maintained official neutrality in the Arab-Israeli conflict, keeping diplomatic and trade relations with both sides. At the time of the June war, Ethiopia was also the only littoral state whose seaports were kept open to US naval vessels.

The numerical balance of forces can most easily be described in tabular form:

TABLE 4.—ARMS ALONG THE RED SEA, 1970-71

	Air Forces			Navy	Number of personnel	
	Army strength	Number of aircraft	Number of personnel			Most modern aircraft
United Arab Republic.....	250,000	415	20,000	MIG-21's.....	103	14,000
Jordan.....	26,500	32	450	do.....	6	500
Ethiopia.....	41,000	43	3,000	F-5A's, Canberras.....	12	1,400
FTAI (Djibouti) (French Forces).....	3,600	12	500	A-1H Skyraiders.....	5	300
Israel.....	1,275,000	330	17,000	Phantoms, Skyhawks, Mirages.....	39	18,000
Jordan.....	58,000	38	2,000	F-104A's.....	8	250
Saudi Arabia.....	30,000	75	5,000	F-86's, BAC-167's.....	7	1,000
Yemen.....	20,000	40	(?)	MIG-17's, IL-28's.....	(?)	(?)
Southern Yemen.....	10,000	35	500	MIG-17's.....	3	2,400

¹ Israeli force levels are at full mobilization. Source: The Military Balance, 1970-71 (Institute for Strategic Studies, London) Statesmen's Year Book, 1969-70.

² Estimate.

³ Unknown.

⁴ Negligible, if any.

For additional comparison, it will be useful to add that Somalia has a 10,000-man army, an 18-plane air force with 1,750 personnel and a few MIG-17s, and a 6-vessel navy with 250 personnel.

The main outside powers with military interests in the region, other than France at Djibouti, are the USSR and US. Each, in different countries and in different ways, has been moving for at least the past 15 years to fill partially a vacuum left when Britain's Red Sea sphere of influence began to erode two decades ago. The main Soviet military presence is in the North, where eight to ten thousand advisers, missilemen and pilots assist the UAR. The US, for its part, has an "official presence" (including dependents) of 4600 in Ethiopia to the South, but only about 2000 of these are US military personnel. There are, in addition, a US military mission in Saudi Arabia, and small Soviet missions in the two Yemens and Sudan. No foreign naval bases have existed in the region since the British left Egypt in 1954 (Djibouti, a French base, actually faces the Gulf of Aden, outside the Red Sea). The Truman and Eisenhower Administrations, in 1951-54, briefly considered establishing a US naval base at the main Eritrean port of Massawa, before scotching the idea for budgetary reasons. But the area is visited periodically by the three destroyers of a Bahrain-based US Middle East Command (COMDEASTFOR), which use bunkering facilities at Ethiopian and Saudi Arabian ports as well as at Djibouti. Visiting Russian vessels are welcome at Egyptian and Sudanese ports, as well as in the two Yemens.

As to military aid figures, there is so much

mendacity and incompleteness in the available published estimates of most governments, that a table seeming to give precise data would be less than honest. One careful study, embracing not just the Red Sea area but the entire Middle East as far north as Iran and Turkey, concludes that the US and USSR each contributed on the order of \$5.5 billion in military assistance to the countries of this area in the twelve years 1955-67. The US effort was said to be much more widely dispersed than the Soviet, but both nations were believed to have concentrated 48 per cent of their overall military assistance funds in the Mideast.¹⁰ Since 1967, the Soviets may have contributed as much as \$2 billion to rebuilding the shattered armed forces of the UAR, and perhaps another \$100 million to new programs in the two Yemens and Sudan. The US has sold Phantoms to Israel, and its military aid to Ethiopia, running about \$12 million annually, had totalled \$159 million through the end of 1970, the largest American program of its kind in Africa.¹¹ Put simply, four of the states we are considering look to the East for their arms: the UAR, Sudan, Yemen, and Southern Yemen the other five littoral nations are supplied by the West.

Moderately staffed and equipped though the armed forces of the region may be (see Table 4), without Great Power assistance the Red Sea military establishments would be considerably smaller and less well-equipped. In manpower alone, they have increased roughly four times over the past two decades. In 1968, Israel and the nations immediately surrounding it could mobilize no more than 180,000 men for their first war, while in 1967 the same states disposed of about 1,000,000 men under arms.

The significance of examining the present force levels along the Red Sea lies precisely in the fact that they seem to be approximately "in balance." While the Arab-Israeli conflict and the Great Power interests it invokes loom over everything else, it appears that no single state or combination of states has the capacity easily to overwhelm any of the others. None has an offensive naval capability, nor any sort of organized coastal defense. The armies and air forces of the likely and even of the most unlikely enemies appear to stalemate one another. Except for the Arab-Israeli war, where the lines are clearly drawn, none of the countries has either "natural allies" nor "natural enemies" among its neighbors. The three military regimes (Sudan, Yemen, Southern Yemen) have no more in common than the three monarchies (Ethiopia, Jordan, Saudi Arabia) and the two middle-class, civilian governments (UAR, Israel). No "Red Sea Pact" suggests itself. As regimes have come and gone and border disputes have heated and cooled periodically over the past two decades, relationships between the UAR and Sudan, Sudan and Ethiopia, Yemen and Saudi Arabia and Southern Yemen, for example, have remained in up and down flux. South of the Suez battle zone, it is internal revolt rather than external aggression that is the serious military consideration.

In the 1960's, such revolt has occurred in Jordan, Yemen, Southern Yemen, Ethiopia, and Djibouti, while relatively bloodless military coups have occurred in adjacent Somalia and Sudan. External aid and encouragement was a factor in each of the five cases, but governments were overturned in only two of them, and only in Yemen, at great and questionable cost, was there overt and massive foreign intervention and Great Power involvement. In nearly every case it seems to be the local balance of forces, not outside aid, which decides the issue. Civil wars and revolutions have a way of being decided that bears some relation to the numbers of people involved on both sides, and the strength of their arms—and convictions. Instability continues along both coasts at the southern end of the Red Sea, but it is probably just as unrealistic to expect the Great Powers to lock horns over these marginal conflicts—or for large-scale, conventional fighting across frontiers to erupt—as it would be to expect the Black Christian vs. Arab Moslem civil war in southern Sudan to provoke a major international crisis. Nonetheless, several of these points of continuing conflict require closer attention, before drawing a tentative political balance sheet for the 1970's.

V. POINTS OF CONFLICT

Any survey of Red Sea politics would take note of two continuing problems: a guerrilla war being waged by Moslem dissidents in Ethiopia's coastal province, Eritrea, and the question of whether and when France will leave Djibouti, a departure which might lead to war between Ethiopia and Somalia. Another item on the list would be the future of America's largest remaining military facility in Africa—Kagnew Station in Eritrea. More intangible questions, beyond the scope of this essay, would include speculations about the Arabian peninsula: How are the Russians and Chinese getting on with the Southern Yemenis? Is northern Yemen's civil war finally over? How firmly is King Faisal on the throne—might he be displaced in the future by a "Libyan coup"? Finally, a group of derivative questions would emerge and require some partial answer: Should the U.S.—and the West—pay much attention to whatever the Soviets may be doing in the two Yemens? Should the Great Powers extend their competition to the point of seeking Red Sea bases? If Suez one day reopens, is there a danger that any one state or group of states in the south might control or block

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the Strait of Bab-el-Mandeb? Let us take these questions one by one.

A. Eritrea: Still in transition

Eleven years ago, G.K.N. Travaskis wrote the book, *Eritrea: A Colony in Transition*. It is a book that stands up well over the years, for it ends with a prophecy which has begun to come true:

"With British authority withdrawn from the Sudan, with British influence removed from Egypt, and with an independent Somalia already in sight, Ethiopia is becoming encompassed by ambitious, vigorous, and free Moslem states. In such circumstances Moslem discontent in Eritrea would be singularly dangerous . . . entailing the threat of active subversion and encouragement to revolt . . .

"It is for Ethiopia to make her choice. The temptation to subject Eritrea firmly under her own control will always be great. Should she try to do so, she will risk Eritrean discontent and eventual revolt, which, with foreign sympathy and support might disrupt both Eritrea and Ethiopia herself."¹²

Little more than a year after these lines were written, scattered acts of anti-Government violence by Moslems began to occur in Western Eritrea, and an expatriate "Eritrean Liberation Front" (ELF) was formed. A year after that, in November, 1962, Eritrea was annexed into the Ethiopian Empire, ending a ten-year experiment in Federation. Today, nearly a decade later, the United States has just suffered its first casualty in the continuing Eritrean civil war. The Pentagon announced on January 21, 1971 that Specialist Ricardo Echeandia, a U.S. military courier, had been shot and killed while driving on the main road from Asmara to Massawa. On February 3, it was announced that the Army Chief of Staff, General Westmoreland, had arrived for a tour of the U.S. communications base at Asmara, while en route to Far East.¹³

It would be entirely too tempting—and dramatic—to read into this selective sequence of events the beginning of another "little Vietnam." But that is manifestly not the case here. For the U.S. is not involved, and presumably has no good reason to want to become involved in an internal Ethiopian quarrel, however many Soviet AK-47 automatic weapons the Eritrean/Moslem guerrillas may receive from friendly Arab states and however loudly Radio Damascus may declaim on their behalf. The ELF has hijacked some Ethiopian airplanes, tied down a full division of Ethiopian troops, blown up bridges and sabotaged railways in the maritime province. But the population of Eritrea (about 1.6 million in all) is split 50-50 between Christians and Moslems, and however unhappy Christian Eritreans may be with their co-religionist ethnic Abyssinian cousins to the south, the ELF goal of an independent, "Arab" Eritrea can speed few heartbeats among them. Given Ethiopia's armed strength and its vital national interest in access to the sea, it is hard to imagine the ancient Empire—whether led by Haile Selassie or any conceivable successor regime—being unable to hold on to Eritrea.

Two thousand guerrillas, even with the sympathy of parts of the local population and with covert sanctuary and weapons and training from "fraternal Arab states" just cannot pull it off; they've been trying for at least eight years now. What they can do is embarrass the Ethiopian Emperor, provoke harsh military measures against the local population that sows seeds for greater antigovernment feeling, cause the Addis Ababa government to cozy up to Israel, which can offer "counter-insurgency" training (thus provoking an even greater backlash of Arab support for the rebels), and hope that time, in a very long view of the future, is on their side. From the Ethiopian

standpoint the best solution would seem to be a political one: a return of local autonomy to something very like the status Eritrea enjoyed before 1962. For the time being, however, Addis Ababa is not traveling that road. It resents the "disloyalty" of its Eritrean subjects, refuses to "give in to pressure," and hopes by hortatory appeals to discourage "foreign interests" from continuing to provoke rebellion and aid "bandits" in Eritrea.

If the US wants to avoid being caught in the middle in an endless and, apparently, expanding civil war, there are several conclusions to be drawn. Most of them concern the US Army and Navy communications facility at Asmara, Eritrea's capital, located 7500 feet above and 50 miles distant from the Red Sea. 1800 US military personnel and 1400 wives and children live at or near this installation. They are in Ethiopia by virtue of a 25-year bilateral agreement signed in 1953, which is due to expire in 1978. The Asmara base was first shared in 1942 by accord with the British; like US military aid to the Ethiopian armed forces, it essentially represents an operation "passed on" from London to Washington in the aftermath of World War II.

As Senate questioners put it during the Symington Subcommittee hearing on Ethiopia in June, 1970, the Asmara facility was "nice to have" twenty years ago but is not "essential" today, especially when weighed against the costs of staying on in the midst of a shooting civil war in which the United States is a neutral. Advancing technology in any case is making many of the functions of such a ground station obsolete, and substantial reductions of personnel could begin to occur now, well before the 1978 terminal date. At the same time, some of the tasks of the Asmara facility will presumably be replaced by the new US-UK communications base being constructed in the British Indian Ocean Territory.¹⁴

Envisaging just this possibility, Hanson Baldwin remarks in *Strategy for Tomorrow* (with specific reference to the Asmara station): "It is noteworthy that the United States has no bases as such in Africa, nor does it now have the vital interests that necessitate bases. Its interests, except for continued access to raw materials, are essentially contingency ones—staging fields, over-flight rights and naval refueling facilities and maritime patrol bases in time of war. Such facilities would be convenient but not vital; hence no high price—political, economic or military—need be paid to assure them."¹⁵

A political decision is evidently needed within the U.S. government, but the Asmara facility has up to now been treated as a "purely technical matter" for military determination. Witnesses this exchange at last June's Senate hearings:¹⁶

MR. PAUL (Counsel to the Subcommittee). How does the State Department go about satisfying itself independently of the need for this facility?

MR. NEWSON (Assistant Secretary of State for African Affairs). Well, I think the State Department, of necessity, must be prepared to take on faith the assessment of DOD (Department of Defense), the agency that is most directly involved technically in the operation of this station.

If the State Department continues to "take on faith" a technical military rationale for maintaining a large land base in Eritrea, the result could well be more American casualties and greater political embarrassment.

B. How are things in Djibouti?

The French Territory of the Afars and Issas, called until 1967 "French Somaliland," receives little attention from the world press, and probably deserves even less. For it is a placid place with a small population; placid except for one fleeting moment in August, 1966, when President De Gaulle paid a visit

that was marred by anti-French, pro-Somali riots. It owes its complicated change of name to that unfortunate visit, for several thousand Somalis (Issas) without identity papers or work permits were deported back to Somalia in the wake of the riots, and a referendum was arranged in which the Afars (ethnically members of the Danakil tribe, most of whom reside in Ethiopia) would have a majority. The result: on March 19, 1967, sixty per cent of the electorate voted for continued association with France, rather than independence.

That same year, the population of the New Hampshire-sized enclave was estimated at about 120,000, more than half of it residents in the port city of Djibouti. Somali Issas were estimated to outnumber Ethiopian Afars by 58,000 to 42,000, the balance of the populace consisting of 10,000 Europeans (mostly French military personnel and their families) and 8,000 unspecified "Arabs." 1968 saw an assassination attempt on the President of the Council of Government, Ali Aref, and the replacement of many Issa with Afar employees in the civil administration and port. Since then, Djibouti, with its 4500-man French military and naval presence (including 1000 Legonnaires) seem to have settled down. It is a wasting colonial asset for the metropole to maintain, but it has not yet become a "French Aden."

The economic significance of Djibouti is that it has long been Ethiopia's chief port. A sixty-year-old Franco-Ethiopian railway between Djibouti and Addis Ababa, owned jointly by the French and Ethiopian governments, is the only rail connection from the sea to Ethiopian governments, is the only rail connection from the sea to Ethiopia's capital and interior, Eritrea's two ports, Massawa and Assab, connect with the rest of the Empire only by highway truck-transport (except for the short 117 km. railway from Massawa to Asmara). Until quite recently, they were ports of transit for only about one-fifth of Ethiopia's foreign commerce, while Djibouti handled 80 per cent of the trade. Since the closure of Suez and its own internal troubles in 1966-68, Djibouti's position as seaport and railhead has declined somewhat, though it still handled more than half of Ethiopia's trade. In 1967, for the first time since World War II, the Franco-Ethiopian railway ran a deficit, but by 1970 it was beginning to prosper again, partly due to Eritrean uncertainties.

How long France remains along the Red Sea and Gulf of Aden presumably depends upon a calculation in Paris of the budgetary cost, but even more upon what violent pressure (or lack thereof) is exerted on her to leave, and what kind of Somali-Ethiopian agreement on use of the port and railhead could be secured before her departure. It has been the casual supposition of Western diplomats that the French would leave "before 1975," but this is only a guess, for it is not yet supported by any announcement from Paris. Benign neglect seems to be the policy of the day, and it may not be such a bad policy.

The alternatives following French withdrawal are: (1) an independent Afar-Issa Land; (2) annexation by Somalia or (3) Ethiopia; or (4) joint Ethiopian-Somali administration of the enclave, possibly with UN assistance. The balance of military forces, combined with Addis Ababa's interests in the railway and port, put Ethiopia in the strongest position, though Somalia may still hold a small popular edge on the basis of Issa versus Afar self-determination. This leaves the decision, again, with Paris. France is apparently biding her time and watching for political developments which could ease the eventual departure. Only a resurgence of dormant Somali nationalist sentiment—and violence—could hasten events. Barring that, an unlikely replay of Britain's Aden experience of 1967-69, France will probably work

for some form of joint Ethio-Somali agreement later in the 1970's, sanctified by the inevitable referendum. A precipitate pull out would mean war between the two neighbors, with the military cards stacked heavily in Ethiopia's favor.

VI. RUSSIANS AND AMERICANS

A final set of questions remain: Is blockage of the southern strait of the Red Sea a real possibility? Is Great Power political and military competition in the region increasing? What purposes does such competition serve?

The first question is the easiest of the three. No, Bab-el-Mandeb is not another Strait of Tiran under most imaginable circumstances. The balance of regional naval and air forces (Table 4) makes it presently impossible to conceive of Southern Yemen or any other Red Sea nation possessing the power, let alone the will, to close the southern strait. The coast opposite Perim Island is now controlled by France, and after a hypothetical French departure will in all likelihood be subject to at least 50 per cent control by Ethiopia. In any case, the question is of more regional than international interest as long as Suez remains closed. If, in the future, an outside power should attempt to control the strait, or fortification of Perim Island should seem to challenge the movement of vessels through the 16-mile wide passage between it and the African coast opposite, the threat would no doubt be dealt with forcefully by the states being threatened and by the international maritime community at large. But meanwhile, because of the narrowness of the passage and the yet-unexercised possibility of the two coastal states each claiming 12 miles of territorial sea, the issue should be raised and clarified at the upcoming UN Sea Law Conference in 1973.

To make these points is, in a way, to attack a straw man, for the Bab-el-Mandeb issue is neither a current nor a hotly debated one. But some strategists claim to see bricks as well as straw, arguing that plots have been hatched in Cairo and/or Moscow to close the southern strait to Western and/or Israeli shipping. Aaron Kileman, for example, has written that "Bab-el-Mandeb, a little-known Gulf of Aden-Red Sea passage more vital to maritime powers than the Strait of Tiran at the Gulf of Aqaba far to the north, has been an integral part of . . . the Arab noose slowly being tightened around Israel's neck." He goes on to allege that Cairo has had a fourfold "grand strategy," a master plan, "involving support for revolutionary movements in Djibouti, Eritrea, and the two Yemens as part of 'the struggle for control of Bab-el-Mandeb.'" The lines were written in the fall of 1967, and the rest of the article from which they are taken betray a case of "Nasserphobia," a picture of crafty Egyptians stirring up trouble wherever and whenever they choose. This shows, at the least, a lack of specific knowledge of the forces at work at four different places at the southern end of the Red Sea. The UAR has played hardly any role at all in the two of the four cases. History is made by mere men; bad enough, perhaps, but far more complex than devils can ever be.

Other devil theories abound with respect to Soviet activities in Yemen and Southern Yemen. These theories cannot be easily dismissed out of hand, for Western intelligence is poor (there is no U.S. diplomatic representation, and very little West European, in Aden, San'a or Tal'z). But in Yemen the Soviets are dealing with what, until the 1962 revolution, was considered one of the world's most remote and primitive nations, a kind of Arabian Tibet—and an exhausted, war-racked one at that. This, as the Egyptians

already know, is barren ground for a major investment of power and prestige. That is no good reason, however, for American rejection of Yemeni overtures for renewing diplomatic relations. A small US mission would be useful to keep communications open.

Southern Yemen may be more interesting to the Soviets because of the excellent harbor and airfield at Aden, several strategic islands, and proximity to the Persian Gulf. But the resident Russians will also have to keep an eye on the Chinese aid mission, maintain rapport with the 25- to 35-year-old leaders of the present regime (the third since independence), and, perhaps, make heavy economic investments to help a new nation of 1.3 million people raise its national wealth above the present low level of \$127 million.

A few years ago, Russian involvement in south Arabian affairs might have provoked a much stronger US reaction than is suggested here. President Kennedy in 1963, and President Johnson in 1964 and again in 1966 gave considerable thought to a possible US Air Force commitment to protect Saudi Arabia against an Egyptian attack arising out of the Yemeni civil war. In the first of these cases, aircraft were actually dispatched, but in each of the cases our Presidents drew back from a firm commitment. It is worth recalling the words of Edward Weintal and Charles Bartlett concerning these episodes. "The United States," they concluded in 1966, "could have stumbled into a shooting war with Nasser for the sake of Yemen, a desolate, disease-ridden, primitive tribal enclave on the southwest tip of the steamy Arabian peninsula." This would have placed Washington in a role "for which it has no enthusiasm and little experience."¹⁸ Nearly five years later one cannot fault this judgment of two veteran Washington journalists. Any US land intervention on the Red Sea coast would disturb Congress and the American people even more than the contingency of US involvement in the obscure Yemeni civil war disturbed Weintal and Bartlett in 1966.

What, then, are American interests in the Red Sea and Suez? How do they relate to Russian, Arab-Israeli, and littoral-state interests?

In general formulation, they parallel the "two major concerns" which President Nixon, in his first State of the World Message of February 18, 1970, declared to be the guidelines of US policy towards Africa:¹⁹

"That the Continent be free of great power rivalry or conflict in any form . . .

That Africa realize its potential to become a healthy and prosperous region in the international community"

Mr. Nixon added, "We will not intervene in the internal affairs of African nations." Those principles, applied not just to Africa but to the Asian coastal states as well, are the basis for a sensible American policy in the Red Sea.

But one must be a bit more specific than that. At least six clear US interests can be identified:

(1) The US has an interest in international maritime rights of passage through the Red Sea and Suez Canal;

(2) The US has an interest in promoting peace between Israel and the Arab states, and in reducing the chances of a Soviet-American nuclear confrontation over the Middle East;

(3) The US has an interest in maintaining Western Europe's industrial lifeline—her uninterrupted supply of Middle Eastern oil;

(4) The US has a general interest in the prosperity and economic development of all states;

(5) Except for the 1950 Four Power Agree-

ment respecting Israel's sovereignty within her 1948 borders, the US has no commitment to the defense of any particular state or regime in the Red Sea area;

(6) The U.S. has no interest in obtaining military or naval bases in this area, but has, on the contrary, an interest in reducing arms races and Great Power competition in the region.

These principles, considered as a unilateral statement of American intentions, need not be shared or even emulated by other states, which may have quite different interests. If others, including the Soviet Union, wish to adhere to the same guidelines, to regard the Red Sea coasts as a "zone of restraint," so much the better. If not, there is still no reason to alter the correct contour of our policy. U.S. maritime rights, should they ever be challenged, can be enforced either by collective means through the United Nations or by resort to force, employing U.S. naval units based outside the Red Sea.

The chief U.S. interest is in the Red Sea as a sealane, not a landbridge. We do not have a definable interest in the various territorial disputes of the littoral states, conventional or guerrilla warfare among them, internal revolts or changes of government. Most U.S. military aid programs will, in any case, be phased out by the end of this decade; in the "South of Suez" area, probably much sooner than that. Our only interests on land are in orthodox and friendly diplomatic relations, and our continuing economic development programs, both bilateral and multilateral.

The questions posed at the beginning of this essay inevitably return and can now be partly answered: Is Suez likely to reopen? Perhaps, and in any case it is in the Western interest to push for such a reopening.

Is East-West military competition intensifying along the Red Sea? Perhaps, for the Soviets have massively resupplied their Arab clients since the June War, but American military assistance and presence will probably go down rather than up in the 1970's. There is ample reason for continued US restraint.

Who owns the recent Red Sea seabed mineral finds? No one—yet. Their ownership and exploitation pose complex questions which cannot be resolved until later in the decade.

Are changes in store for the southern coasts of the Red Sea, and is Bab-el-Mandeb a future trouble spot? Yes, some instability will continue in the two Yemens, Djibouti and Eritrea. But it need not cause much international worry, and the issues will most probably be solved on the local merits, not by foreign intervention. The notion of a hostile blockade at Bab-el-Mandeb seems rather far-fetched.

Finally, should Western statesmen devote a good deal of their attention to any of these problems? No. Except for the Arab-Israeli conflict and the immediate issue of Suez, questions of the highest importance since they retain a latent component of nuclear danger, statesmen should not worry too much about the Red Sea. There are many more important things for them to worry about, in Europe and Asia and at home. Here is one small region of the world that they may turn over with confidence to the economists and international lawyers.

FOOTNOTES

¹ The Cabinet Task Force on Oil Import Control, *The Oil Import Question: A Report on the Relationship of Oil Imports to the National Security*, (Washington, GPO, February, 1970), Appendix F, pp 249-258. The Interior Department's analysis of the 1967 buildup to meet the need for additional tankers due to the closure of Suez (p. 250) is as follows:

TABLE F-1.—ANALYSIS OF INCREASE IN TANKER FLEET DURING 1967 SUEZ CRISIS INCREASE

	T-2 equivalents	
	Total in 1 month	Total in 6 months
Existing fleet (from):		
Grain, ore, specialty sources.....	141	313
Lay-up and idle.....	93	133
Reduction in overhaul time.....	150	150
Load line changes.....	9	54
Subtotal.....	393	650
Additions: New deliveries less scrapings and sinkings.....	35	460
Total.....	428	1,110

² Hanson W. Galdwin, *Strategy for Tomorrow*, (New York, Harper & Row, 1970), p. 225.

³ John C. Campbell, "The Arab-Israeli Conflict: An American Policy," *Foreign Affairs* XLIX (October, 1970), p. 69.

⁴ *The New York Times*, January 25, 1971.

⁵ Cabinet Task Force on Oil Import Control, Op. cit., pp. 253, 255-58.

⁶ Amnon Rubinstein of Ha'aretz (Tel Aviv) uses this phrase to argue a variant of what has been called the "Dayan plan" in *The New York Times Magazine*, January 17, 1971, p. 12ff.

⁷ K. O. Emery, J. M. Hunt, and E. E. Hayes, "Summary of Hot Brines and Heavy Metal Deposits in the Red Sea" in *Hot Brines and Recent Heavy Metal Deposits in the Red Sea* (Egon T. Degens and David A. Ross, eds.), New York, Springer-Verlag, 1969, p. 570.

⁸ Harry S. Truman, *Memoirs, Volume Two* ("Years of Trial and Hope"), Garden City, Doubleday, 1956), pp. 479-487; also, William L. Griffin, "International Legal Rights to Minerals in the Red Sea Deeps," in Degens & Ross, op. cit., pp. 550-556; cf. A. Denis Clift, "North Sea Gas: A Case Study in International Cooperation," *The World Today*, XXIII (April, 1967), pp. 146-52; J. E. S. Fawcett, "The Territorial Sea," *Interplay*, IV (January, 1971), pp. 10-13.

⁹ Emery, Hunt, and Hays, op. cit., p. 571.

¹⁰ Stephen P. Gibert, "Soviet-American Military Aid Competition in the Third World," *Orbis*, XIII (Winter, 1970), pp. 1119-21; Wynfred Joshua, "Soviet Penetration Into the Middle East," (National Strategy Information Center, New York, 1970), p. 38. The data are, for the most part, based on State Department estimates. *Statistical Abstract of the United States, 91 edition, 1970* does not break down U.S. military aid by recipient country. Executive branch definitions and estimates of "military" and "economic" aid have been challenged in Congress during 1970, e.g. Senator Proxmire has alleged that a "true" figure for U.S. military assistance worldwide would run several billion dollars more than is apparent from executive branch statistics, due to the compartmentalization of various programs, some "burying" of security assistance in "economic" categories and under-estimation of the value of surplus stocks granted and otherwise disposed of abroad.

¹¹ *United States Security Agreements and Commitments Abroad: Ethiopia* (Hearings Before the Subcommittee on United States Security Agreements and Commitments Abroad of the Committee on Foreign Relations, United States Senate, 91st Session, June 1, 1970—"Symington Hearings"), part 8, page 1886.

¹² G.K.N. Trevasakis, *Eritrea: A Colony in Transition, 1941-52*, (London, Oxford University Press, 1960), pp. 130-131.

¹³ *The New York Times*, January 22 and February 4, 1971; For further background on the Eritrean insurgency see John F. Campbell, "Rumbblings Along The Red Sea; The Eritrean Question," *Foreign Affairs*, XLVIII (April, 1970).

¹⁴ "Plan for Base in Indian Ocean Being Reviewed by US," *The New York Times*, November 28, 1970; "US and Britain Plan Indian Ocean Base," *The New York Times*, December 16, 1970.

¹⁵ Baldwin, op. cit., p. 221.

¹⁶ "Symington Hearings," (full citation at note 11), p. 1927.

¹⁷ Aaron S. Klieberman, "Bab al-Mandab: The Red Sea in Transition," *Orbis*, XI (Fall 1967), pp. 758-771.

¹⁸ Edward Weintal and Charles Bartlett, *Facing the Brink: An Intimate Study of Crisis Diplomacy* (New York, Scribner's, 1967), "Chapter 3—"Komer's War", pp. 37-53.

¹⁹ Richard M. Nixon, *US Foreign Policy for the 1970's* (Washington, GPO, February 18, 1970), pp. 85, 88.

SAN BERNARDINO HIRE YOUTH PROGRAM

HON. JERRY L. PETTIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 3, 1971

Mr. PETTIS. Mr. Speaker, the need to provide employment for our youth has never been greater. I am especially proud that the leadership in San Bernardino County has led the way in developing a successful program to hire youth.

To describe the problem let me mention a few statistics regarding youth unemployment. Last year, the summer unemployment rate for nonwhite youth was 26 percent. Overall for youth the rate was 16 percent for girls and 12 percent for boys. This is still double and triple the present 6 to 7 percent unemployment rate. In addition to teenage youth, many veterans returning home have swelled the labor force and, like the youth, many are seeking employment for the first time.

The San Bernardino County youth employment program has taken the responsibility to develop summer jobs that will give youth the wherewithal to complete their education. Last summer this group was given the goal of 1,500 jobs for youth in the county. To everyone's surprise but their own 6,000 jobs were found. In an exemplary show of unified action all local agency officials and all local businessmen worked together to make this program such an overwhelming success.

This summer should again see many unemployed youth matched to jobs. The skills, experience, and education that a job provides will help these young people to develop self-respect and to become important assets to society.

To single out a few people and groups for commendation, I wish to recognize the efforts of Supervisor Reuben Ayala, Supervisor Nancy Smith, Marvin Reimer, Robert Marr, Benton C. Blakely, Jay Wilkinson, Mrs. William Erdmier, Mrs. Frances Grice, Charles Field, Earl Reynolds, San Bernardino County, city of San Bernardino, National Alliance of Businessmen, Operation Second Chance, Kaiser Steel, Ontario Speedway, San Bernardino County Schools, UC Riverside, San Bernardino State College, Federal Interagency Board, Department of Labor, California Human Resources Department, and the San Bernardino Junior Women's Club.

LETTER FROM LT. COL. BOYD D. PARSONS, SR.

HON. FLOYD SPENCE

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 3, 1971

Mr. SPENCE. Mr. Speaker, recently I received a letter from a gentleman whom I am proud to represent in this great body.

Lt. Col. Boyd D. Parsons, Sr., has devoted a substantial majority of his lifetime to the service of our country, and he has paid dearly for his efforts in our behalf.

He enlisted in the U.S. Army at age 19 and fought in World War II and Korea, and has served three tours of duty in Vietnam. Colonel Parsons was wounded in each of these conflicts and as a result has lost an eye and the use of one arm.

The colonel has already sacrificed more for his country than most of us, yet he still stands ready to stand up and fight for America. It is particularly refreshing in these times to hear from a man who considers it an honor to have had the opportunity to serve his country, and so that I may share Colonel Parsons' inspiring letter with my colleagues, Mr. Speaker, I insert it in the RECORD at this point:

DEAR CONGRESSMAN SPENCE: First of all let me tell you who I am and where I am from since I have only lived in South Carolina since September 1961. I came to Fort Jackson, South Carolina from Germany. Upon arrival here I purchased a home in Columbia due to the fact that I had a 12 year old son and I wanted to put him and his mother in one place so that he would have a chance to make friends and get an education. He and his mother have lived here since that time. I have not spent much time here with them during this time as a result of military duties. I have been away to attend school twice during this time and have served three tours of duty in Vietnam. Each time I have been able to return to South Carolina and Fort Jackson. Things have worked out well for my son. He attended high school here in Columbia and went from here to attend Georgia Tech in Atlanta, Ga. He will graduate from there in June of this year and enter the Army at that time as a regular Army officer—to follow the same route that I have given my life to.

I will complete 30 years service with the Army in June 1972. I enlisted in the Army in June 1942 at the age of 19. I served in combat during World War II as a Rifle Squad Leader and in the Korean war as a Rifle Platoon Leader. I served three tours in Vietnam. The first two as Senior Advisor to a VN Infantry Regiment, and the third tour with XXIV Corps in Vietnam for 8 months and the last 4 months with the Thai Division as Deputy Chief LNO. I was wounded in France during the Second World War and very lightly wounded in Korea. While in Vietnam on the second tour I was seriously wounded and spent some 10 months in the hospital and returned nine times for major surgery. As a result of this I ended up with the loss of one eye and most of the use of my right arm. I still went back to Vietnam for the third tour. Now don't misunderstand—I did this for it was what I wanted to do. And if I could I would go back again today.

I did these things because of what my Country and the Army means to me. I left school when I was in the 7th grade at the age of 12 and have not been back in school since that time. I am not an educated man

but there are some things that I do know, and here are some of them.

1. I know how to get the troops out of Vietnam—Go north, win the war and get it over with.

2. If we do not win this one it will only be a short time before we will be in another one some where else. Too many no-win wars will end up with the last one being here at home and we will have nowhere to go.

3. We have a Great Country with good laws. Enforce them and keep it great.

4. Change for changes sake is not what we need—if changes are to be made, make them to improve.

I subscribe to this: My Country in her dealings with the World may She always be right, but right or wrong my country. I do not always agree with every thing this country does, and where I do not agree I will recommend other courses of action and do what I can to make things right so long as I am within the law. Once a decision has been made to follow a given course of action I will support that course of action as if it were my decision.

I do not like wars—no one does, but sometimes we must fight. I stand ready at any time to give whatever is required of me.

Do not misunderstand what I have said here. I ask for nothing other than what I have already been given the chance to do: to serve my Country. I can ask for no greater honor.

If you should do me the honor to read this, then I am glad. I know that you have much to do. There is much for all of us to do. Let's all get on with the job at hand—that of keeping this Country great and the best of all Countries in which to live and call our country.

BOYD D. PARSONS, Sr.,
LTC, Infantry.

FORT JACKSON, S.C.

UNITED STATES NEEDS LOVE, NOT DISSENSION

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 3, 1971

Mr. DERWINSKI. Mr. Speaker, it is obvious that there is a need for voices of moderation which emphasize solving, rather than agitating, the tensions of the day. I believe this point was most dramatically evident in an article by Walter Trohan, the distinguished bureau chief emeritus of the Chicago Tribune, which appeared in the Monday, May 31, Tribune.

May I add, Mr. Speaker, that Mr. Trohan has just returned from a brief visit to Europe during which he reported his observations of the areas in which he traveled. His return to a fresh look at Washington resulted in the impressions for this column.

The article follows:

UNITED STATES NEEDS LOVE, NOT DISSENSION
(By Walter Trohan)

WASHINGTON.—So much of our time these days seems to be taken up with recriminations and blackguarding our past that it is to be wondered whether we are not injuring ourselves and imperiling our future.

To promote profitable reflection, I offer a few lines from an almost forgotten poet. There are times when the simple poets can touch the heartstrings far more effectively than the rolling thunder and the dazzling lightning of the great minds.

Such a simple and heartfelt lay is "A Little Parable," by Anne Reeve Aldrich, who

was born in New York City in 1866 and died there in 1892, living between two American wars.

The verses are:

I made the cross myself whose weight was later laid on me.

This thought is torture as I toil up life's steep Calvary.

To think my own hands drove the nails I say a merry song,

And chose the heaviest wood I had to build it firm and strong.

If I had guessed—if I had dreamed its weight was meant for me,

I should have made a lighter cross to bear up Calvary.

There are those among us who seem to feel they must find a villain for every reform they seek, someone to blame for the condition they would change. This is especially true of race relations. There are those who would hold many of their fellow men responsible for slavery and tax us with not doing enough for the Negro. Fortunately, there is mounting evidence blacks are beginning to police themselves, which means racial tensions will end one day.

Apparently some people believe that the way to atone for the discrimination of the past is to discriminate against some of their fellow whites today. Discrimination against any minority is not good, but neither is discrimination in reverse, discrimination against the majority.

It doesn't help blacks today to condemn the great of our past, such as George Washington for selling a sullen slave, or Thomas Jefferson because he had a slave mistress, or Abraham Lincoln because he freed the slaves more out of military purpose than humanity. Such things should not be hidden because they are part of the problem, but they should be studied in the light of their times and in their relation to the present.

There have been those who have been pitting class against class, the haves against the have-nots, often for purposes best known to themselves. There are those who blame the war in Viet Nam on the greed of huge industrial complexes. They lose sight of the fact that these corporations are made up of millions of workers and stockholders who depend upon them for a livelihood. They ignore the fact that these corporations cannot declare war; they ignore the facts of aggression and love of liberty and freedom involved.

There are those who would seem to make patriotism a vice and protest a virtue. There are those who appear bent on taking everything away from those they consider rich and giving it all to the poor, except for what they hope to retain in the transfer process. They ignore the fact that there just aren't enough rich to deal out great substance to the poor.

All in all, the country is beset by divisive forces, quick to encourage hate while pretending to preach love. We can overcome and survive these divisive forces, and the one sure way of doing it is to see that the cross each of us is building gets no heavier than it already is, and that we saw and plane it by compassion and love for our fellow man.

CONGRESSMAN JOEL BROYHILL INTRODUCES TWO BILLS

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 3, 1971

Mr. BROYHILL of Virginia. Mr. Speaker, today I am introducing two bills: the first to revise and upgrade the

classification of the deputy U.S. marshals and the second to improve the retirement and survivor benefits of employees engaged in enforcement of the criminal laws of the United States.

My first bill attempts to correct an inequity in pay by granting a classification grade increase for deputy U.S. marshals. The legislation if adopted would bring deputy marshals' pay into line with police across the Nation. Unfortunately this group was left by the wayside when our Government took action to upgrade the pay of law enforcement officials and thus be able to recruit and keep the kind of personnel necessary to reduce crime in our country.

Deputy U.S. marshals currently start at grade 6 at an entry salary of \$7,727. This starting pay is almost \$1,000 a year lower than that offered a new patrolman in an average city in the United States. The maximum pay in the highest grade that can be received by a deputy U.S. marshal with a sliding scale beginning at \$9,493, is \$12,337. It is significant to note that it takes most deputies 15 years of service with the U.S. Government to reach the top grade and top salary.

My bill would reclassify the present GS-6, GS-7, and GS-8 grades to GS-7, GS-9, and GS-11 grades. Starting salaries would increase from \$7,727 to \$8,532 and top pay would increase from \$12,337 to \$16,404. Many of the deputies in the top salary grades under the present system are already occupying supervisory positions which would call for fairly high rank and pay in any of our country's local city police forces.

Also, employees currently serving would receive an increase in their new pay and grade classification which would not be less than step 3 nor more than step 7 of their new grade. The actual step classification of their new grade would be determined by appropriate officials based on the deputy's past duty performance, years of service, and his future ability to accept further responsibilities as a deputy U.S. marshal.

Justification for Congress to act in this situation is based on the following pay statistics, qualifications required for appointment and duties.

As to pay comparison: New York City patrolmen start at a salary of \$9,499 and reach a figure of \$12,150 after 3 years of service, with no increase in duties or education. Fairfax County, Va., police privates start at \$8,604. Cleveland police patrolmen start at \$9,062 and receive \$10,063 in 3 years. Kansas City patrolmen start at \$8,190. Pontiac, Mich., patrolmen start at \$9,300 and are paid \$11,400 after 3 years. Paterson, N.J., patrolmen start at \$8,700 and receive an annual maximum of \$9,100 in 5 years. Honolulu police start at \$8,100 and receive a maximum as patrolmen in 6 years of \$10,848. Houston, Tex., patrolmen start at \$8,086. Miami, Fla., police officers start at \$7,736 and can receive \$9,744 in 5 years. The Metropolitan Police of Toronto, Ontario start as constables third class at \$8,751. Policemen and policewomen in Los Angeles start at \$9,564 and receive an annual maximum salary of \$11,280 in 4 years. San Francisco patrolmen start at \$9,075 and receive \$10,025 in 2 years.

This disparity in pay is even more flabbergasting when one compares the qualifications required to become a deputy U.S. marshal from those required to enter police departments across the Nation.

A candidate for consideration as deputy U.S. marshal must have had 2 years of general experience in a responsible position requiring effective dealings with individuals or groups of persons. In addition he must have had 2 years of specialized experience as a policeman or other law enforcement experience in arrests, proficiency in firearms, and handling prisoners. The following education substitutions may be accepted for the general experience and the specialized experience requirements: completion of a 4-year course of study in a residence school above the high school level and the successful completion of a 1-year course of graduate study, or 6 full years of resident prelegal education and successful completion of full course requirements for an LL.B.

On the other hand the comparable qualifications and experience for starting policemen or patrolmen in cities across the country are the possession of a high school diploma and the ability to pass a background investigation.

With respect to duties, deputy U.S. marshals have arrest powers to make an arrest without a warrant when a felony has been committed and the deputy has probable cause to believe a particular person or persons have committed such felony; they may make an arrest for any crime committed against the United States of America; they may make an arrest for any crime committed in their presence; and they may make an arrest on warrants issued by the courts. In this regard these deputies serve civil and criminal process issued under the authority of the United States, make arrests, transport prisoners, seize and dispose of property under court orders, maintain order in the Federal courtrooms, and organize and manage security details for key figures involved in court cases.

Deputy U.S. marshals are under the direction of the President of the United States and the Attorney General to go anywhere they are directed and to enforce Federal laws and to protect those persons whose lives may be threatened. Large numbers of deputy U.S. marshals have been assembled at a single point on short notice from widely separated places of duty in the United States to protect lives in civil rights cases, riots endangering Federal property, and most recently to prevent hijacking of aircraft. In this latter duty, they have made 112 arrests, seized over 44 weapons—including 39 firearms and one grenade—found numerous weapons and contraband discarded near aircraft boarding areas and accomplished 20,000,000 passenger screenings without a single complaint being filed. During the last 2 years 125 deputy U.S. marshals, have been injured in the line of duty, out of a total force of 1,100 personnel across the breadth of the United States.

Mr. Speaker, we must correct this pay injustice. We have subjected one of our principal Federal law enforcement agencies to an inequity by increasing their duties, exposing them to more hazards, and inflicting on them what amounts to a reduction in pay by permitting their present pay to be subjected to inflationary pressures without relief. These men have endured this injustice, it is time the Congress righted this wrong.

My second bill, would permit Federal employees engaged in a primary duty of investigation, apprehension or detention to retire from Federal service after 20 years service regardless of age. It would also permit those affected to compute their annuities at 2.5 percent of their 3-year high salary for each of the first 20 years of services; and at 3 percent for each additional year after 20. It would also provide a \$50,000 lump-sum, tax-free payment to survivors of those officers who lose their lives in the line of duty or from injuries from acts in the line of duty. Those affected by this legislation will be the agents of the Federal Bureau of Investigation, personnel of the Federal Bureau of Prisons, employees of the District of Columbia Department of Corrections, members of the Secret Service and those U.S. marshals and deputy marshals of the United States on field duties during the required period.

Mr. Speaker, there is not a day that goes by that either members of the world of crime, lunatics, or espousers of anarchy or violent revolution do not make an attack somewhere in our beloved country against our people, their property, the property of the United States or these institutions themselves. Standing alone against this wave of destruction that has increasingly beset our people over the past decade are the law enforcement agencies of this Nation. A little late, we have begun, nevertheless, to recognize the debt we owe these officers. Pay increases have been granted or are underway for these brave men. But, pay alone is not enough. We must also concern ourselves with the constant pressures on these men and their families. We have already provided for somewhat similar retirement features and survivor benefits for our soldiers. We must also provide similar benefits for those engaged in the war against crime. This bill will permit these men and their families a respite through earlier retirement against constant harassment and from second-to-second danger over the accumulation of years. It will also provide a small sum to a widow and her children who have lost their husband-father, by a bullet in the back or blasted down while he tried to follow rules laid down to serve a warrant or make an arrest.

The Federal Government must lead the way, its laws must be followed, its agents and officers must be respected and nothing must keep us of the Congress from providing for those who carry out the very laws that emanate from this floor.

I urge speedy action on this legislation.

VOLUNTARY RESTRAINT ON MILK PRODUCTION

HON. ALBERT H. QUIE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 3, 1971

Mr. QUIE. Mr. Speaker, after giving milk producers the largest support price increases in the history of the program, administration officials are awaiting with some anxiety the production figures.

Several years ago, former Secretary of Agriculture Orville Freeman gave dairy men a sizable increase in the support price, only to see the market price fall in the succeeding year and huge increases in Government purchases.

In pleading for an increase to approximately 85 percent of parity this year, representatives of the Nation's milk producers pledged that they would take steps voluntarily to limit production and avoid a glut on the market with its price-depressing impact.

I have had many verbal assurances that producers would act voluntarily in this regard and would be encouraged to do so by their cooperatives; however, the first firm statement in writing by a dairy organization that it will work to control the milk production of its members came only last week from Harold Nelson, general manager of the Associated Milk Producers, Inc., and I commend them for it.

Writing in the May issue of the Dairy-men Digest, Mr. Nelson said:

Our responsibility rests chiefly in controlling the production of milk. It may be tempting for some dairymen to increase production now that support prices are raised. Nothing could be more damaging to the entire dairy industry. Increased milk production this year will seriously hurt milk prices in the market place and it will adversely affect our present favorable position with the government in the months ahead.

On behalf of AMPI, I pledge to each dairy farmer that we shall constantly work toward meeting the tasks mentioned above . . .

It would be my hope that other cooperatives would follow Mr. Nelson's lead and encourage their members to avoid the temptation to overproduce at these more favorable prices.

This administration was subjected to unprecedented pressure for a price support increase this year. Since milk producers are organized well enough to exert that amount of pressure for a price increase which they felt justified in asking, I hope they are also well enough organized to avoid the dangers of overproduction.

They have here both a challenge and an opportunity which could make it much easier for them to secure price support increases in the future or, if they fail, will make it that much more difficult for those of us who seek to help them.

Under leave to extend my remarks, I include the entire text of Mr. Nelson's editorial:

EDITORIAL APPEARING IN THE MAY ISSUE OF DAIRYMEN DIGEST

(By AMPI General Manager Harold Nelson)
PRODUCER COMMITMENT

The Nixon Administration action last month raising dairy price supports for the 1971-72 milk marketing year to approximately 85 percent of parity offers both financial opportunity and sober responsibility for America's dairy farmers.

Just as Associated Milk Producers, Inc., along with cooperatives of similar goals such as Mid-America Dairymen and Dairymen, Inc., led the effort to increase the price support level, AMPI must now take the lead to help milk producers realize these monetary opportunities and meet these new national responsibilities.

Specifically, our opportunities rest in promoting the "total milk market concept." This means closer cooperation among dairymen in all parts of the country to insure an orderly marketing of milk. It means continued efforts to economize and make our operations more efficient.

Our responsibility rests chiefly in controlling the production of milk. It may be tempting for some dairymen to increase production now that support prices are raised. Nothing could be more damaging to the entire dairy industry. Increased milk production this year will seriously hurt milk prices in the market place and it will adversely affect our present favorable position with the government in the months ahead.

On behalf of AMPI, I pledge to each dairy farmer that we shall constantly work toward meeting the tasks mentioned above.

Also, on behalf of the 42,000 dairy farm families of AMPI, I say a sincere thank you to President Nixon, Secretary of Agriculture Clifford Hardin and to many other public officials who showed the courage of supporting increased price supports.

The announcement made by Secretary Hardin on March 25 increased the support level 27 cents per cwt. beginning April 1. The new level is \$4.93 per cwt. This means about \$500 million more to the hard-pressed dairymen of America who have steadily witnessed production costs rise higher than earnings.

The new support level will add approximately \$60 million for AMPI dairy producers in the coming year.

As I said earlier, the Administration's price decision took courage. For one thing, consumer groups are constantly criticizing high food prices. They seldom mention that the farmer doesn't profit from inflationary food costs. But there was pressure to keep milk price supports down.

Secondly, there were dairy farm organizations who actively worked against any increase in price for the milk producer. At least one of these organizations presented a paper to several government officials in Washington opposing the need for any increase in prices paid to dairy farmers.

I resent these organizations operating under the disguise of spokesmen for dairy farmers. They really want to increase profits from retail sales by lowering prices to dairy farmers. Lower prices to farmers may help dairy sales in the short run, but it will drive more dairymen off the farms and destroy our capacity to produce the future national needs.

In the final analysis, two factors had persuasive effect on the Administration's decision to raise prices. These were economic and political.

Foremost, was the economic argument. As Secretary Hardin stated, milk production costs have increased sharply. Farmers had no way to cut other costs to compensate for those which have risen.

Unless some relief were given, we would experience a continuing decline in production, milk cow numbers, and dairy farmers.

This adverse reaction in such a basic national industry would seriously hurt our entire economic structure.

President Nixon, along with Secretary Hardin, the Budget Director and several officials from the Department of Agriculture, met with about a dozen representatives of AMPI and other dairy cooperatives on March 23. The White House meeting was scheduled for 30 minutes. The President gave us over an hour of his time to thoroughly discuss the economic factors involved.

The political factor was also important. More than 50,000 letters from AMPI members and friends were sent to Washington asking for the price support increase. Equally important in my mind is that nearly 40,000 of our members sent letters of thank you after the decision was announced.

More than 150 members of the United States Senate and House of Representatives introduced legislation calling for support levels at 85 percent of parity.

The strength of AMPI is evident. Everywhere we went in Washington, we received courteous and attentive treatment. This reception could not be possible without the support of 42,000 dairy families throughout the central section of the nation.

GOOD AND BAD CANALS

HON. DON FUQUA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 3, 1971

Mr. FUQUA. Mr. Speaker, the Tampa Tribune of Tampa, Fla., printed an editorial on May 27, in which they compared pronouncements regarding two waterways in the Southeast.

Perhaps there was "maximum political benefit" to be derived from halting the canal.

But, there is one thing for certain—that area of my State has suffered great damage and millions of dollars have been expended.

I have not changed my personal opinion that the Cross Florida Barge Canal would have been of tremendous benefit to the American people—and I contend that its halt was a serious mistake.

The editorial follows:

GOOD AND BAD CANALS

Maybe we shouldn't mention this, but we find a suspicion of inconsistency in President Nixon's appearance at Mobile Tuesday to halt the Tennessee-Tombigbee Waterway as "a great engineering and economic achievement."

Isn't this the same President who last February summarily halted construction of the Florida Cross-State barge canal on the argument that it would harm the environment?

The Florida canal was 30 per cent completed. Its 107-mile length would have connected the Mississippi River-Gulf coastal system with the Atlantic inland waterway, providing protected passage for barges and pleasure boats which otherwise have to travel in open waters around the tip of Florida. It would have included five locks and two dams. Estimated cost: \$180 million.

Now consider the Tennessee-Tombigbee project. It is just beginning. It involves 235 miles of waterway, connecting the two rivers in west Alabama and east Mississippi and tying into the Mississippi River system. It will require 10 locks and five dams and substantial canal digging. Estimated cost: \$365 million.

Is it conceivable that all this work could be done without disturbing the ecology of that area? From an economic viewpoint, does this project have greater justification than a Florida canal which is a connector for the Atlantic-Gulf-Mississippi barge systems?

We find it difficult to believe that either supposition could be true.

After President Nixon stopped work on the Cross-State Canal, a confidential memo from the chairman of his environmental advisory council became public. It advised the White House that "maximum political benefit" could be obtained by terminating the canal construction, then under attack by vociferous conservationists.

We are impelled to wonder whether another White House memo has suggested that in Alabama and Mississippi, where environmental crusaders are apparently less influential, "maximum political benefit" lies in reclaiming this canal.

JEWISH WAR VETERANS CELEBRATE 75TH ANNIVERSARY

HON. JAMES J. HOWARD

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 3, 1971

Mr. HOWARD. Mr. Speaker, the Jewish War Veterans of the United States of America is currently celebrating its 75th anniversary, an anniversary marked with years of dedication, sacrifice and honor.

Throughout the United States this year, city, town, and borough governments are passing resolutions in honor of this very important anniversary.

A copy of one such proposed resolution was sent to me by a constituent, Milton Wilkots of Bradley Beach, N.J., a Fourth District vice commander of the Jewish War Veterans.

I was so impressed with this resolution that I wanted the opportunity to pass its contents on to my many colleagues in the House:

J.W.V.'s 75TH ANNIVERSARY PROGRAM

By these presents, greetings:

Whereas, service in the military has special significance for Americans of the Jewish faith, since during the Middle Ages, their ancestors were denied the right to bear arms and the opportunities for citizenship which were granted to the citizen-soldier, and

Whereas, from the days in 1664, when Asser Levy successfully petitioned the military governor of New Amsterdam (now New York) to stand watch and subsequently gained rights of citizenship, Jews have participated in every war in our nation's defense, and

Whereas, cognizant of their obligation as citizens, Jewish veterans who fought in the Civil War in 1896 organized into an association to advance the principles of democracy for which they and their comrades in arms risked their lives in battle, and

Whereas, the Jewish War Veterans is now the oldest, active veterans organization in this country, and for the past seventy-five years since their founding, have been in the forefront to advance the rights of all minority groups who have sought freedom on these shores, have pursued diverse community service projects not only to provide aid and comfort to the less fortunate veteran and his dependents, but to extend their assistance to all in need in our society, and have staunchly backed the aspirations of Israel for freedom and independence,

Now, therefore, I, (Mayor's name), Mayor of (Town), in recognition of the exemplary programs of the Jewish War Veterans for three-quarters of a century dedicated to the constitutional mandate of promoting the general welfare and providing for a more perfect union, do hereby salute their noble accomplishments and commemorate their diamond jubilee year with this proclamation and urge all citizens to join me in extending our felicitations to the Jewish War Veterans for meritorious achievements.

THE MENACE OF IGNORANCE

HON. JOHN ROUSSELOT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 3, 1971

Mr. ROUSSELOT. Mr. Speaker, now that the final wave of demonstrators who evidently intended to "capture" our Nation's Capitol have left the scene, and the very dedicated American citizens from the Menninite community have refurbished some of the devastated areas that were left wantonly and unnecessarily desecrated, it does appear appropriate to review whether those who have a genuine cause of protest have adequate means to redress their grievances.

Our Founding Fathers and the overwhelming majority of their successors to responsible governing positions have agreed to operate within our constitutional system. This "system" has provided more than adequately for individuals and/or organizations to make their grievances and suggestions well known and even to force them to be adequately considered. During the time that the so-called peaceful demonstrators were here in Washington, D.C., slashing tires, blocking roadways, tearing down benches for their bonfires, and generally disrupting the ecology of Washington, D.C., I had an opportunity to actually discuss some of the issues which brought these young Americans to Washington and found there was among them an abysmal ignorance of the facts that exist especially as they relate to the ability of all individuals to make their viewpoints known and eventually even see them implemented through the legislative processes provided by our Constitution.

Unfortunately, parents and our educational system have miserably failed in teaching the true meaning of our Constitution and why this instrument of freedom should be defended from the onslaught of attack which now seems to be violently overstated. David Lawrence has very cogently and clearly described the current circumstances that have resulted in the kind of unwarranted actions shown in Washington some 4 or 5 weeks ago in an editorial entitled "The Menace of Ignorance" which appeared in the June 7 issue of the U.S. News & World Report. I commend this article to the consideration of my colleagues and especially to those charged with the responsibility of educating our young:

THE MENACE OF IGNORANCE

(By David Lawrence)

More and more, the would-be leaders of the younger generation are endeavoring to

make a case against the "system" and are arguing that it must be demolished.

We may not be able to survive as a free people if our younger citizens are not taught the true meaning of the Constitution and what it is we are defending when we seek to uphold it.

Violence is being substituted for reason. On this page, in the May 17 issue, this writer said:

"Have these activists at school and colleges learned the fundamentals of the constitutional system in the United States? Do they realize how public opinion is formed? Why have they ignored the entire process by which our democracy functions?"

Efforts are being made to enlighten the teachers who are supposed to educate the nation's youth on the provisions of the Constitution and the values of the American political system. It is reported as unbelievable how little some of the teachers themselves know or care about such matters.

One organization—the Taft Institute of Government, formed by prominent persons of both political parties—has been holding seminars in different States and has succeeded in bringing about a new approach to the subject. A great deal more work of this kind is needed. For the big problem is that a substantial segment of the younger generation has acquired prejudices against the "system." They are ignorant of what the potential of the citizen's individual power for change happens to be.

All members of the House and one third of the Senate must face the voters every two years. The opportunity of the people to influence their representatives in Congress has been evident ever since the Republic was established. Congress listens to the voice of the citizens, and often members of the majority party will vote in favor of measures proposed by the minority if the bills seem to be in accord with the wishes of the people.

What's wrong with the "system"? The "demonstrators" give the impression that they want it completely dismantled. They speak with the same words that revolutionists and rebels in other countries employ in their efforts to overthrow government.

In America today, only a vocal minority is guilty of these rebellious tactics. The majority is bewildered. It would like to know why any group of intelligent Americans would wish to abolish our constitutional procedures altogether instead of using them to try to choose representatives who reflect the desires of the dissenters.

Many of the students who engage in demonstrations come from affluent homes but did not have the discipline to give them a sense of responsibility as they grew up. So they join with others in what they think are spectacular games. Even the more serious among them, were asked specifically to outline their remedies, do not seem to understand that the cure for any weaknesses in the existing system lies in the hands of the people themselves, who can act in the ways prescribed by the Constitution.

A free nation is one that is based on law and order, established through the exercise of the right to vote, the right to choose between the candidates of political parties and the right to put persons in office through open elections. These are conducted without violence and without physical coercion of any kind.

The tirades of the activists, however, give the impression that we have a totalitarian government or that some other form of despotism is in command. The truth should not be difficult for the activists to perceive. The schools and colleges should teach it so that all students could begin to understand the facts.

These are troublous times with problems that cannot be solved overnight. We are today in the midst of an economic crisis.

Unemployment is high, and more and more people are finding it hard to get jobs. Inflation has diminished the purchasing power of the dollar just as it has depreciated the value of currencies abroad.

Many of the young who find it difficult to get employment blame the "system" for the lack of opportunities. But they will discover upon further study that a free economy is not controlled by the Government but is influenced by a variety of circumstances involving tens of millions of people. The younger generation has, in fact, benefited from its operation over the years.

The nation has plenty of troubles besides its economic woes. Racial friction is increasing. Bombings of offices and public buildings continue. Riots erupt in cities across the country. This is not a time for otherwise sensible young people with college backgrounds to be urging more "demonstrations." For these could lead to tragic results.

As our population grows, sociological complexities will also increase. What we need in America is deep faith in our constitutional system which comes only when there is a knowledge and understanding of its advantages. For our greatest menace today is ignorance.

SOUTH DAKOTA GROUP BEGINS ENERGETIC PROGRAM

HON. FRANK E. DENHOLM

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 3, 1971

Mr. DENHOLM. Mr. Speaker, my colleague, Representative JAMES ABOUREZK, and I wish to call the attention of the body to an excellent tourist promotion program that has been launched in the great State of South Dakota.

An article in the South Dakota news media explains the program, South Dakota Trail Drivers, that was formed by the Great Lakes of South Dakota Association in cooperation with chamber of commerce, historical societies and other groups interested in the tremendous tourist potential of eastern and central South Dakota.

We have an excellent tourist industry in South Dakota. But this program will further benefit our scenic State, particularly eastern and central South Dakota, and I hope all of my colleagues will take the opportunity to read about South Dakota Trail Drives:

NEW TOURISM PROGRAM ANNOUNCED

PIERRE.—A new tourism program involving interstate highway sidetrips for vacationers and weekend outings for South Dakotans is being kicked off this spring by the Great Lakes of South Dakota Association.

Executive Director Keith Wilcox, Pierre, said the program had been dubbed "South Dakota Trail Drives." Trail maps will take travelers along routes with historical, cultural and recreational points of interest in eastern and central South Dakota.

The program, Wilcox said in reviewing it with Gov. Richard Kneip, is designed to help hold tourists in the state longer and spread tourists throughout the central and eastern parts of the state.

"Now we're too much of a bridge state," he said. "Tourists rush through on the interstate highway without realizing what areas in the eastern half of the state have to offer."

The Trail Drives will also enable South Dakotans to rediscover their state's history, culture and recreational points of interest.

"The Trail Drives emphasize our history, but travelers don't need to be history buffs to enjoy the trails. They're designed for the family," Wilcox said.

The South Dakota Trail Drives include:

PIONEER TRAIL.—The trail route is the Madison, Flandreau, Brookings, Arlington, DeSmet, Howard and Salem area, focusing on the early settlement and Indian culture of the area.

BIG SIOUX TRAIL.—Centering around state parks and Indian history, the trail is generally along the Big Sioux River—from south of Beresford through Canton, Klondike, Corsen, Garretson, Dell Rapids and Sioux Falls.

LEWIS AND CLARK HISTORICAL TRAIL.—The trail, retracing the footsteps of the early explorers, follows the Great Lakes of South Dakota. The over-all trail is divided into four tours—Westward with Lewis and Clark, Forts of the Old West, Fur Posts of the Frontier and the Land of Sitting Bull.

Wilcox said each of the trails, while carrying a separate theme, mix in varied history outlined on historical markers or the actual physical historical point of interest as well as modern attractions, recreational opportunities, exploring and other activities.

Research to prepare the trails has been under way since last fall in cooperation with historians, chambers of commerce and numerous persons in the travel industry.

Wilcox termed the South Dakota Trail Drives as "rest areas" and said others would be developed in the Great Lakes region next year. The Great Lakes Association carries out tourist promotion in a 40-county area involving the southeast fourth of South Dakota and in counties along the Great Lakes as part of its over-all program.

INDUSTRIES REQUEST GOVERNMENT-COLLECTED INFORMATION ON INDIVIDUALS

HON. EDWARD I. KOCH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 3, 1971

Mr. KOCH. Mr. Speaker, testimony before Senator ERVIN's Subcommittee on Constitutional Rights has documented the extensive surveillance and record-keeping carried out by government agencies upon political figures and the general public. The May 30 Washington Post reports an attempt by a number of defense contractors to gain access to these files for their own use.

In a meeting between the Industry Advisory Council—a group of 24 executives, largely from firms with substantial defense contracts—and Defense Department officials, the contractors, led by Mark Shepherd, Jr., president of Texas Instruments, urged the Government to open its intelligence files to individual industries, which would use the information for employment screening purposes.

In addition to this "exchange of intelligence information" the firms seek a central repository of criminal data and special FBI agents to work with them to identify militants. The article points out that—

Shepherd nowhere defines the militants he thinks threaten plant security. Nor does he mention the fact that an extensive plant screening program is in existence under the Pentagon's Defense Supply Agency.

The unchecked data gathering and recordkeeping activities of government

agencies already pose a grave threat to personal privacy and individual liberty. Raw data, be it rumor, misstatement, or inaccuracy, enters the files without scrutiny or challenge by the individual in question. Law enforcement agencies, which diligently report arrests, somehow become lax and forgetful in reporting charges which are dropped or cases in which the defendant is found innocent. Multitudes of Government files thus contain an incomplete and inaccurate statement of the individual's involvement with the law.

Congress must act decisively in developing balanced safeguards to counteract these intrusions into our private lives. For this reason I have introduced my Federal privacy bill, which now has 128 House cosponsors. That bill would require that each Federal agency maintaining records concerning an individual must:

First, notify the individual that such a record exists;

Second, notify the individual of all transfers of such information;

Third, disclose information from such records only with the consent of the individual or when legally required;

Fourth, maintain a record of all persons inspecting such records; and

Fifth, permit the individual to inspect his records, make copies of them, and supplement them.

Exceptions would be made in cases specifically required by Executive order to be kept secret in the interest of national security or for cases awaiting prosecution. The President would be required to report to the Congress each year on an agency-by-agency basis the number of records withheld for the above reasons.

The present protections for individual rights are inadequate. The view of the executive quoted at the Shepherd conference who said, "Running industry, you can't live within the rules," cannot be permitted to go unchallenged. Therefore we must provide strong regulations protecting personal privacy, and these regulations would have to be obeyed by all.

The article appears below:

[From the Washington Post, May 30, 1971]

FIRMS SEEK PENTAGON'S SECRET FILES

(By Bernard D. Nossiter)

The Pentagon's chief business advisers have quietly urged the government to open its intelligence files for industry. The files, they say, would make it easier to keep militants out of defense plants.

The proposal was made last February at a closed-door, Defense Department meeting of the Industry Advisory Council, or IAC. Mark Shepherd, Jr., president of Texas Instruments, told fellow IAC members and ranking Pentagon officials:

"Industry's immediate problem is to protect itself through some means from the violence-oriented militant. Much of the legislation dealing with the social ills of our society over the past 15 to 20 years has unwittingly limited or eliminated many of the former methods used by companies to screen out this type of individual."

Shepherd, whose firm is the 32d biggest defense contractor, asserted that "our first order of business would be to take the necessary action to enable the government to share its intelligence with industry in some appropriate manner."

In addition to "an interchange of intelligence," Shepherd proposed:

"A central repository of criminal data for the purpose of screening job applicants."

"Special FBI agents who can work closely with companies on an area-by-area basis to identify potential militants."

Shepherd's view, IAC records disclose, was enthusiastically endorsed by other defense industry executives at the meeting. William P. Gwinn, chairman of United Aircraft, the 6th ranking Pentagon contractor, said:

"It is conceivable that if the present restrictions on the release of such information to industry are not modified, industry may in effect have to establish an undercover organization of its own in order to protect itself."

The meeting's minutes, obtained by The Washington Post, do not disclose the reaction of David Packard, chairman of IAC and deputy defense secretary, and the Pentagon generally to the proposals of its industrial advisers.

But Joseph J. Liebling, deputy assistant secretary for security policy, observed in a telephone interview that the department, in 1969, endorsed a section of a bill that would enable federal agencies to give intelligence information to private defense facilities. The measure was sponsored by Richard Ichord (D-Mo.) chairman of the House Internal Security Committee, the old Un-American Activities Committee.

The IAC executive secretary, Robert D. Lyons, minimized the importance of Shepherd's plan. He told a reporter he knew of no action that had been taken on it and remarked that IAC had not created a subcommittee to give it further study.

But another participant in the meeting, Maj. Gen. Lloyd B. Ramsey, the Army's provost marshal general, had a different view. He said that Shepherd's presentation was "received extremely well."

Ramsey recalled that Shepherd had said "living within the rules is very difficult" and that another, unidentified executive then commented, "Running industry, you can't live within the rules."

Ramsey said that "my own feeling is that he (Shepherd) brought up some excellent points."

The IAC consists of 24 leading executives, mostly drawn from the defense industry and its financiers, who serve on a rotating basis. They meet with Packard and other high Pentagon aides three times a year and are largely concerned with contracts and profits. IAC was created by Robert S. McNamara 10 years ago to provide "direct and regular contact" between Defense and industry. Its two-day gatherings, always in private, bring together top leaders of the defense industry and high Pentagon officials.

THROUGHOUT GOVERNMENT

A Senate Subcommittee on Intergovernmental Relations under Lee Metcalf (D-Mont.) has been investigating the nature and influence of business advisory groups on agencies and departments throughout the government. Metcalf is planning to hold hearings in mid-June on the Pentagon's IAC. The senator has introduced a bill to broaden the membership of these advisory groups, require them to maintain a full transcript of their proceedings and open their sessions to the public.

At IAC's afternoon meeting on Feb. 12, the subject of "Plant Security" was on the agenda and it was there that Shepherd advanced his plan.

Much of his prepared text dealt with what he regarded as legal and administrative curbs on industry's freedom to screen prospective employees. He talked of "drastic limitations" in many states "on such useful screening instruments as the polygraph (the so-called lie detector). He complained that "legislation aimed at prohibiting discriminatory practices has forced the removal of

certain questions from the application for employment form."

He singled out a federal court decision under the Civil Rights Act which, he said, prevents employers from asking applicants whether they have even been arrested.

"This is a severe restriction," Shepherd said. "Industry must have this latitude in regard to background investigations—not only for the purpose of screening out, but also to identify those employees with a propensity for violent activity."

"The amendment or elimination of this question enables an applicant who has multiple arrests for loitering, illegal picketing, disorderly conduct, and a host of other misdemeanor charges frequently associated with militants, to avoid having to reveal such a sordid background for a prospective employer."

Shepherd did not contend that industry was prohibited from asking applicants about convictions, as opposed to arrests.

AUGUST GUIDELINE

He twice complained of a new guideline issued in August by the Equal Employment Opportunity Commission. It prohibits job tests that have "no known significant relationship to job behavior," noting that "doubtful testing practices . . . tend to have discriminatory effects."

This rule, said Shepherd, "poses a problem in the security area for industry." He added that he does not oppose "reasonable restrictions aimed at avoiding discrimination. It is simply that these regulations, regardless of merit, further impair an employer's attempt to effectively screen out a potentially dangerous individual."

"Over the past four decades," Shepherd said, "management has encountered a mounting number of restrictions from federal and state legislation and union contract provisions relative to termination of employees. To me, this clearly indicates the necessity and desirability of maximizing, rather than restricting, our ability to identify militants prior to employment."

The Texas Instruments chief also cited court decisions governing libel and prohibiting "backlisting" for union activity."

"These decisions have made it an extremely precarious practice to divulge to another company the reason for an employee's termination beyond the most innocuous statement," he said.

Shepherd nowhere defines the militants he thinks threaten plant security. Nor does he mention the fact that an extensive plant screening program is in existence under the Pentagon's Defense Supply Agency.

At the end of 1969, 13,255 plants engaged in classified work came under this program. All employees engaged in classified work must be cleared by the Pentagon unit which requires workers to fill out detailed questionnaires.

In determining whether a new worker is eligible for clearance, the Pentagon considers 21 criteria, including whether the man has a "sympathetic interest in . . . subversive movements," any behavior, activities or associations which tend to show that the individual is not reliable or trustworthy" and similar, broad categories.

Despite Shepherd's complaint that law enforcement agencies are reluctant to give industry their files, he acknowledged:

"Companies large enough to warrant full-time professional security staffs usually make suitable legitimate arrangements for these checks at local police departments and sheriff's offices."

UNITED AIRCRAFT

Gwinn of United Aircraft, also noted that: "We, like your organization, because of numerous contacts that our plant protection people have with various agencies are able, fortunately, to obtain much information unofficially. We believe, however, that the gov-

ernment agencies should release this information to industry as a matter of right . . . If infiltration of industry by leftwing militants is to be stopped, industry must have access to the information now available in the files of various government agencies."

Another strong endorsement came from IAC member Willard F. Rockwell, Jr., chairman of North American Rockwell, the 7th ranking defense contractor.

Like Shepherd, Rockwell's language implied that union organizers would be an appropriate target for screening.

"It is important," Rockwell said, for a plant "to be able to maintain a reasonable working environment for all its employees. A worker does not need to plant a bomb to have a degrading and demoralizing influence on his activity. There is a fine line between the agitator and the militant. If an individual has a bad record . . . employ him . . . minimize the circumstances that would be conducive to negative behavior."

Ramsey, the provost marshal general, also addressed the IAC meeting and warned that "industry has an enemy more so now than ever before."

He called for "industrial defense decisions . . . based on the hard realities of the offensive capabilities of the terrorists, activities and revolutionaries."

SOMETHING MORE SINISTER

The "threat," he said, "is created by a mixture of militant minority groups and conspirators . . . We are moving from the riots characterized by mindless destruction to something more sinister: the increase in the national crime rate; student unrest and disobedience; the 'hit and run' tactics of the hoodlum element and the escalation of terrorist bombings may be indicators of worse things to come."

"Proponents of this movement," Ramsey said, employ techniques that "range from infiltration to cause unrest and dissension among the work force to the use of explosives in the destruction of property."

Ramsey has recently explained that his reference to causing worker unrest did not refer to union activity and that, in fact, he knew of no group now engaged in such activity. He said he was talking about "a possibility."

At the IAC gathering, Ramsey urged the executives to draw up "industrial defense plans" and offered his staff to advise on them.

Ramsey told a reporter he received a "very interested" response from the "high powered" executives assembled. Under the auspices of the National Association of Manufacturers, he said, he has been addressing "seminars" on plant security across the country and is now gaining the attention of "top management."

RECENT PRIMARY ELECTION IN COMMONWEALTH OF PENNSYLVANIA

HON. JOHN WARE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 3, 1971

Mr. WARE. Mr. Speaker, I would like to compliment the Daily Republican, published by the Phoenixville Publishing Co., of Phoenixville, Pa., for their editorial in connection with the recent primary election in the Commonwealth of Pennsylvania.

The editorial follows:

DID YOU VOTE?

Today is Primary Election day. If you are reading this and have not voted, you should be experiencing a sense of guilt.

The test papers of candidate persuasion will be marked by the voting public by 8 o'clock tonight. Selections will be the nominees to represent their respective parties in the November General Election.

The public will be a kind of arbiter in party decisions where independents challenge the party's endorsed candidates. Ignoring this opportunity to choose leaves you out of some very important decisions.

From the public's point of view these challenges to party selection reflect democratic interest in governmental operation and maintenance of a quasi-check and balance system on dynasty-minded politicians.

These challenges also are symptomatic and reflect disenchantment; they provide a chance to make changes for the better; their plea for improvement on the do-nothingness and obstructionism which irk civic-minded, tax-paying citizens.

Whatever the persuasion, you the registered voter have choices to make. We urge you to make the choice before deadline tonight.

THE 1971 CRUSADE FOR CHILDREN IN LOUISVILLE GREATEST SUCCESS TO DATE

HON. ROMANO L. MAZZOLI

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 3, 1971

Mr. MAZZOLI. Mr. Speaker, on Saturday, May 22, Louisville's 18th annual Crusade for Children opened at the Memorial Auditorium. The 1971 crusade was on WHAS-TV for 21 hours and 55 minutes—1 hour and 3 minutes longer than the 1970 crusade. The total funds collected in this year's crusade were substantially higher than last year—\$612,147 as compared with \$578,252.

It is estimated that to date more than a half-million handicapped children have been helped by crusade grants.

Much of the credit for the crusade successes to date, which have netted nearly \$6 million, must go to the firefighters of the Kentuckiana area. Approximately 125 Kentucky and Indiana departments participated in this year's crusade with solicitations, benefit fishfries and dances and hard work. We cannot, of course, overlook the contributions of labor, business, church, and civic clubs. These also contributed substantially to the record amount collected.

Rick Northern, staff writer of the Louisville Courier-Journal, wrote an excellent account of this year's crusade which appeared in the May 24 issue of that paper. I insert his article at this point in the RECORD:

CHILDREN, FIREMEN, AND ALL LEFT CRUSADE SUM TO \$612,147

(By Rick Northern)

Arms locked, a worn and weary crew of volunteer firemen, Marines, WHAS staffers and others sang "God Bless America" a few minutes before 8 o'clock last night, ending the 1971 WHAS Crusade for Children, the biggest, longest, and for most, the best ever.

The tote board behind them said \$612,147, the largest total ever in the Crusade's 18-year history of raising money for physically and mentally handicapped children.

The 1970 Crusade had ended at 6:52 p.m. with \$544,002 on the tote board. After the show ended, the count of unrecorded pledges pushed the total to a then-record \$578,252.20

The 1971 Crusade was on the air for 21

hours and 55 minutes, one hour and three minutes longer than last year's.

For more than twenty-one hours, they trooped onto the Memorial Auditorium stage. Volunteer firemen juggling money in by their bootstraps; little kids with wide-eyed grins, gawking at all the cameras, shaking hands with Cactus Tom; old ladies with canes clenched in one fist and dollar bills in the other; smiling youngsters in wheelchairs.

The line leading to the fishbowls in front of the camera was so long at times you'd have thought someone was giving money away, not collecting it.

Once on the air, the givers took their sweet time telling how they'd collected the money "to help the crippled children."

Two young boys saved pennies from their allowance for a year. They proudly told Barney Arnold they had "three eighteen." "\$318!" Arnold said. "Nope, \$3.18," one answered sheepishly.

"Well, that's just as good," Barney said.

A lady in her eighties made potholders and sold them for the Crusade.

A swarm of youngsters said they put on a variety show and racked up \$20, at least that's what the figure sounded like through the giggles.

And then there were the volunteer firemen, the backbone of every Crusade. From noon on, truckloads of firemen would come tooling down Fifth Street every few minutes, sirens whining, firemen waving.

When it came time for them to announce how much they collected this year, invariably it would be "a little bit more than last year."

WHAS television and radio personalities took turns under the sweltering lights asking givers their names and then shouting out the totals for all to hear. Some WHAS technicians worked through the whole Crusade without any sleep. By the time it ended last night, some were so sleepy they were giddy.

Karen Morrow, of television's "Jim Nabors Show" was as big a hit offstage at the Crusade as she was on.

She did a rousing musical medley to help kickoff the program. Then for hours she signed autographs in the firemen's room in the Auditorium basement. She signed "Love, Karen Morrow," on every little boy's firehat she could get her pen on. And for many not-so-little boys, she signed "Love, Karen Morrow," on their forearms: "I'll never wash it off," one fireman in his twenties vowed.

From the firemen's room, with her colorful maxi dress attracting plenty of attention, she headed back outside to talk to the firemen, then back inside to chat with the Archbishop Thomas McDonough, and thank him for the \$40,000 the Catholic churches contributed.

Whenever a particularly big contribution came in, such as the \$45,000 from the General Electric Employee's Fund, or when the tote board hit a milestone, like a quarter or a half million dollars, the auditorium would erupt with all kinds of dancing, singing, yelling and electronic gadgetry.

WHAS had a light screen set off to the side of the stage, and whenever the board hit a big number, one camera would train on all the colored lights and the director would flash that picture over one of the center stage. Two bright "applause" signs would flash on to alert the audience, in case they hadn't taken the hint from the stage.

A big, burly guy with a beard would wind up a fire siren.

And the band would play an appropriate tune, such as "We're in the Money," while the clowns and kids and people on the stage provided the pandemonium.

Telephone girls worked long hours under the hot lights, but not quite on-camera. They constantly answered blue-and-red princess phones and wrote down contributions.

"I've had three or four \$1,000 contributions," Jane Gering said, "and they've all been verified."

But while Jane took calls pledging a lot of money, she also had to put up with some crank and some obscene phone calls.

"In the last twenty minutes, I've had three or four obscene phone calls," she said, "but I guess the contributions outweigh all the trouble."

And then there was Kevin Adams.

10-year-old, braces on both legs, Kevin sat patiently in his wheel chair parked just off-stage for a couple of hours yesterday. He was waiting to go on stage with the Fern Creek Fire Department and report how much "they" had collected.

"Kevin was a great help collecting," one fireman said. "He pitched in there and helped just like the rest of us."

While Kevin waited to go on, some women came up to chat with him.

"You know, Kevin," one of them said, "all these people out here, all these firemen, and all these other kids are doing this work to help you."

Although speaking isn't easy for Kevin, he said "Thank you" quite clearly, and smiled.

SUCCESS ACHIEVED UNDER THE FHA SECTION 235 PROGRAM

HON. DAN KUYKENDALL

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 3, 1971

Mr. KUYKENDALL. Mr. Speaker, at a time when the fiscal year 1972 HUD appropriations bill is being worked on by the Subcommittee on HUD-Space-Science, and at a time in our history when our housing shortages have reached mammoth proportions, we might do well to point with pride to the success which has been achieved under the FHA section 235 program. A recent report by the Mortgage Bankers Association outlines this success, and the reasons for it. I commend this report to the attention of all of us who will be called to act on this bill during the coming months:

APPENDIX I—MORTGAGE BANKERS ASSOCIATION OF AMERICA REPORT WHAT'S CAUSING THE SUCCESSES IN 235 PROJECTS?

When a human enterprise is going smoothly, headlines are not in order. It takes controversy to make a front-page story. This journalistic axiom has attracted a lot of justified public exposure of the abuses that have occurred in the FHA section 235 low-income housing program. Now we know what not to do. But, what about 235's successes? It is more constructive, now, to explore the causes of 235's success than to fan the ashes of its failures.

There have been successes. Their weight far overbalances the failures. They are a source of pride for all those involved in the processes, including both the public and private sector and for the thousands of former slum dwellers whose quality of life has been improved.

What did the successful projects do that was right? What techniques at the underwriting, closing and servicing stages in the successful projects are keeping down the delinquencies and foreclosure rates? How can we use this information to extend pride of ownership and a stake in our capitalistic system to a larger segment of our citizens? Getting this information, firsthand, meant going out and talking to the people involved.

MBA selected four areas of the country now experiencing outstanding success: Tennessee, Georgia, Florida and Wisconsin, but every state has many more 235 successes than it has failures. The names of home-buyers appearing in the report have been changed to protect the families' right to privacy, except where their stories have already been made public.

In Central Florida

Mrs. Walter Lee Dunn from her front porch in Lakeland, Florida, looks down her street and sees 16 attractive, well-built homes, shaded by mature orange trees instead of the sagging porches and gray, unpainted siding on tiny slum shacks. She's moved out of the slums, and her life is better. She doesn't intend to go back.

The Dunn's are one of 60 families thus far to move into the Laughner-Kelly \$15-million Golden Northgate Development—and one of 160,000 low-income families throughout the nation who, since 1968, have moved into new and reconditioned homes. The homes are available to low-income families under the U.S. Department of Housing and Urban Development (HUD) program which subsidizes a part of the family's mortgage payment and interest cost on a home. The program, Section 235 of the 1968 Housing Act, will subsidize a maximum of all but one percent of the interest payment on a 235 mortgage. The portion of the interest payment picked up by HUD's subsidiary agency, the Federal Housing Administration (FHA), will vary with the family income. Thus, if the normal, prevailing interest rate is seven percent in the nation's long-term credit markets, the government might pay as much as 6/7ths—or as little as 1/7th of the annual borrowing charge. The buyer pays the principal.

Otis Williams, president of the Lakeland NAACP and sales manager for housing in the 180-acre development said that Laughner-Kelly plans to build 528 single-family homes in the Golden Northgate site within the next five years.

Counseling is the Key

"The development will not turn into another slum," Williams said, "because the buyers will receive housing and home management counseling."

Williams is also local chairman for the Urban-Rural Development Corporation of Florida, Inc. (URDC), a nonprofit organization to provide family counseling, headed by Marvin Davies of St. Petersburg. Williams has contracted with FHA to establish a counseling program in five Polk County cities. A committee of community leaders has volunteered to help URDC implement its contract.

In a meeting last July in Lakeland's city hall, the subject of how to achieve a satisfactory relocation for the families being displaced by the pending construction of a city auditorium was discussed.

H. W. Stockard, president of the First Federal Savings and Loan Association; William E. Arnold, district manager for the Social Security Administration; Otis Williams; Kelly Price, insurance agency head; and Dwight Burkam of the city planning staff volunteered their services.

Space for the volunteer committee was made available in the city hall. The office is a clearinghouse and coordination point for information and provides record-keeping services. It refers families to counselors. Their referrals originate from builders, lending institutions, the FHA and real estate agencies. They also conduct initial interviews with homeseekers.

A series of clinics was set up to explain such matters as zoning, taxes, architectural design, landscaping, insurance, financing and credit, and the simple mechanics of home maintenance.

Flexibility required

"Measured by normal standards, these are bad credit risks," Williams said, "and they

will need our help to adjust their present obligations enough to qualify to buy housing under Section 235 or 237 and keep up the payments within FHA's 25 percent-of-income formula." Section 237 of the 1968 Housing Act established a home counseling program for buyers under a broad range of FHA programs, including 235 applicants.

Is that all there is to it? "No," said Williams, "after a person starts paying for housing, his qualifying income may be subject to more than the normal hazards to stability. Cutbacks in employment often mean his job is the first to go. In an inflexible program, the fluctuating income of a housing purchaser could start a chain of events leading to foreclosure on his mortgage. If this happened in enough cases, the entire housing development could fail."

This had led to a great deal of controversy around the country, in instances where 235 buyers, sellers or lenders have been unable to make a satisfactory adjustment of their economic operations to meet the requirements of this special housing market.

To say flatly that "you'll never rehabilitate these people, so forget it" is thought to be as wrong as saying forget Penn Central because they made some bad decisions. Bad decisions are not the exclusive province of the socially or economically disadvantaged. Anybody can decide his way into trouble.

The interests of society are involved in either case, and it requires some outside guidance when the problems resulting from bad decisions cannot be resolved with internal know-how. Higher wisdom can be sought and know-how can be taught, if the disadvantaged domestic decisionmaker is exposed to it.

Flexibility of the rules and special concessions were necessary in the case of Penn Central and some flexibility in underwriting will be necessary with the housing of low-income families. In each case, the risk should include a plan to reduce the causes of risk.

Fronting for the buyer

Counseling seems to make a difference. In Memphis, Tennessee, mortgage bankers, builders, realtors, and the FHA office all refer Section 235 applicants to Housing Opportunity Memphis Enterprise, Inc. (HOME). Over 400 low-income housing applicants in Memphis have been sent there for counseling in credit and home management. Right now, HOME consists of one volunteer, Maeola Killebrew, who receives no remuneration for her efforts. At home, in the black community, she is Mrs. Marshal Killebrew, in her mid-thirties, and the mother of five well-behaved young children. Her husband works two shifts to support their family.

Downtown, in a sparsely furnished office, Maeola the counselor swivels cautiously in her chair, gripping the front of her desk for balance as she interviews a client, Mrs. Elsie Brown, who is trying to get her family into a Section 235 house. She now lives in rented quarters.

Mrs. Brown's glistening black hair is piled neatly in a soft bun. Her sturdy form is conservatively bound in a good green wool skirt. The fine material bears the mark of good service through the years. In her voice, there is an anxious tenseness, masked by laughter, as she watches for meanings.

Mrs. Killebrew reviews the case: "Mrs. Brown, in the past, has been on welfare as an ADC (Aid to Dependent Children) recipient. She was due for recertification of welfare in February. Shortly before her recertification came up, she found a job at the Greyhound garage in Memphis at \$3.52 an hour as a temporary employee. Naturally, she wants to keep the job. The man who handles her case at the city welfare office noted the temporary employment at the time she applied for recertification of her permanent welfare status. He refused to recertify her because she had failed to report her temporary job. Mrs. Brown does not want to re-

move her foot from one base before establishing it on another. Her dilemma is this: Permanent income of the type she was obtaining from welfare is needed in order to qualify her for a 235 house. The temporary work is not likely to qualify her. She would have had fewer problems with the system if she had quit the temporary job and stood pat on welfare.

"Thus, we are encouraging people not to work and not to find employment. It is likely that Mrs. Brown would have reported her job once it became permanent, even though it, then, made her ineligible for welfare payments. There needs to be flexibility and a little less zeal at catching people on the part of welfare workers. Mrs. Brown is not trying to cheat. She needs the time to make a prudent choice. When seven children are depending on her, it seems a reckless gamble to cut herself off from welfare on the strength of the temporary job. Her job became permanent in January. She felt it would be sufficient to report that she had a job at the time of recertification.

Establishing a qualifying income

"Now that she is making a relatively substantial income, she wants to buy a house. At the moment she lives in public housing. Her rent in public housing is going up and she can almost count on \$90 a month. I called her welfare worker, as her welfare has to be verified when she starts to purchase a house. What I am doing is a little preliminary qualifying to see where the weaknesses are so that we can start to build up her income qualifications. I believe she will qualify without the welfare grant. I begged the welfare worker for mercy to temper this thing a little bit. The welfare worker said he was going to file a complaint with the legal department in Nashville. His principal interest seems to be to get her hung up good. With that attitude, he's an eligibility worker, not a welfare worker. Okay, so it was wrong for her not to immediately report it if this is the policy, but the welfare grant has already been termed inadequate for women with lots of children.

"I have talked with numerous women in similar situations who had a chance to make a little extra money and they need it, but they turn it down because they don't want to jeopardize their welfare grant. Now what kind of a thing are we encouraging here? We are encouraging them to sit there and try to make do.

"All of this can very well affect Mrs. Brown's efforts to get a house. I'm going to resolve it before we get through. The management out there at her apartment says she pays the rent regularly and he'll verify this to the credit bureau. This is a typical example of how total welfare for a family affects their efforts to try to buy a home. The question of her welfare status must first be cleared up before her qualifications for a purchase of a home can be determined. Meanwhile, nothing can get off dead center. I intend to determine what the ADC policy is in a case like this, and then I'm going to quote a little policy to the welfare worker.

The importance of being earnest

"This is how HOME helps these families. I'm concerned sometimes that perhaps I'm pushing too hard. I want to keep rapport with the agencies, but how much concern do you give before you reach a line of demarcation and forget about rapport?

"I'm willing to predict that we will get her a house. It will take a matter of roughly seven days till the report comes back from the State, but we're not going to wait for that. I know what kind of a house she needs, and I'm going to contact several builders and see what we can find. My office already has some listings. Knowing what her desires are and her capability to pay, I can call her. If she doesn't have transportation to go out and see them, then I can furnish her with

that. Any questions she has I can answer before she contracts to purchase the 235 house. Then I'll work with her during the contracting phase while the house is being built, and I'll also work with her in dealing with the State welfare agencies."

Mrs. Brown asked, "Now that we have reviewed the welfare situation, what does FHA want in the way of information from me?"

Mrs. Killebrew replied, "The FHA will want to know about your credit. The credit bureau will contact the resident manager where you are now paying rent and ask if you live there, how much rent you are paying and how you pay it, and whether or not you pay on time.

"When I get this credit report back, you and I are going to sit down and go over it. If you are in disagreement with it, then you are going to have to prove it is inaccurate. I'll work with you and suggest some things that will strengthen your case and prove it one way or another.

"If the welfare man injects his two cents worth, he is infringing on my territory and he and I will have it out. He can't dictate to FHA whether or not you should get a house. All that FHA wants to know is do you, in fact, receive ADC and how much? I don't want to see him influence Percy Galbreath against you. This appears to be what he is trying to do."

Large old homes for large young families

Percy Galbreath & Son, Inc., is the management agency for Good Will Village, the rent supplement development where Mrs. Brown now lives. Galbreath, a Memphis mortgage banking company, is also financing some existing 235 housing in the Memphis area. The financing of upgraded existing housing, under the 235 program in this area, has been generally limited to hardship cases due to the large number of children in a family in quarters inadequate to their needs. For example, a two-bedroom house is inadequate for a family of 13 if teenage boys and girls have to share the same bedroom.

Mrs. Killebrew said, "Here is where a large, old house with many rooms can improve the situation. Also, when you have everybody jammed into a small space, if one child catches measles, they all catch them; the same with pneumonia or colds. In such a case, the health department has to go in and declare the house unfit. This, too, is a qualifying factor for new quarters. Sometimes they'll say it is not a health hazard, it is just overcrowded. Sometimes it involved going to the house and taking pictures of rats and holes in the wall.

Mrs. Brown asked, "Do I qualify?" Mrs. Killebrew replied, "You have enough income. If your credit is as you have indicated, then you will qualify, in my opinion. When we get to FHA, it might be a different situation."

She said the FHA would be concerned most about credit and income and said, "Families are missing out on a house because they don't have a person to run interference for them."

Working for free

Mrs. Killebrew runs interference without any salary right now. At one time, she was being paid for counseling through HOME. She said, "Hopefully, the people in Washington with the power to provide funding for counseling 235 and 237 applicants will get up and act. There's no money now to pay for my time, but having been involved since 1968, when this program was started by Representative Dan Kuykendall, I had to continue to work with the subsidized homebuyers or I would feel like I was deserting them. I know that if I don't stick it out, they won't get a house or be able to keep it. What I am doing with Mrs. Brown, I am doing voluntarily. I could have appointments all day, everyday. There are just that many people. But I can't afford it financially and still run my own home. I have to make some money

some time during the day, but I still give as much time to it as I can. Someday, somebody up in Washington with the authority will see and recognize that this kind of service is worth paying for. Then maybe I can come back up here and work full-time with the families."

It doesn't fit a pattern

Mrs. Killebrew said, "There is also an obligation on the families to help themselves in this process. Some of them get discouraged and quit. If they quit, then I stop. Because if I push them into a house that they're not ready for, then I would be compounding their problems. Most of the people who get these houses and have had counseling understand and appreciate what they have and they take care of it the best they know how. They may need further counseling to do it.

"You have to be resourceful to get the job done. It doesn't fit any bureaucratic pattern or formula. At one point, one of the women I was counseling had to go into the hospital right away because she was having a baby. The only way we could get a doctor to come to the phone was to enlist the aid of a cooperative reporter to call the hospital and say, 'I want to do a story on this.' We got her into the hospital, but they made the husband wait around and wouldn't let him leave—not that there was any need for him to be present. That left their four little children alone at home, so I got their children and took them home with me till the father could leave the hospital. A month and a half later, he called to tell me he was sick. I never could get the hospital admissions people to return my phone call. I didn't hear anything further from the family and decided to check to see how they were doing. I found that the husband had died. Practically everybody in the community had called that hospital, but they said he wasn't sick enough to be hospitalized, but he died. Yet that guy over at welfare cut her grant down to \$39. Now she faces the possibility, again, of losing her home. As soon as she gets a Social Security number I can go to work for her." This is a sampling of the operating universe of the successful counselor.

Moving up

In a primarily black, new housing development called Western Park, in Memphis, Mr. and Mrs. Andrew Brook and their eight children have ventured into home ownership. They are paying one percent interest on their 235 mortgage. The payments are \$98.00 per month. It is a modern brick veneer, four-bedroom rambler, on a slab, and neatly maintained on a corner lot. There's a concrete walk, front and back. The house sold for approximately \$17,500 three months ago. Mrs. Brook said the builder is very prompt in responding and handling their very short list of complaints. The firm also has been active in the leadership of HOME.

Formerly, the Brooks lived in Clayburn Homes, a Memphis public housing project.

The brick veneer of civilization

In public housing they paid approximately \$62 per month. As subsidized buyers, their share of the mortgage payment is \$98 a month. They are industrious. The husband is a guard at a liquor distributor's warehouse located in a nearby section of White Haven. He drives to work. Mrs. Brook works in nearby jobs five days a week. New schools are within walking distance.

Mrs. Killebrew helped them to locate the kind of house Mrs. Brook wanted. At the time they were looking, their present location was merely a lot. They bought it on the basis of description and explanation by Mrs. Killebrew. Once the house was selected, Mrs. Killebrew wrote a letter to FHA describing the family and their priorities and obligations and the fact that the husband works, also, that the children are under parental control,

and that if the people were given a chance to buy the house, they would keep it. She also told FHA that they are a very close couple, making this a stable family. Mrs. Killebrew gets this kind of information by sitting down and talking with them.

In the public housing unit where Mrs. Brook and her family lived before, she was very concerned about the number of unsupervised children. In her suburban locale, she finds that street gangs don't flourish. She is pleased with the contrast. It is much easier to supervise the children than it was in a massive in-town housing development with hundreds of unsupervised children.

A couple of miles away, more 235 housing is underway in a development called Indian Hills. Here, cheek-by-jowl with the 235 buyers, in the same kind of houses, are a compatible minority of unsubsidized FHA 203(b) buyers. Three and four-bedrooms with two or three baths, these homes have been built for large families. They are all one-story ramblers of brick veneer. Prices begin as low as \$16,000. The FHA maximum is \$18,500 here. The builder, Mickey Rainey, uses Mrs. Killebrew for counseling.

What is it about the counseling that is making 235 succeed for Mickey Rainey? Maeola Killebrew says, "To answer that, we're going to have to drop in on some people."

She knows her people

On the way down the street she called to people along the route, "Hi, Esau!" She explained, "He's got a twir, Jacob. I'll see Esau and Jacob in church Sunday."

She stopped at the home of Mrs. John Smith. A public health nurse was just leaving. Mrs. Smith immediately started telling Mrs. Killebrew of her friend who she knew wanted a house. Mrs. Killebrew took the name and phone number. Mrs. Smith told of her nerve trouble this year, her two operations last year. There were some tiny finger marks along the white walls of the interior of the house. Mrs. Smith has six children. Mrs. Killebrew advised her to train them not to put their hands on the wall. "Watch them on that," she said. Before we left, Mrs. Smith was slapping little hands as they moved to touch the walls. Further advice from Mrs. Killebrew urged Mrs. Smith to follow through on her shouted instructions to the children. "Get up and make your daughter clean the kitchen as she was told to do rather than shouting again fifteen minutes later," she said. Asked about the problems of home ownership, Mrs. Smith said he had no complaints, except for the woman behind her who had a big police dog. She said, "That woman turns that big dog a-loose and he comes over and throws my garbage and cans all around the yard. I told her I'm going to get a shotgun if she don't keep the dog out of my yard."

Aside from the dog, Mrs. Smith has no problem with the house. Mrs. Killebrew asked for a chance to speak to the neighbor before any shotgun action. Mrs. Smith had this reaction to being a home buyer: "I like it fine. It really makes a difference to be in our own place. Mrs. Killebrew found it," she said.

How did she find Mrs. Killebrew? "At the church home." Somebody she knew heard Mrs. Killebrew addressing a church group about the 235 low-income housing program.

Mrs. Killebrew, reflecting on the counseling visit at the Smith house, had this observation: "You have culture you can lend your neighbor, if you take the time to be nice to them."

Credit restored for divorcee

In the concrete driveway of another 235 house, in a development about a mile from the Smith's, Mrs. Killebrew wheeled a tricycle out of the way and parked it. In the front yard a small elm will, one day, cast its shade on the attractive, veneer brick rambler. The residence belongs to Mrs. Marshall Free-

man, a divorcee. This house was bought under an "existing" 235, FHA-insured program. Prior to her divorce, Mrs. Freeman and her husband were buying a house in another location. He left. She had no work experience that would qualify her for a job with sufficient salary to keep up the mortgage payments on the previous house. It immediately went into foreclosure.

When Mrs. Killebrew found her, she was living in the most run-down rented quarters in the Memphis area, across the street from a cotton gin. The gin attracted rats. Mrs. Killebrew said, "The house was full of rats." She had five children and paid \$60 a month for that apartment with holes in the floor.

"The foreclosure hurt her record considerably when she came to apply for 235 financing." Mrs. Killebrew said, "When she was referred to me, I was in a position to know that, while her credit had been ruined by the foreclosure, it was not caused by Mrs. Freeman.

"She is now taking up the role of a seamstress full-time. She had worked in a dress shop and on the side she would do this seamstress work and alterations. It was difficult to establish an income as a seamstress. She has a child with a respiratory infection, which helped to establish her hardship situation," Mrs. Killebrew said. Mrs. Killebrew helped her to establish her ability to buy.

Where does the job end?

Reflecting on the visit with Mrs. Freeman, she said, "You can't just counsel and get them in a house and forget it. It has gotten to the place now that when I think of friends I think about somebody I met in my office who was needing a house. I've lost all contact with acquaintances I had. I guess maybe, now, our interests are different, where we were all headed in the same direction at one time. They're now doing their thing and where I am it is all day and all night.

"Sometimes I wonder where counseling ends. Last night, I found one of my applicant's car. Her car had been stolen. She saw my son on the bus and said, 'Look, you tell your mother my car was stolen.' And really, this is unbelievable, but last night on the way from Scout meeting with my son, her car was parked about three blocks from my house. I called her, picked her up, and took her there and we called the police. When the police came, the car wouldn't crank and they said, 'Let me see your papers.' She gave them her papers and they said, 'So, you got your car.' That was the policeman's reply. My car wouldn't crank and I asked him would he give me a boost. He said, 'No, these cars won't boost,' so I got a boost from somebody else and took her back home."

Where do good counselors come from?

What background of training and experience should a 235 counselor have? Sociology? Psychology? Maeola Killebrew grins and says, "All I know is that they send people from the university to consult with me. Those people don't know how it is out in the streets."

On one of those streets lives Lisa Clark and her 13 children in a rehabilitated 235.

Existing 235 housing is a "spot market" used in Memphis and other areas primarily to accommodate hardship cases. Overcrowding and health problems are ways of establishing the need for special accommodations for large families whose needs are usually met best in older houses.

Mrs. Killebrew thinks Mrs. Clark has the makings of a good 235 counselor. The place she bought was a double house. As a single house there's plenty of room. On one wall in the living room is a photo of a football player diving in for a tackle. Over the couch is a beautiful acrylic painted by another one of her children. The painting, entitled "Warm Country," is in rich deep oranges with black, yellow and white accents. The

diving tackle is her oldest son. The aroma of collard greens made us aware that we hadn't eaten yet. Like others before her, at the sight of Mrs. Killebrew, Mrs. Clark opened the conversation by telling about a friend who needs a house.

Mrs. Killebrew retraced the steps by which the Clark's became homeowners. "She had a son about two years old with an incurable heart disease. The FHA office sent her to me. She needed a house. Her old, two-bedroom house was being condemned by the city and they told her that if anybody could help her, I could. I always make a note of this, because when I get ready to help someone else, I like to remind them how I worked up a good buyer for their program.

"To make matters worse, Mr. Clark has just gotten this good job at the packing house. But he was stuck with a hospital bill to pay at \$40 a month, for the sick child. The hospital said if he was late, and he had better not miss a month, they would send a man on his job to garnishee his wages and annoy his new employer. So, I went to the mayor's office because it was his hospital, and he got something done about it. They cut the hospital payments to \$10 a month and advised that I should contact a particular individual whenever this child had to be hospitalized." They were going to try to get financial assistance so the Clarks wouldn't incur any more expenses.

In their two-bedroom house, if one of the 13 children had the measles or a bad cold, they all caught it. Also, she had four teenagers, two boys and two girls. It was just totally inadequate, and she was quite disturbed at having to live under these conditions.

"We got them this five-bedroom house. It took about a year to do it. We played together, we cried together, we ate greens together, we've done it all. The Clarks are a typical example of why it is necessary to be available to them any time," Mrs. Killebrew said.

The almighty budget

The newer house is in good order, neat and clean in spite of the fact that there are eleven children now living at home. Mrs. Clark accounted for this, "I stay right with them." No problem with the house, she said it stayed warm during the snow. "In zero degrees the heater kept heating," she said. She is generally pleased with the house but is going to send a list to the construction company of the things she thinks need checking out.

There is a one-year warranty in the Memphis area. Mrs. Killebrew has advised her clientele, in each case where there are any complaints to the builder, to put them in writing. This makes it official notification within the warranty period. What would Mrs. Clark do to keep up the payments if her husband took sick? She said, "I have a son and a daughter who are old enough and already working outside the home who would help out in a crisis." She would also get in touch with Mrs. Killebrew if she had to go to work herself.

She said, "Mrs. Killebrew's name has power." She cited, as an example, the time when she needed some help, financially, and Mrs. Killebrew got her a temporary job at the food stamp place. Her husband drives a truck for a packing house three days a week. Some weeks he gets five days' work. When he does, they continue to live on the three-day-a-week budget and save the other two days' wages against the time when they might need it. All her expenses are based on his three-day-a-week income. It was this kind of budget planning by Mrs. Clark which impressed Mrs. Killebrew as qualifying information when it came time to apply for the 235 subsidy.

Until you've been cold

Mrs. Clark cited some of the advantages of the 235 program to both the occupant of the shelters and his society. "They improve themselves and become better citizens. I feel that there would be a lot fewer children in the streets committing crimes if the parents knew how to manage better. If the parents had a better living standard, their situation wouldn't become a hopeless thing where the child would start the wrong way. A person has to believe there is something out there for you. I'm not trying to give an excuse for these things," she said.

Mrs. Killebrew said this is a vital part of 237 counseling and why it is important. "Mrs. Clark has worked so hard in trying to get this house and the main thing I have to do is to keep her hoping. She is the kind of person who keeps me going in counseling. It may improve their faith in this system that they once felt they were victims of. The most frustrating thing to see is children living in rat-infested houses without heat. It is a great satisfaction to see these families making progress. When you see them making progress, it means you're making progress. I get as much as I give. Mrs. Clark didn't know how bad her living conditions were until she moved out of them. You don't know how warm you are until you have been cold."

Hurdling a blank wall

How does Mrs. Clark feel about the counseling she received? "I feel it should be extended. You can find more persons like Mrs. Killebrew. She is really down-to-earth, cares about people. Too many get up there and start shaking hands and nodding heads. It puts them in a different category and they forget all about the people they started out with.

"In my own case, I had come to a blank wall. My house was falling down on me; I had no rest room, my children were ashamed to tell anybody where they lived. When they came back from some school activity, each child would point out his house. My kids pretended they didn't hear them because they didn't want anybody to know where they lived. This hurt me very deeply. My husband's income had gone up and down so often. Then I found that you could write a letter to the real estate company explaining the circumstances. I didn't understand what they mean about writing a letter. A woman who I had worked for, a white lady in the real estate business, told me to see the FHA man, Mr. Barley from Memphis. He said, 'Yes, there is someone who can help you—Mrs. Killebrew.' So I made the appointment with her. She took all my story down on paper and took it to FHA. Mrs. Killebrew helped me work out an arrangement with the hospital. This enabled us to have enough money to pay on the house."

"235 is their salvation"

I asked, "What would FHA do with their 235 program in this town without Maeola Killebrew?" Maeola said, "They would sell houses, but families like Mrs. Clark's wouldn't get them."

Mrs. Killebrew continued, "FHA and the Congress have a responsibility to the low-income family trying to buy a house. They are not aware that you pay one bill this month. If you miss, you pay two the next, and the next you pay three. It means they must reschedule their budget to meet these house payments. Where they were, they paid rent, \$20 a week, \$10 when you catch me. All of a sudden they are faced with the responsibility of a note once a month on a certain date. Very few are ready to accept things that way. Counseling needs to be done before they get in the house. Otherwise, if they miss a payment they panic; they just don't know what to do.

"Then you say, 'What is wrong with these people in the ghetto? What can you expect? If we want these people to have a stake in capitalism, we are going to have to find a way for them to have a piece of it,'" she said. "The only thing that kept Mrs. Clark's boys going off to school is the big, white lie we told. You go to school and you get an education and you can re-elect that cat on television. The only reason my son is not out on the street is because I am doing his fighting. "For families like Mrs. Clark's, 235 housing is their salvation."

Getting the story across

How does she reach the intended beneficiaries with the 235 story? Can faith and hope and trust be merchandised in a polished, Madison Avenue package with TV and the trimmings? Mrs. Killebrew said, "No. To communicate you have to understand the problems of the community, and who related to whom.

"We started with people who have little trust that a government program will do what it says it will do. Congressman Dan Kuykendall helped launch the counseling operation, HOME; he had his news conferences and press releases. I know a lot of people in agencies and organizations. First thing I did was contact some of the tenant organizations in public housing and got them involved. I got slides, went out and showed them some of the housing, and how you go about qualifying."

The public housing tenants associations meet once a month. With each tenant group, the pattern is a light attendance at her first talk. They see that she is sincerely trying to help them. She relates to the group. At the second meeting, she has a crowd, and when she puts one family in a house, "I'm their person," she said.

"Until you reach over there in the ghetto, to the forgotten man, and put him in one of these houses, where people see that the program is helping somebody who really needs help, you're not really going to get it off the ground," she said.

Now that HOME's funding is exhausted, Mrs. Killebrew wants to put together a group of counselors ("I'm for independent counseling agencies"). She feels she has established rapport with the business community. "I am looking for people who can adapt to what we are trying to do; people who, with a minimum of training, can grasp the concept of 235, 237, how FHA works, how a mortgage company works, what the system is all about and who can relate to the community; people who can find the solution to the problem. They can be high school graduates, college graduates; I think that is immaterial.

"I'm not looking for written credentials that you can hang on the wall because we have too much of that. I don't agree with having a bunch of educated people drawing big salaries to do nothing. If the government puts money out, some of it should trickle down to the man it is intended for."

Impact of counseling on performance

Ernest P. Schumacher, president of Schumacher Mortgage Company in Memphis, has become fully involved. He serves as treasurer of Housing Opportunity Memphis Enterprise, Inc. (HOME), the counseling organization which employed Mrs. Killebrew. Schumacher was one of HOME's founders, along with Representative Dan Kuykendall, of Tennessee's ninth congressional district.

Schumacher reports that of an estimated 500 receiving counseling through HOME, none have gone to foreclosure. Schumacher is a firm believer in counseling. He has definite ideas on the course it should take. He doesn't believe that FHA should staff up to do the counseling. He feels that, unfortunately, in a face-to-face counseling situation, the FHA representative is at a disadvantage.

He cannot have the credibility of an independent agency's counselor in the low-income community.

After a two-year period of originating and servicing 235 mortgages, Schumacher concludes that he ought to have a counselor on his own staff. The person he seeks would be from the community and familiar with the problems of the people who are buying the subsidized housing. He feels that a company counselor could effectively handle the special problems of the mortgage banker. However, he would still want to be able to refer his 235 buyer to an independent counseling organization for help with the broader problems. Many problems do not relate directly to the mortgage banker's responsibility but do affect the overall economic welfare of the individual buyer, and, sometimes, determine whether he will be delinquent or is likely to let his house go into foreclosure.

Schumacher cited the kind of situation that he feels an in-house counselor could resolve: He said, "One buyer was past due on his monthly mortgage payment. I sent a staff person out to see the man and learned that the buyer did not know how to make a payment by mail. He wasn't interested in coming into the office to make a payment. He was waiting for someone like the rent collector to come around and get the payment."

Counseling, Schumacher feels, is the key to this kind of situation. His experience has been that contracts with 235 and 237 mortgagors have to be made in person, at the front door, because very few of them have a telephone.

Schumacher cited another experience that highlights the need for continuing counseling. "An occupant who had recently moved into a brand new 235 house complained to him that the house had no electricity. Schumacher was fairly certain that all the houses in this group had been connected by the utility company. When he went to the house to confirm, he found the lines all connected, but there was no bulbs in any light sockets. The occupant from a rural home had no electricity; therefore, he had no prior occasion to go to the store and make a choice between 20 watt, 40 watt, 60 watt bulbs, but he did know how to pump up the gasoline lantern to get a good light."

Schumacher said, "You can manufacture housing, but you can't manufacture a desire to own something when the individual has never experienced home ownership. He needs to be made aware of the freedom of living in a place he owns, and establishing his own priorities in order to meet his responsibilities and enjoy his new situation. The Congress, which has not yet funded the counseling program, Section 237 of the 1968 Housing Act, must face up that its job is not finished when it gives a person a nice home. He must be taught how to take care of it. He also must be taught to cherish his credit. He will become a better citizen when he receives this education."

John Starks, loan processing boss at E. H. Crump Company in Memphis, requires each 235 applicant to come into the Crump office in person. The real estate salesman doing business with Crump are requested to send them in. Starks feels this has a beneficial effect. If necessary, the Crump mortgage banking firm will bring them in by car. After closing the loan, a computer is used in the servicing phase. If a delinquency pops out of the computer, the information goes to Mrs. Eloise Jungers on the Crump servicing staff. She then goes to the house and gets to know the delinquent family and their problems and suggests a mutually satisfactory arrangement designed to keep the mortgage from going into foreclosure.

The Memphis office of Thomas & Hill, a West Virginia-based mortgage firm, is geared to handle the 235 clientele. Jim Green, the Thomas & Hill manager there, reports that 95

percent of their loans are primarily on new housing. The 235 builders first screen the applicants and send them to Thomas & Hill where they are put through a preliminary credit check, and where they use the HOME counseling service.

Two full-time servicing representatives in the Thomas & Hill office make personal contacts with problem accounts. The purpose is to backstop the counselor.

If the buyer is not home when they arrive they leave word to phone the Thomas & Hill office. Most of their visits are made in the daytime, but someone is present in the office in the middle of the month until seven at night; also, on Saturday mornings and afternoons near the end of the month. This arrangement recognizes the convenience and custom of their clients and also is geared to their paydays. Green points out that every two years the law requires the mortgagee to check his 235 mortgagors for income changes that might require a revision of their payments. But, in practice, some loans may require a monthly visit to the home.

Thomas & Hill are glad they went into 235, but Green faces some uncertainties on his servicing costs. The big volume of 235's in Memphis didn't come until late in 1969 and early 1970. He said it is too early to tell if the slight extra fee the company gets for servicing these mortgages is sufficient. For instance, does the government want a full recheck at the end of the two years or a spot recheck? He said Mrs. Killebrew does a real good job, but to meet the demand for 235 housing will require more people like her.

Green feels that the 235 occupant, in a new development, also may benefit and learn by association and exposure with unsubsidized 203(b) neighbors in the same kinds of houses. Green expresses satisfaction with the 235 delinquency rate in developments with this mixture. Reflecting on the mortgage volume handled by his office, Green estimates that only one percent of the total delinquencies are 235's.

In addition to effective counseling, Green credits his builder for a share in the good 235 performance. He said, "My builder is big enough; he uses hardwood floors; there are adequate electrical outlets; the house has good modern design. These factors combine to give the buyer pride in his ownership. A cheap house breaks down pride." The Memphis metropolitan area is essentially non-union on residential construction. Labor and land costs are relatively low.

Other beneficial factors are the rapport between the builders and FHA and the mortgagee. The Home Builders Association of Memphis has established a very effective complaint committee, under the direction of J. B. Bell, the association's executive officer.

While it started well, the current circumstance of counseling in Memphis finds the process adrift and floundering. HOME has exhausted its original experimental grant of \$45,000 from HUD. Maeola Killebrew, their original counselor, still keeps her hand in. But, there's not much counseling she can do when she has to pursue an income elsewhere. She gets no money, now, for the work she does for HOME. Where she has counseled, budgeted for, and fought for her families, both before and after their purchase of a house, the prospects are very good that foreclosures will be few. But, one volunteer never could handle all the 35 applicants in Memphis.

What's the score?

A statistical inventory of HOME counseling cases, taken April 15 of last year by Memphis State University, shows that Maeola had handled to that point, 155 families. During the same period, HOME's files showed that 473 families had been referred to the agency by a variety of sources, including FHA, builders, mortgagees, local agencies

and people who come on their own. It shows the need for more counseling services and the urgency of funding an adequate counseling function in communities wherever 235 housing is contemplated.

Schumacher said, "Why wait three years to make a correction. We know one thing that will make the 235 program better and that is counseling. Other factors are resourceful underwriting and a good FHA office. We have had all three in Memphis."

GETTING GOALS TOGETHER WITH PEOPLE

The essence of the mortgage instrument is faith and hope. The 235 mortgage is the farthest extension of these virtues yet made by Congress. With counseling to season these loans over the first few rough years of learning the advantages and responsibilities of home ownership, the evidence thus far accumulated in Memphis justifies the extra work in servicing. A further advantage, according to real estate editor Louis Silvers of the Memphis Commercial Appeal, "The 235 housing program is what kept the housing market alive, here, during the tight money period of a year ago."

WAYS AND MEANS

If we accept the premise that counseling is essential to the success of 235 housing, let's examine its present prospects at the level of national action. Last year, in the course of reorganizing the Department of Housing and Urban Development, Secretary Romney established the Office of Renewal and Housing Management (ORHM), co-equal with FHA. ORHM will administer the counseling approved under Section 237 of the 1968 Housing Act. But the success of the program will depend upon appropriations from the Congress. Louis Levy, Community Service Officer in the HUD Office of Renewal and Housing Management, sees the job done best by seeding voluntary agencies.

Here's how it might work: Within a local FHA office, there would be one or two staffers responsible for contracting with counseling agencies in the community. FHA staff would then assign clients; supervise the contract; and process their recommendations, but otherwise say in the background.

HOME, the volunteer agency in Memphis, had its operations funded last year from a \$45,000 Research and Technology grant from HUD. But this is not how the 237 program should be funded. It should be funded with its own appropriation by the Congress.

A look at the performance record of 237 housing shows both the need for an adequate funding of counseling and reason to expect the investment is justified. There are 160,000 buyers of 235's in the nation.

Most of these below-market interest rate houses have been channeled to low-income families with no credit problems. But the supply of buyers in this category is not expected to last. In some areas, the 235 foreclosure rate is as high as 25 percent. Twenty-five percent is intolerable, but in areas like Memphis, which has been using counseling, among 1,200 of these mortgages, there have been nine foreclosures, according to the latest available figures. There must be something that Memphis is doing right. It appears to be counseling, both before and after closing.

The forthcoming recommendations of the recent Romney task force on 235 housing may change the program somewhat, but here is the nature, purpose and program that is ready to go if Section 237 is ever funded. HUD's Office of Renewal and Housing Management says that 237 funds would provide for budget, debt management and related family counseling through community-based, public or private organizations. The service is to be designed for applicants desiring home ownership but whose credit records are unacceptable for unsubsidized FHA-insured home mortgages. Since Congress has

not yet appropriated funds for this program, implementation of Section 237 has been made possible only in areas where qualified organizations have agreed to provide counseling on a voluntary basis. Proposed counseling agreements will be reviewed by local HUD area insuring offices. HUD's local recommendations are then forwarded to the central office for final processing.

In general, the local organizations selected to provide counseling will be expected to perform two major functions:

a. *Screening.* The counseling agency will interview applicants and review the record referred to it by HUD-FHA, or the mortgage. The counseling agency will then recommend to FHA those applicants who have a reasonable chance to become homeowners, provided appropriate counseling is available.

b. *Counseling.* The counseling agency will provide continuous budget, debt management and related counseling to those families recommended by it and whose mortgages subsequently become insured under Section 237. Their counseling will be performed at no cost to the applicant.

Under 237 rules, applicants will normally attend counseling sessions for at least six months and not longer than three years.

Deep roots in the area served

An acceptable counseling contractor will hold discussions with his clients concerning the limits of installment payments that can be accommodated by the family income. He will give special attention to large purchases such as furniture, appliances, home improvements, and automobiles. The objective will be to keep a proper balance between income and expenditures. He will need to advise on ways and means to save cash for settlement costs. Beyond these financial problems the agency will need to know how to find other specialized counseling and services for job training and placement, child care and physical and mental health care.

The rules say that any community organization composed of interested and well-motivated persons having broad community support and "... deep roots in the neighborhood and area to be served," could submit a proposal to the local HUD area insuring office outlining the counseling services which it proposes to provide. The contracting group must show how it will select potential purchasers; their source and method of referrals; and an estimate of the number of families who may be reached by the program. In practice, after the counseling agency has demonstrated its competence, HUD and the real estate companies, mortgage banking firms and other lenders will refer credit-problem applicants to the counseling group.

We're going to get rid of all the shacks

The taxpayer's dollars are supporting anywhere from one to six or seven percent of the interest rate on the 235 or 237 mortgages. Let's see what his dollars are doing in 235 housing in Lakeland, Florida.

Otis T. Williams is chairman of Urban Rural Development Corporation, Inc. (URDC), the business and city-sponsored counseling operation in Lakeland. Williams is also president of the local NAACP chapter. He is a widower in his 30's and an energetic leader in the black community. While he was still a salesman-trainee for Prudential, he made the insurance industry's million dollar sales club.

The Lakeland 235 tour was stalled for an hour while Williams took time to run an election meeting of black high school students, boycotting for better bus transportation. At the end of his instructions to the 1,000 black boycotters in the huge St. Paul's Baptist Church, Williams threw in a pitch for the 235 program. "The Urban Rural Development Corporation of Florida, Inc. is working to provide better housing for the people in our community. Some of you right

now, I know, are living in shacks. These slumlords are making a big profit on your parents and some of them think that God intended you to live in these shacks. Now, there's a program called '235' whereby if you make a certain amount of money and have a certain number of children, you will be able to get a brand new home on a good lot for \$200 down and the government will pay the difference. In addition to that, they will subsidize your monthly payment on the interest, so you can pay all the way down to one percent of it. We are going to get rid of all the shacks in our community. We are going to get rid of all the shacks in Polk County, and after we get through with that, we are going to move into other communities until all the shacks are removed from this state and this country. That's what we plan to do."

Williams said his counseling organization, URDC, is affiliated with Urban and Rural Development Corporation of Florida, an NAACP-sponsored operation. Williams is also sales manager of Laughner-Kelly Realty. They have put more than 60 families into 235's at L-K's Golden Northgate development. Many are side by side with FHA 203(b) buyers, using the same floor plan and construction materials.

URDC was launched to counsel and assist an estimated 300 families who would have to relocate when the city of Lakeland built an auditorium in an older section of town. Williams and Jim Verplanck, the city planner, pulled together a volunteer committee of Lakeland business leaders. Their job was to deal with the relocation, with guidance from URDC of Florida.

Mobilizing for action

They decided that 50 to 55 percent of the people would need 237 type counseling as a qualifying factor in their applications to find new shelter. They were given a furnished office and telephone in City Hall.

URDC handles 237 counseling for all builders, plus the mortgage companies operating on the scene in Lakeland—Molton, Allen & Williams; and Stockton, Whatley and Davin. Olin Bryan, vice president of First Federal Savings and Loan certifies the counseling to FHA.

Charles Poole of Stockton, Whatley and Davin said that they have no problems yet on the debt servicing for those who have been counseled through URDC. Bert Loomis, manager for the Lakeland office of Molton, Allen & Williams, has processed the loans for 80 percent of the Golden Northgate homes. Collection and servicing difficulties have not materialized in Northgate.

Loomis gives principal credit to good underwriting of each applicant before closing. However, most applicants were already counseled, as noted earlier. Loomis is enthusiastic about the program. He feels it is well worth the work involved in participation, but he sees some potential drawbacks that might yield to creative amendment.

In his area, the mortgage servicers must show that an attempt at counseling has taken place before foreclosure. He foresees the possible need for HUD to establish a separate servicing program. He would have HUD establish a per-case fund to finance an exhaustive servicing-counseling effort during a holding period of 60 days before deciding that a case is hopeless and destined for foreclosure. He also would like to see a little more flexibility with which to meet small, unexpected costs. For example, he has encountered a situation in which a family has budgeted out to qualify, at time of sale. Months later, at closing time, unavoidable changes make it cost \$10 more than they estimated. He said, "If, in this circumstance, they refuse to close, then the mortgage banker has brought this case through an expensive process for which he is not compensated." Despite any drawbacks in the program, Williams has

moved 66 families thus far into the Laughner-Kelly tract, formerly an orange grove.

He said that Golden Northgate will have 528 units including one high-rise condominium. Its occupants are drawn from Lakeland's slums and public housing units. About 15 percent are 203's, out of the 66 units sold. There will be a few 237's and a few conventionals. Prices range from \$13,000 up to around \$17,500. The price to those financing 203(b) or conventional will be the same. The 203 buyers just have to have more money down. Williams pointed to a man in his 40's spraying water on his front lawn with a green hose. "He financed that house under the 203 program; came here from California and paid \$5,000 down," Williams said. The house sold for \$16,800. A four-bedroom house goes for \$17,300, with a bath and a half. Its vinyl floors are easy to keep clean. He said that carpets get gouged and wear too fast in a home with lots of kids. Some of the bedrooms have parquet floors, laid in squares, on the concrete slab.

The occupants bring all complaints to Williams. He doesn't do any counseling, personally, but he is chairman of the volunteer committee of Lakeland's business and public agency people.

Williams plans to establish a citizens' group for purposes of beautification and exterior maintenance, to keep up the appearance of the dwellings through the years and build pride of ownership.

Under the name "Urban Development Corporation of Florida, Inc.," he and Davies have just submitted a proposal to HUD entitled "A Neighborhood Clinic Approach," with plans and budget for 237 counseling in credit and home ownership. The proposal calls for \$26,000 for telephone, rent, and office supplies.

He said, "Congress should fund the 237 program, but if that is going to be a long, drawn-out process, there are other ways of funding it in an inadequate, half-way measure. For example, OEO has funded a few counseling units around the country. United Givers Fund may be a source of money for counseling. There could be a joint venture between department stores, bankers, builders, real estate men. All could pitch in contributions to fund it."

His URDC has a contract with HUD to do counseling in five cities in Polk County. Williams listed some of URDC's eleven-man volunteer committee: "Howard Vaughn, president of Imperial Bank; we have an attorney, a person from the Social Security office, a home economist from the family service section of welfare, a builder, an architect. The home economist shows films and slides and gives demonstrations on how to set up a budget, preparing foods, and the purchase of commodities for low-income families."

How do people find out about these sessions? "Through the newspaper; and they announce it in the churches and on various community bulletin boards," Williams said.

He said, "URDC has a contract, but Congress never funded the program. There is no money in it for counseling. So nobody gets paid."

Williams said, "We feel that Congress will eventually fund 237. Counseling will be needed for a long time for low- and moderate-income families. Every family needs this counseling program whether they have bad credit or not; whether they are old or young. They learn things that they never knew before."

"Often they are persons who have never experienced home ownership before. They don't know how to use the utilities. For example, a lady last week moved into one of these 235 houses; the water was dripping under the sink. She didn't know that you could reach down under the sink and turn the water off at that point. She called a

plumber, but by the time he got there, the place was almost flooded."

We'll see you in six months

Counseling teaches them that when they have to buy a refrigerator or some other appliance they should go to a bank rather than other more expensive routes. The home economist supplements this with pamphlets that people can carry away from these sessions.

The counselor will also show them how to set up a budget schedule. Williams said, "When the counselor feels that the potential applicant has reached a point where he can manage his bills and his attitude is right toward home ownership, the counselor makes a recommendation to the committee that this person is now in a position to own a home. The written report of the counselor is brought to the meeting. Under this circumstance, 99 percent of the time, the committee will accept the recommendation.

"The committee then writes a letter to FHA certifying to the counseling and recommending FHA approval. After the family moves in we ask the counselor to see them about every three months. If things are going well, she says, "We'll see you in six months."

Understanding the problem

Marvin Davies, head of Urban Rural Development Corporation in Florida, blamed easy-credit advertising for much of the trouble. "You can tell a poor man he can get a new car for his vacation and not have to pay anything for 70 days," he said. "What's that poor man going to say? He is going to say, 'I'm going to ride in style one time in my life.'" Davies points out that bad housing is a factor in sicknesses that afflict the poor and it has the corollary result of mounting debt for doctors' and hospital bills that further compound their problems.

Davies said, "Our country could gear up to produce a million homes a day if it wanted to. We could spin 'em out of a lot of things—maybe even shake one out of a bottle, watch it blow up and become a house. But it won't do any good unless we find some way to help people buy these houses. This is what the 235 program was designed to do."

Underwriter must have courage

Williams pointed out that the 235 program calls on the mortgage banker for more flexibility than he might apply to the conventional home purchaser. He said, "He must have the courage to forward to FHA an application from a person whose past credit record is not good, but who subsequently has been through counseling. And the best counselor will go to FHA, where an application has been rejected, and say, '... let's pull the file and see what's wrong with it.'" Williams said that the FHA in his area is now saying to the mortgage banker, "Rather than foreclose, deed the mortgage over to us and we'll work it out!"

Williams said, "The FHA objective in this program is to stabilize the community. Now, you can't stabilize a community if every time a person gets a couple of months behind they foreclose and put him out. A policy of that kind doesn't reckon with the possibility of strikes in an area."

Try to burn it down

Williams said, "The program is going to develop ownership pride. Where you have riots in the area, and the people there don't own it, they couldn't care less if it burns; but if they own the buildings, you go there and try to burn it down and see what happens. You could subsidize a person in an apartment, but he's not going to own it if he stays there a hundred years. So if you are going to develop pride, the only way to do it is through ownership."

The edge of credibility

He said that the counseling process should evolve as an expense to the private sector,

then the cost of counseling must be recognized as a legitimate part of the sales cost allowance in FHA appraisals. Williams said counseling could be contracted by FHA or by private sector groups involved in sales or financing, or the city, or state, but that these groups should not try to do the actual counseling with their own, in-house staff. He reasons that unless the person knocking on the door is recognized as a participating member of the client community, the presently leery clientele will not give a true picture of their problem situation. He said counselors from the black community will have the edge in credibility with this clientele, even though the counselors, white or black, might be equally capable of helping.

Refuse to let anyone fail

Candidates for Section 235 housing in Wisconsin now have what must be the best conceived and most thorough system of counseling and assistance available anywhere in the country—and it is paying off. In Milwaukee, Lawrence S. Katz, FHA administrator for Wisconsin, estimates that his office has insured 3,000 Section 235 mortgages on new homes and 1,000 on existing homes. His 1971 projections for commitments, outstanding and closed 235's and 237's, are 4,000 new and at least 1,500 existing homes. Of the present total, new and existing, two or three are in foreclosure; he expects 5 or 6 of the 1970-71 existing-house total to be in foreclosure at year-end. The most that can be made of that is a .09 percent foreclosure rate. The present national foreclosure rate for all types of mortgages is .33 percent, and climbing.

Milwaukee's fine record on 235's appears to be due to a system of counseling that practically refuses to let anyone fail once the applicant has been allowed to go as far as closing; and almost anyone who has the determination to sit through Katz's pre-purchase clinics would find it hard not to qualify.

He has mobilized every conceivable national, state and local, public and private ally, in a well-coordinated blitz on the barriers to upward mobility of the poor.

First the low-income applicant, referred from whatever source, presents himself to the welfare office and expresses his desire to own a home. If welfare questioning reveals evidence that the applicant has potential for upward mobility, the agency certifies to this potential in a letter to the FHA. The letter goes to a specialized, one-man and one-girl staff in the FHA office. They invite the applicant to come in. The counseling staff has its own waiting room and classroom on the premises.

Before the applicant is permitted to choose a home, he is required to attend three classes in which the FHA staff explains taxes, insurance, amortization, and the buyer's responsibility. FHA points out the repair items which, as owners, they no longer will be entitled to leave for a landlord to fix. At the conclusion of classes, the applicant gets a private interview to determine his personal and financial situation and his degree of understanding of his obligations as a homeowner.

Now you're on your own—but you're not

Then, as an undergraduate alumnus of the FHA classes, he is told, "Now you are on your own. Find a house and talk to the real estate broker." The FHA office tries to keep listings of potential Section 235 homes for sale in their area. They also know the interested real estate brokers who are familiar with the program. The applicant looks at houses and picks one—but there's more to do before he signs the sales contract.

In most parts of the country, \$200 is the lowest downpayment possible on a 235 house. In Milwaukee, the St. Vincent de Paul Society will fund the \$200. The Society has set aside \$100,000 for their program of downpayment grants. When a graduate of the FHA counseling proves his need for the \$200,

the Society notifies FHA of their interest and willingness to grant the downpayment on the specific house chosen—but there is still more to be done before settlement.

Next, the county welfare agency looks at the house. A staff of ten housing aides at the Milwaukee County welfare office are on duty to check the condition of the house, the number of bedrooms against the size of the family and the other accommodations that should be present. If they like what they see, they tell FHA, and the sales contract is signed. This further certification triggers the standard FHA inspections. If FHA approves, they notify the St. Vincent de Paul Society. If the Society has agreed to help, they then release the downpayment money and the buyer is ready to go to settlement.

At this point, a voluntary group of lawyers operating under a program of the Office of Economic Opportunity, are cranked into the procedure to represent the buyer. As an almost-final FHA requirement, five days before closing, the 235 buyer must go to the property, examine it for condition, and sign an acceptance that lists what he doesn't like as a result of his examination. Katz explained that he feels this last requirement is essential, particularly in the situation where the family may be going into a development where construction on their specific house does not start until they agree to buy it or where there has been no model home to look at.

A mortgage and a bag of tools

After the house they are going to buy has been chosen, they go to classes in home maintenance conducted by the Milwaukee County Welfare department. Their ten welfare housing aides really go to work. They launch an intensive teaching and counseling course, in facilities that look like a high school home economics and cooking laboratory. The lady of the house is paid \$53 a month, for two months, to attend these classes. She also gets transportation and a nursery to look after the children while she is in class. The University of Wisconsin's Extension program assists the welfare instruction program. In addition, a select group of welfare mothers, previously counseled in 235 ownership, are used to assist and instruct as team leaders. The buyer is taught how to replace faucet washers, fuses, upholstery, how to make drape, how to use scouring powder, how to varnish floors and replace window panes. At the end of the course, the buyer gets \$65 worth of home tools (his choice of ladders, shovels, etc.). The tools are provided from University of Wisconsin funding.

The welfare departments in 13 Wisconsin counties are cooperating in this program.

Once the family has occupied the premises, a welfare aide returns on a schedule of inspections every three months. He hunts for maintenance problems which, if neglected, might cause serious deterioration. The welfare department does this to protect themselves, as well as the family. The welfare agency has exposure. When they endorsed the house, they guaranteed to take care of all major and minor repairs that the buyer can't handle. Costs incurred in this program are shared 55 percent by the Federal Government (OEO), 27.5 percent by the State and 17.5 percent by the county.

Preventing maintenance

Katz is also proud of a four-page check list his staff has developed for his inspectors and appraisers. He feels it will soon become a model for the nation. The list searches out items that might be cause for rejection, such as lead plumbing in older houses, and roofing materials that won't meet performance standards, as well as verifying that the other essential and specified items are in the house. "Remember, these people have no money left over for expensive repairs and alterations," said Katz.

Performance in a high-price area

Land costs in the immediate area of Milwaukee have forced Katz to set a \$24,200 ceiling price on a single-family detached four-bedroom home. In condominiums, the ceiling is \$18,000. In areas outside of Milwaukee, the sales price generally encountered is \$18,500 for a house with a basement, one bath, three bedrooms; or \$20,000 with four bedrooms and one and one-half baths. He reports that there are 180 builders of 235 housing in Wisconsin.

James E. Grootemaat, president of A. L. Grootemaat and Sons, a Milwaukee mortgage banking firm, terms Katz "... the number one state FHA director in the country." If innovation is the yardstick, he may be right.

A few months ago, when Secretary Romney announced the freeze on insuring existing housing under Section 235, he singled out Wisconsin as doing a particularly good job with this aspect of 235.

Grootemaat is now serving 1,453 Section 235 mortgages. He said 67-70 percent is new construction. In the smaller towns of Wisconsin, the buyer is predominantly white, but in Milwaukee there is a larger proportion of low-income, black families in the 235 market.

Joseph W. Boulicault, vice president of investment for Mortgage Associates in Milwaukee reports that his mortgage banking firm is servicing \$4 million worth of 235 mortgages in Wisconsin and \$35 million in the seven states in which his firm operates.

Their interest in the 235 program has led them into the development and construction of North Meadow Homes, a Mortgage Associates subsidiary. The development is stabilized with a mixture of mostly 235's and the balance in 203's, and an occasional conventional mortgage.

A stake in the system

FHA Administrator Katz says, "The welfare client presents a fascinating challenge." Obviously, the entire housing industry, public and private, in Wisconsin, has risen to meet this challenge.

The Section 235 program is one of the great contradictions of our time. It is bad news where it is not working and not being done right, and it is good news where it is succeeding. How else, in America, could we house 160,000 low-income families for \$200 million—just part of their interest payment. Certainly, not in public housing. Both types of subsidies are necessary to fit clientele whose present, upward mobility potential is slightly different. Public housing never provided a complete answer to the problem of housing the poor, and it never gave anyone a stake in the capitalistic system. Section 235 does.

It began in Georgia

On December 27, 1968, Willie and Elise Wright moved into their own home. They never really thought such a possibility could be theirs. Section 235 made ownership a reality for this Athens couple and their four children.

Prior to this program, the Wrights had lived in public housing but Willie Wright's income edged steadily upward until it equaled and then surpassed the cut-off point beyond which a family is no longer eligible to reside in public housing.

The 235 program had just begun in Georgia and Athens builder John H. Mitchell, Jr., executive vice president of Evans & Mitchell Industries, sold the Wrights the first house in the nation insured by FHA under Section 235 of the 1968 Housing Act.

Carey Hooks, administrator of the FHA office for the State of Georgia, said, "Many housing experts consider Section 235 to be no more expensive than the public housing subsidies, but with the added benefits of private home ownership for the family and improved citizenship responsibility for the community."

"I didn't think we would ever be able to buy our own home, since we lived in a project so long," said Mrs. Wright.

The Wright family is black, the 235 program is not directed strictly at black families, but, in Athens, most of the housing sold by Mitchell's firm has been to blacks. Any subdivision offering federally funded housing must be open to any family regardless of race. Mitchell has found that the company is selling homes to an increasing number of whites under this program.

Willie Wright, who has been working for the past eight months at Dairy Queen, said, "I like it a whole lot better than living in the projects. My children like it a whole lot better." The development, entitled Spring Valley, is now completing the final section of the 300-house subdivision. They are 45 sales ahead of construction right now. Because of its success, Mitchell has launched a second 235 subdivision in Monroe, Georgia.

A great day

Evans & Mitchell is the volume producer among 20 sellers actively involved in the 235 program in northeast Georgia, according to the Citizens & Southern National Bank David C. Ragin, Jr., the C&S mortgage loan officer, said, "To give you an idea of volume being generated under this program we presently have 60 cases ready to submit for firm commitments and at least 90 cases in the processing stage. We are interviewing Evans & Mitchell applicants at the rate of two a day for their Spring Valley subdivision; and we have 17 cases in process for their new Stonehenge Development."

Ragin added, "During 1970, we closed 163 home loans under Section 235, covering 17 counties in northeast Georgia. Our heaviest concentration was in Athens. We have not received a single complaint from any of the purchasers regarding the type of housing construction or the quality of the house. And we haven't had any foreclosures or serious delinquencies on loans that were generated in the Athens area."

Georgia's 10th district congressman, Robert G. Stephens, Jr., was on the scene in Athens to share Willie Wright's satisfaction. When Representative Stephens presented the Wrights with the keys to their new home, he said, "This is a great day for us and this family." Stephens liked the underlying philosophy of the 235 program involving private enterprise in a natural extension of the public housing idea.

To understand what that means to Willie and Elise Wright, you have to know that neither Willie's parents nor Elise's parents, nor their grandparents, nor their great-grandparents ever owned their home.

Both Willie and Elise were born and brought up in Oconee County. For generations their families lived and worked on the land for other people, never accumulating enough to buy their own place. In talking about their past, Elise wanted to make sure that this fact was not a condemnation of anyone: "That's just the way things was," she said.

The Wrights have "born and raised" seven children in Athens.

Robert Tharpe of the Atlanta mortgage firm, Tharpe and Brooks, said "235 is a positive program." Tharpe's loan administration boss, C. R. Edwards, reports that the over-30 days' delinquency rate "is not as high as might be expected" among the 600 low-income loans that his firm has closed. Edwards feels it is too early to know all the problems that lie ahead in this program. He expects that during the next year or two, while these loans are being seasoned, he will have to do a lot of knocking on doors to hold down their delinquency rate.

Nearly all lending industry spokesmen concede that counseling—both before and after closing—has an essential role to play in the success of the low-income housing assistance programs.

Voluntary aid stretched to the limit

In Atlanta, a formal counseling service is performed by a volunteer group entitled "Consumer Credit Counseling Service of Atlanta, Inc." headed by Fred Tunny. The non-profit service is funded by local merchants to settle bills and keep individuals from bankruptcy. They are not being paid for counseling 235 applicants, but occasionally can squeeze one in among the debtors they are being paid to counsel. Lately the demand for FHA counseling has become more than they can handle.

Robert L. McHan, assistant to the FHA administrator in Atlanta, traced the relationship in the housing industry and the counseling organization: "Originally, we had an experimental program to try out 237 counseling and to see what the problems were. The Consumer Credit service, here, is a component of the National Foundation for Consumer Credit, with offices in several major cities."

McHan said, "Consumer Credit has had to limit their counseling to 20 percent of their total time. This in a sense creates a backlog as a result of the volume of 235 applicants, whose credit position moves their application over to the 237 program, which requires counseling prior to approval."

Georgia's volume leads nation

FHA's Atlanta office has led the nation in the number of families assisted under Section 235. To date, Administrator Carey Hooks estimates there are, in Georgia, 13,200 commitments outstanding or closed.

Hooks' assistant, FHA director Robert McHan, estimates that of this total, slightly over 100 are in foreclosure. This low foreclosure rate compares favorably with the office's experience on 203 housing—the FHA mortgage insuring program for families who do not require subsidies.

Hooks has an out-in-the-field designation of low-income families for the purpose of these subsidy programs, "... those with adjusted incomes in the range served by public housing and up to 35 percent higher than public housing admission limits. In Chatham County, Georgia, these adjusted incomes range from \$3,500 for a family of two up to \$4,200 where there are seven persons. Moderate-income families are those having adjusted income somewhat higher, ranging from \$4,725 for a two-person family in Chatham County, up to \$5,940 where the family is composed of 10 persons." In the higher cost-of-living areas around Atlanta, these figures are \$1,200 to \$1,500 higher.

The majority of 235 housing in Georgia is new construction, but there is more to 235 than new construction. A small percentage of the total program has been used for existing homes that can be brought up to standard. These are generally older, larger houses, which in practice have been used to accommodate hardship cases for large families needing more than the standard three- or four-bedroom house. They are generally located in the city areas.

Significant variations

Secretary George Romney recently profiled the existing house clientele, nationally: "There are significant variations between occupants of new and existing 235 housing. The latter have larger size families, a greater proportion of single parent families, lower mortgage amounts, and substantially greater reliance on welfare assistance."

In Georgia, Hooks described his handling of the existing house program this way, "There is a scarcity of existing 235's but applications on existing properties will be processed for a family displaced by urban renewal or other governmental action; families displaced from public housing because of income limitation supported by a statement from the housing authority that displacement is due to over-income; a family with five or more minor children under 21 years of age living in the household, and for a

family presently occupying a property under circumstances which present a health or safety hazard." Within these categories, Hooks will give priority to those applications on properties in the lowest price range.

Georgia broker to negotiate repairs with sellers

Hooks said: "Many such purchasers have difficulty in raising a \$200 downpayment, and do not have on hand funds to make repairs to homes they have just bought. While FHA does everything possible to see that older properties are livable, many times defects are not visible or ascertainable by our appraisers or have been purposely concealed so as not to be visible. Buyers who encounter these problems claim they have been misled into excluding from the purchase contract any provisions for needed repairs.

"We ask real estate brokers to look after the interests of the purchaser as well as the seller, to the full extent allowed by business ethics. No representation should be made to the effect that the FHA appraisal constitutes the guarantee that no repairs are needed to the property. It is our opinion the condition of the property should be known by the broker and disclosed to the purchaser as a basis for negotiation of the contract. It should be clearly understood by all parties that FHA cannot require the seller to make repairs on an existing property after the loan has been closed, and that any complaints with respect to such repairs will be referred to the broker for negotiation with the seller."

Hooks has been counseling real estate groups up and down the length of Georgia with these words, throughout the past year. His vision of the potential problems and his warning have certainly contributed to Georgia's fine performance record in the existing-home portion of the 235 program.

People with guts

Every segment of the Establishment that has contributed and cooperated in the Section 235 program have found it a source of pride and satisfaction. In Atlanta, the 1968 Housing Act enabled a warm-hearted housing official to put a blind man, for the first time in his life, into a home of his own. Hooks' assistant, Robert L. McHan, is a deep-voiced man who says he gets a big kick out of helping people.

The blind man wrote a letter to McHan over a year ago. He had heard about a special government program to assist low-income families to purchase their own home. The blind man had worked for 13 years as a laborer, supporting his wife and small sons on a salary of \$56 a week. Some of this went for special school tuitions as one of his sons is also blind.

The family does get some welfare assistance, but all of this only enables them to live in old crowded housing that McHan described as "pretty substandard in construction."

McHan set the wheels in motion for the blind man to finance the purchase of a new home through Section 235.

The blind man found, through the home ownership assistance program, a respectable way of achieving what he could not achieve on his own: a safe, clean house in a pleasant neighborhood where his family could live in dignity.

For \$65 a month, only \$15 more than he was paying for a slum dwelling, he now has a handsome, brick house.

"This program is aimed at people who are just above the public housing income level," said McHan. "The important thing is it gives folks like the blind man a chance to feel proud," McHan went on. "He deserves it. Here is a fellow who really was trying to do something for himself. He is hardworking and honest; he has excellent credit ratings, even on his tiny salary. He even went out and found a house himself."

McHan's voice grew solemn. He paused for a moment. "People with guts like that deserve a helping hand," he said.

Family can stay together

McHan didn't stop with the blind man. An Atlantan mother of seven children was killed in a fire while trying to rescue children, not her own, who were trapped in a nursery. She succeeded in the rescue, but died as a result of her efforts. Prior to this event, the woman and her husband had been buying a home with 235 assisted payments.

After the woman died, her husband left the household and their children. The grandmother then came to Atlanta from her home in Thomasville, Georgia, for the purpose of caring for the children, ranging in age from four to 13. The father did not continue to provide living expenses for his family. They were in danger of losing their 235 assistance payments. Neighbors collected money and A. B. Padgett, a trust officer of the Trust Company of Georgia, agreed to administer funds for the children. Padgett managed to get the husband to deed the property over to the grandmother so that the Section 235 assistance could continue.

McHan said, "As a matter of fact, I took the deed down and got it recorded although it is not FHA business, and got the grant of title to the grandmother." Mrs. Gill, a counselor for the Atlanta Housing Authority has been visiting the family about once every month. She has helped them to secure a welfare income of \$164 per month. The father is currently required to contribute about \$200 on a court order. Mrs. Gill now finds that the family affairs are going well with the assistance received from several sources and the grandmother has little trouble with the children who are doing well in school.

FHA is continuing the assistance payment so that the family can stay together and retain their home.

Impact on public housing

The 235 housing market did not really get moving until late 1969. Therefore, it is too early to measure its full effect on other preexisting and established interests in markets in both the public and private sectors of our economy.

It is an interesting and perhaps healthy sign to note that public housing managers, in areas where there are 235 programs, are complaining that the 235 program is draining off their best rent-paying tenants into this home ownership program. The public housing managers say that this leaves them with only the hopeless economic "dregs" as tenants.

It would appear, however, that it was the intent of the Congress that public housing's loss should be democracy's gain. In writing the 235 provisions, Congress gave priority under Section 235 to public housing tenants. Now the new program enables the public housing tenant to use his subsidy to acquire a stake in capitalism and ownership, rather than a shoe-box full of rent receipts, at the end of 20 or 30 years. With the advent of 235, these families are presented with an opportunity to escape from the ghetto and return to the economic mainstream of this nation at the same time that they improve the quality of their living. We can hope that public housing managers will acknowledge their true function in our society. Meetings of tenant associations in public housing units provide the principal bridge of communication for counselors operating on behalf of the 235 program. This calls for the public housing managers' continued cooperation with the requests of 235 counselors for complete lists of their best tenants. And, they should wish these tenants well when they depart to become home owners. One effect of the 235 program on public housing will be to free a larger number of subsidized rental units for the waiting list of clientele they were created to serve.

Process can't be fed into a computer

So, we see a nearly endless stream of benefits flowing to all parts of our society from one imaginative low-cost program—235.

Many areas around the nation are experiencing successes in their 235 programs. In the areas checked, where the foreclosure rate is at a satisfactorily low level, generally one percent, counseling has played an important part in that success. The counseling of low-income candidates for 235 housing is supposed to be available under provisions of Section 237 of the 1968 Housing Act. However, this counseling section was never funded by the Congress. Counseling is available in approximately 70 locations around the country on a voluntary basis. The kind of counseling that must take place will recognize that the occupants of 235 housing will generally come from public housing or other rented quarters where the landlord or the management is responsible for maintaining and repairing the structure in which people live. When these people move into a 235 house and begin paying their way toward a stake in ownership and, thus a stake in the capitalistic system for the first time, they have no idea of their responsibilities as owners. As a prelude to ownership, most will need counseling on the techniques and options of negotiating with their existing creditors to adjust payment schedules in order to qualify for Section 235's subsidized interest payments.

The 235 clientele have nearly always lived in a marginal or low-income status, and generally continue to earn their incomes in jobs that are subject to layoffs and fluctuations that hit this area of our population first and hardest. This means that the kind of counseling needed cannot stop just because the occupant and his family have become sheltered in 235 housing. Counseling by locally available service must continue to help these people. When they get into financial trouble and encounter the legalese of both the public and private sector to whom they have made commitments, they don't know how to deal with it. Foreclosures will follow unless a sympathetic guidance service can front for them and advise them through each personal crisis.

Where this kind of service is succeeding, the counselors are people familiar with the workings of our economic system. They know how to tap a broad range of assistance programs in order to apply the art of the possible and save the mortgage.

Servicing the 235 mortgage is not likely to be a process that can be easily fed into a computer. There must be a recognition of the need for flexibility in dealing with this clientele. This does not mean to encourage a policy of evasion of personal obligations, but in many cases, there will be extenuating circumstances. It does mean that the system is dealing with people who may not know that they are supposed to get in touch with the counselor or lender if they have a problem. Thus, in many cases, the lender must get out and knock on doors when the payment is 30-days delinquent.

Counseling should not be haphazard

All things considered, the foreclosure rate thus far has not been too high, but continued counseling and flexibility will be necessary to keep it this way. The 235 occupant may even need counseling on such matters as good buys on meat in the grocery store, and how to adjust a thermostat.

The foreclosure rate, in many areas, compares favorably with the PHA 203 program with which we are all familiar, but it took the time of a lot of volunteers to keep this performance rate on a satisfactory level.

In every area checked where the program is succeeding, counseling is now being provided on a haphazard, voluntary basis by

dedicated citizens, many of them from the black community.

The principal beneficiaries of 235 housing are being referred to the voluntary counseling service at all stages of the 235 process. This includes the origination, the settlement and the servicing phases.

The nation cannot expect these counselors to continue without some adequate, definite program of compensation for their time.

The entire 235 program purports to deal with the human crises and problems of a critical segment of our society. Human problems can seldom be computerized. There must be flexibility in whatever program purports to meet this problem and deal effectively with it. The program is more than needed. It is vital. 235 housing presents an unparalleled opportunity to resolve one of the great crises of our time. The 235 clientele do not own the property where they presently live, whether it is public housing or landlord operated. They have no stake in it. If it burns, it isn't their house. 235 gives these people, for the first time, a stake in ownership.

Enabling the 235 client to experience living in a home of his own where he begins to see a little equity building up in his name is planting the germ of pride of ownership in this person. Properly counseled, he will find out what he must do to take care of it and emerge with a stake in ownership and in our capitalistic system. Thus, what would be created within a large segment of our population is resentment of vandalism, destruction and burning. Families owning something do not want to lose it. Rather, they will defend it and automatically adopt the values and standards cherished by most Americans. The national achievement will be to have brought these people back into the mainstream of the economy as taxpayers and as constructive, productive citizens. The alternative is an ever-larger tax burden and an expansion of an inefficient bureaucracy. Wherever 235 can be made to work it will create converts to the best in the American society.

A TRIBUTE TO THE AMERICAN FEDERATION OF MUSICIANS

HON. HUGH L. CAREY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 3, 1971

Mr. CAREY of New York. Mr. Speaker, this year marks the 75th anniversary of the founding of the American Federation of Musicians, Americans in every corner of the land pay homage to the services of a grand organization that has served the interests of the country, the labor movement, and the arts, in sterling fashion.

From the beginning of time, statesmen, poets; social philosophers, and the general public have praised the members of the musical profession as a blessing to mankind. Yet, with all due respect for their abilities and the pleasure they bestow upon the world, musicians have been for centuries. So it was in our own bottom of the economic barrel. So it has been for centuries. So it was in our own country until the founding of the American Federation of Musicians, in 1896.

Under the leadership of such capable men as Hal C. Davis, the current president, and the late James C. Petrillo, the American Federation of Musicians has fought for the rights of its membership

with a force and persistence meriting the respect of everyone familiar with the facts.

It is a pleasure to declare my admiration for the American Federation of Musicians, on the occasion of their 75th anniversary.

TRIBUTE TO JAMES W. STANCIL

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 3, 1971

Mr. DORN. Mr. Speaker, it is an honor for me to join my colleagues in paying tribute to James W. Stancil who has retired after serving as Chairman of the Board of Veterans Appeals for the past 14 years. He does so, I am sure, with pride in the organization he has served so well for a quarter of a century. He has served with a single goal—to assure that veterans of this country, their dependents and beneficiaries receive the benefits intended by the laws enacted by the Congress. On behalf of the veterans of my State, and indeed of the Nation, I wish to express my appreciation.

Jim Stancil was a career employee in the truest sense having served for more than 36 years. He continued his education at night while carrying a full load as a civil servant and earned a law degree in 1941. From 1942 to 1946 he served as a commissioned officer in the Navy. His last assignment was aide and flag secretary to the commander, South Pacific Area and Force.

Mr. Speaker, he joined the Board of Veterans Appeals in 1946 as an attorney. He advanced through positions of increased responsibility, including that of vice chairman, and was appointed chairman of the board in 1957 by the then Administrator of Veterans Affairs, with the approval of President Eisenhower. He furthered his education and was awarded a masters degree in public administration in 1965 by George Washington University.

Many professional honors have come to this exceptional man. Mr. Stancil holds the Veterans' Administration's two highest awards—the Exceptional Service Medal and the Meritorious Service Medal given in recognition of his outstanding contributions as chairman in accomplishing the Veterans' Administration mission. Over the years, he has also been honored by awards from national service organizations, including the American Legion, the Veterans of Foreign Wars of the United States, the Disabled American Veterans and AMVETS. He also received the B'nai B'rith National Service Award for his exceptional contribution to the hiring of the blind.

As chairman of the board, he strove for excellence in service, quality of decisions and was dedicated to the principles of equity and justice.

Mr. Stancil's hallmark was compassion and sympathetic understanding of the problems of those who appealed to his board. In short, he cared. He cared for America's veterans, their dependents

and survivors, and for his associates on the board, from the newest to the oldest.

As he leaves the Board of Veterans Appeals, he can be proud of his record as an outstanding chairman for he truly was a champion of all veterans. Mrs. Dorn joins me in wishing him and Mrs. Stancil, who is a South Carolinian, the very best and a most fruitful retirement.

JENSEN BEACH MIRROR MOVES ON POLLUTION

HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 3, 1971

Mr. ROGERS. Mr. Speaker, as chairman of the House Subcommittee on Public Health and Environment, I have found increasing instances of lax enforcement of or utter disregard for our Nation's health and environmental laws, and the subcommittee endeavored to change this attitude.

I am pleased to note that an outstanding weekly newspaper in the State of Florida, the Jensen Beach Mirror, Jensen Beach, Martin County, has made an extensive inquiry into health and environmental law enforcement in Martin, Okeechobee, and St. Lucie Counties in Florida, and I insert at this point in the RECORD, for the benefit of my colleagues a recent report on the progress being made in the Mirror's efforts:

TIME TO LOOK AT REPORT: CHARGES OF MIRROR IGNORED, BUT PROGRESS IS MADE IN CORRECTIONS

(By Dick Campbell)

(NOTE—This is the tenth in a series of articles revealing the failure of the Tri-County Health Department to enforce laws now on the books of the State of Florida, and the violation of Division of Health rules by action of the health departments of Martin, St. Lucie and Okeechobee Counties. In this article, we assess what has been written, and, in some cases, actions taken.)

A sanitarian of the Martin County Health Department walked into the office of The Jensen Beach Mirror and bought a copy of the March 18 issue. He told the society editor that he wanted to send it to Okeechobee County.

"A friend of mine there wants to know what you wrote about the county," he said, and added, "What's behind all this?"

Asked if he would like to talk to the editor, the sanitarian said, "No", and said he didn't want to leave his name, either.

"This is all an effort of Air and Water Pollution to cause trouble," he said. "Dr. Myers (Martin County Commission chairman) is behind this."

The comments of the sanitarian are typical of the attitude of the Tri-County Health Department toward documented proof of lax health law enforcement in this area. There has been no public comment of either Dr. Neil Miller, head of the health department, or W. A. Richards, director of sanitation for the three counties.

In this, the tenth article of The Mirror's series on lax health law enforcement, the problem of such enforcement should be put into perspective by listing violations of health laws as documented in past weeks. The enormity of the problem thus is shown in the weight of evidence in many cases.

However, in doing so, it must be pointed

out that some progress has been made in health law enforcement. Areas of progress that we know of will be listed along with the original violation.

1. Dairies produce a river of manure . . . March 18, told of specific violations of dairies in Okeechobee County. Dairies dumped cow manure from milking barns into public waterways. The solution suggested as an answer was keeping all such pollutants on the dairy land through the use of "holding ponds". To date, according to officials of Florida Air and Water Pollution, sixteen farms in Okeechobee County have signed up to construct such holding ponds where none had before. Others are expected to sign soon.

2. Injection of cows with anti-biotic while in the milking barns, when laws require cows with mastitis be removed from the herd due to high anti-biotic count of the milk.

3. Unsanitary handling of anti-biotic serum and syringe in milking barns.

4. Failure of county health departments to inspect milking barns as required by law.

5. Septic tank dumps raw sewage in Indian River, March 18, cited a violation bypassed by the Martin County Health Department as an effluent line for a laundry was extended to the river shore alongside a seepage point of the septic tank. The owner of the property took immediate action to correct the violation.

6. W. B. Richards told The Miami Herald reporter that he knew about the septic tank effluent being dumped into the Indian River "two weeks ago", but had taken no action on the problem until an Air and Water Pollution dye-test proved the pollution.

7. Health Department denied Jupiter Island pollution, March 25, showed how the Martin County Health Department had assured the city manager of Jupiter Island there was no problems with pollution, in January, 1970, and conducted a survey of the island between January 7 and January 23. At that time the department reported that no problem areas were discovered and all past known problems had been corrected. One year later, the Town of Jupiter Island was embarrassed to find a long list of outfalls, seven violations corrected in the past year and an incomplete list of potential violations made in another survey by the health department. The town has since taken upon itself to have an independent survey made to solve any unknown areas of possible pollution.

8. Monthly reports of sewage plants in the Tri-County Health Department are supposed to be filed in the Division of Health offices in Jacksonville. There is no indication that all operating sewage plants made or make such reports regularly. If they did, many plants would be found sorely lacking in quality discharge of effluent.

9. A cry of foul, Live and Love It, March 25, pointed to the Market Truck Stop of Fort Pierce as an example of the failure of the health department to act. It was the end of April before action was seen at the site. Dumping of oil in ditches is against the law.

10. Okeechobee trailer parks violate health code, April 1, showed that most Okeechobee County trailer parks were far in excess of their legal limit of trailers, and that many did not have health department licenses to operate.

11. Taylor Creek Lodge had a permit to handle 100 trailers, and had 144 in the park. The sewage plant would handle only 34 trailers, yet the health department permit allows 71 independent trailers to be tied into the sewage system. The sewage plant outfall into Taylor Creek is lush with growth from nutrients.

12. Okeechobee County operates a trailer camp on the shores of Lake Okeechobee without a health department permit, and the park violates several state health laws, including no limit on how long trailers can stay there, failure to have water available in the

park area "adequate and convenient" to the campers, and construction of the park without a health permit.

13. Health on the spot, April 1, editorial, pointed out that the Tri-County Health Department continued to give so-called temporary permits for septic tanks with no time in sight to move subdivisions to sewage plants.

14. It took ten years for the Martin County Health Department to correct health law violations in Jensen Beach as demanded by the Martin County Commission in a resolution ten years previously.

15. On February 19, 1970, the Martin County Commission demanded that the health department use the county attorney to prosecute health law violations. To date such service has not been asked by the health department.

16. Health issues septic tank permit to restaurant, April 8. The St. Lucie County Health Department issued a septic tank permit to a new restaurant seating 225 persons, when such a load, by law, would require a sewage treatment plant.

17. Taylor Creek Isles in Okeechobee County is a trailer park subdivision built on filled land with 800 lots. The subdivision has been approved for septic tank permits by the health department even though the ground does not qualify for them and even though such a subdivision requires a sewage plant. The septic tanks already installed are on lots that front on canals that lead into Taylor Creek. The filled land does not meet the criteria of the law.

18. The City of Stuart continues to violate outfall restrictions by dumping low treated, highly chlorinated effluent right on the beach in Stuart, into the St. Lucie River. Crab traps abound around the outfall. There were 11,000 cases of hepatitis last year in Florida, most of them caused by polluted shellfish.

19. Written promise of installing a sewer system in Poor Bob's Trailer Park when the restaurant went from dumping raw sewage in the tidal shoreline of the Indian River to a sewage plant (it took ten years to get the job done) was ignored by the health department. The owner's estate took a \$48,000 tax credit on the trailer park for installation of the sewage system, according to the county attorney, a system never installed.

20. A sewage plant installed at Pitchford's Camp serves only the cottages there, not the mobile homes. Pitchford's Camp has no health permit for mobile homes, another violation.

21. In February, 1970, W. B. Richards told the Martin County Commission that the county prosecutor, Bill Oughterson, had told him there was no way to prove pollution of the Indian River by Pitchford Camp outfalls since there was no way to prove where the pollutant came from, a statement vehemently denied by the county prosecutor.

22. Outhouse law violations permitted. April 15. When the county sought to investigate outhouses in Port Salerno, Richards used a "temporary privy" law, rather than the proper law on outhouses to convince the county that it had no power in the matter of outlawing outhouses. Investigation of the outhouses in question revealed that none met the specifications for outhouses in state health law and the outhouses could have been closed down by the health department if it had wished to act. The outhouses investigated revealed six of eight points of the law in violation.

23. Richards noted in a letter to the county that deficiencies of the outhouses had been noted and had been discussed with the owner, and did not give a date for compliance, nor a mandate for correction.

24. Bureaucratic health, April 15, editorial. The long, time-consuming route of communications from the office of the Tri-County Health Department in Fort Pierce, to the office of Air and Water Pollution next door

was cited as an example of the ineffectiveness of the so-called "memo of understanding" between the two departments. The report goes from Fort Pierce to Jacksonville, to Tallahassee, to Fort Lauderdale, to next door in Fort Pierce.

25. The Bureau of Sanitary Engineering has no effective power in the organization of the health departments, yet is responsible for many areas served by health departments, creating a vacuum of responsibility, where the buck can be passed with ease.

26. Health wins suit against septic tanks, issues 116, April 22. The St. Lucie County Health Department won a suit filed by Sussex Homes, Inc. to force the health department to issue septic tank permits. The courts ruled that the health department did not have to issue the septic tank permits. In the twelve years that followed, the St. Lucie County Health Department issued 116 septic tank permits to the subdivision, Orange Blossom Estates near Fort Pierce.

27. Since the ground quality was far below state health standards, the health department violated the law in issuing the permits to Orange Blossom Estates.

28. The Bureau of Sanitary Engineering, Jacksonville, compounded the law violation by allowing ten permits for septic tanks to be installed in substandard soil even before the suit.

29. Health violations statewide, April 22, editorial. W. B. Richards gave in to pressure and gave a septic tank permit to a laundry operating on North U.S. 1 in Fort Pierce. He was stopped at the last minute, and the permit revoked, by Richard Starr, sanitary engineer, who demanded that a sewage system be installed.

30. Dr. Richard Penick, former president of the Tri-County Medical Association and well known local general practitioner, from Jensen Beach, joined The Mirror protest against lax health law enforcement. He accused the health department of a "do as little as possible" attitude, and was quoted by The Mirror as saying, "Why there hasn't been an epidemic of major proportions is beyond my medical comprehension."

31. Shopping center violations, April 29. Health department officials W. B. Richards and Richard Starr approved an illegal sump and septic tank for a restaurant and an illegal drainfield for a shopping center owned by L&E Corporation in South Jensen Beach. Told of his violation, the general manager began planning proper sewage treatment for the center. A principal in the corporation owning the shopping center is Ralph Evinrude, who is head of the outdoor recreation sector of President Richard Nixon's environmental quality committee.

32. Sandsprits is classic example of lax enforcement, May 6. The county health department allowed Martin County to continue to operate a county park, Sandsprits Park, when water was found unfit to drink. Health officials just put up a sign that water was not for drinking or washing, in violation of health laws that demand potable water in public places.

33. The county did not know it had to have a health department permit to operate a park. Health officials did not know if such a permit existed.

34. County parks in Martin and St. Lucie Counties on ocean beaches violate sections of the laws of Florida pertaining to "proper safety considerations". Neither have required lifesaving boats or outside buoys, or the proper number of lifeguards as required by law.

35. In the case of Sandsprits Park, the park was finally closed on order of the chairman of the Martin County Commission, Dr. William G. Myers, who said he feared the water was endangering the public.

36. The Manatee Pocket, which empties into the St. Lucie River at Sandsprits Park, has a high pollution rating as tested by Air

and Water Pollution staffers. Laws require the county health department to test such waters where there is public bathing.

37. There are no lifeguards for public park bathing beaches operated by the Martin County Commission at Jensen Beach Causeway, Stuart Causeway, and Sandsprit Park.

There is hope, however. This list does not contain many of the items in stories that will follow this in weeks to come. Each story, it seems, brings evidence of several other areas of concern for lax health law enforcement by the Tri-County Health Department.

The solution, as pointed out by Rep. Don Reed, seems to be executive, rather than legislative. The laws are on the books. Only a strong mandate, and investigation by legislators will convince the executive leaders of Florida that health laws are written to be enforced.

That enforcement, too, will be a story for The Mirror readers. As Dr. Richard Penick wrote recently, "Keep the articles coming. Not all Martin County residents are unconcerned."

APPRECIATION DAY FOR L. B. J.

HON. ABRAHAM KAZEN, JR.

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 3, 1971

Mr. KAZEN. Mr. Speaker, as I attended the dedication of the new Lyndon B. Johnson Library on the campus of the University of Texas, one thought kept coming back to me: "A man is known by the company he keeps." President Johnson, as well as President Nixon and the university's representatives, were occupied with the nature of the ceremony that opened a magnificent building that will house the record of a man's life, but the day was more than ceremonial. There was a sprit of friendship there, a few hours away from the pressures and tensions of our times, where thousands of us gathered to share memories of Lyndon Johnson's life.

There were men and women who had carried great responsibilities in the State, the Nation, and the world. There were others who had worked for President and Mrs. Johnson on their personal staffs, or had helped with his legislative programs in the Congress, or had been security men. And as the Johnsons moved over the hillside, the spirit of friendship marked every moment.

All of us should recognize the monumental contribution to the science of government that is housed in the new library. It will be the focus of scholarly attention for years to come. Like other ex-students of the University of Texas, I am pleased that the Austin campus was chosen as the site. I am delighted with the structure and with the magnificent displays that record Lyndon Johnson's service.

But most of all, I thought that day exemplified the spirit of a man who always meant high praise, and attracted warm satisfaction, when he used the cordial greeting "My Friend." I shall ways be grateful that Mrs. Kazen and I could share the library dedication with him and thousands of his friends.

LOUISIANA LEGISLATURE URGES PRESIDENT NIXON GRANT LIEU- TENANT CALLEY A FULL PARDON

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 3, 1971

Mr. RARICK. Mr. Speaker, in a concurrent resolution the legislature of the sovereign State of Louisiana in its regular session of 1971 memorialized President Nixon as Commander in Chief of the Armed Forces of the United States to "forthwith grant Lt. William L. Calley, Jr. a full pardon from his conviction."

The Louisiana Legislature stated:

This sole conviction of one man for premeditated murder in a guerrilla type war is a mockery of justice and totally and unreasonably unsound, showing not the least appreciation for the dedication and loyalty of Lieutenant Calley and our other brave fighting men defending this country and its highest principles and those of the rest of the free world.

This action on the part of the Legislature of Louisiana may serve as an example for other States to emulate.

It is with a high sense of pride and honor that I insert the complete text of the resolution in the RECORD:

RESOLUTION

A concurrent resolution to urge and request the President of the United States to consider a full pardon for Lieutenant William Calley.

Whereas, Lieutenant William Calley answered the call of this nation that he defend the people of South Vietnam without once questioning that order and with his utmost loyalty and the defense of his country and its allies foremost in his mind; and

Whereas, war itself, and particularly the war in Vietnam is one of daily slaughter of many people on both sides and inevitably of innocent civilians particularly because of the difficulty and practical impossibility of distinguished innocent persons from the enemy; and

Whereas, if indeed there was a massacre at My Lai three years ago, it is the belief of the Legislature that such was the result of the type of war being fought and the tactics of the enemy and not the intentional acts of Lieutenant Calley or any other American soldier to murder innocent civilians; and

Whereas, Lieutenant Calley and all our fine, dedicated and courageous soldiers have been taught and disciplined to follow their orders and commands without question; and

Whereas, this sole conviction of one man for premeditated murder in a guerrilla type war is a mockery of justice and totally and unreasonably unsound, showing not the least Calley and our other brave fighting men defending this country and its highest principles and those of the rest of the free world.

Therefore, be it resolved by the Senate of the Legislature of Louisiana, the House of Representatives thereof concurring, that we, the members of the Legislature of Louisiana, do hereby memorialize and earnestly and respectfully urge and request the President of the United States and Commander-in-Chief of the Armed Forces of the United States to forthwith grant Lieutenant William L. Calley, Jr. a full pardon from his conviction.

Be it further resolved that a duly certified copy of this Resolution shall be transmitted without delay to the President of the United States, the Louisiana delegation in Congress and Lieutenant Calley.

CHILDHOOD LEAD POISONING— A NATIONAL PERIL

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 3, 1971

Mr. RYAN. Mr. Speaker, the disease of childhood lead poisoning—a manmade, preventable disease—exists across the Nation. Virtually every center of old, dilapidated housing constitutes a peril to the children who pick up and eat the sweet-tasting lead-tainted paint and plaster chips which fall from the walls and ceilings of their dwellings.

A recent editorial in the St. Louis Post-Dispatch details the extent of the problem in St. Louis, Mo., and issues a call for action. The editorial very correctly points out one of the key reasons why the Lead-Based Paint Poisoning Prevention Act's programs must be implemented:

Without a testing program, detection of lead poisoning is difficult, because it has a variety of early symptoms, many of which can easily be mistaken for common children's diseases.

The act does, in fact, provide for grants to States and local communities to undertake screening programs.

The editorial lists some shocking figures. Of the 2,572 screened—less than one-tenth of those potentially exposed to lead-based paint—44 percent had elevated blood lead levels. In just under 4 months, 106 children were declared lead poisoning victims.

I commend the editorial from the April 26 issue of the St. Louis Post-Dispatch, entitled "The Lead Poisoning Epidemic," to my colleagues. The editorial follows:

THE LEAD POISONING EPIDEMIC

A recent statement by the president of the American Academy of Pediatrics has called public attention, once again, to one of the major health problems in the city—the poisoning of children who eat sweet-tasting flakes of lead-based paint. Some of the city's leading medical authorities have previously said lead poisoning occurs in epidemic proportions in the city, and the Board of Aldermen passed a lead poisoning control ordinance a year ago. To date, however, little has been done to combat the epidemic. What has been done with the meager funds that have been available from the city and with volunteer help from some neighborhood groups has only confirmed the shocking pervasiveness of the problem.

Most of the effort has been put into a program to determine blood lead levels. A high blood lead level is not necessarily an indication that a child has a full-fledged case of lead poisoning, but it is a clear sign of danger. Without a testing program, detection of lead poisoning is difficult, because it has a variety of early symptoms, many of which can easily be mistaken for common children's diseases.

The results of the screening program begun last June clearly indicate a massive problem, even though less than a tenth of the children potentially exposed have been tested. Of the 2572 children screened, 1121 or about 44 percent have been found to have elevated blood lead levels. The more children are screened, the more it becomes apparent how pervasive the problem is.

When the screening program began, high lead levels were found in about 38 per cent of the children. Of the 1021 children tested

between Jan. 1 and March 27, 53 per cent had abnormal blood lead levels and 106 were declared actual lead poisoning victims. That number is only one less than the number of lead poisoning cases discovered last year, when 500 more children were screened.

Although the city lead poisoning control ordinance makes it illegal to have lead-based paint on interior walls and requires the city to inspect the dwellings of all children found with elevated blood lead levels, in the nine months the screening program has been underway, the city has inspected only 213 housing units, and corrective action has been taken on only a few.

Clearly, the city's efforts are not sufficient to deal with this complex problem, and much more needs to be done. That is why a city-wide conference has been called for May 22 by a number of medical, academic, citizen and religious groups. It is hoped that the conference will develop an action program to save the city's children from the lead poisoning epidemic. The tragedy is that it has taken this long to begin the mobilization of the entire community that will be required.

THE VALUE OF CONTINUING LUNAR EXPLORATION

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 3, 1971

Mr. TEAGUE of Texas. Mr. Speaker, in 18 months this Nation will have completed one of its greatest explorations in the history of mankind. The Apollo lunar missions have and will provide new insights into man's place in the universe and will aid him in better dealing with his own environment. With the reduction of the Apollo program and its completion by the end of 1972 much will remain undone which will be useful in exploring and eventually utilizing the lunar surface. I am including in the RECORD a valuable analysis of the importance of continuing lunar exploration in the years ahead. I commend this to your reading. The analysis follows:

THE VALUE OF CONTINUING LUNAR EXPLORATION

Apollo represents an enormous national investment in people and dollars. The initial magnificent result was the demonstration of our capability to send man to the moon and return him safely. Now we are capitalizing on that investment. The total group of Apollo missions has the objective of exploring our nearest neighbor. Citizens of all nations have thrilled to these Apollo missions and man's first tentative steps on a new world. Man's insatiable curiosity about his past and his future and his continuing quest for knowledge relating to his own small world has now led him to these challenging journeys. The rewards to date have been handsome and have exceeded the expectations of many of the world's outstanding scientists. Returns from the remaining missions are anxiously awaited.

While gaining experience in space operations which can be applied to all our future space efforts, we are also gaining new, fundamental insights into the origin, evolution, and present state of the moon, and the potential usefulness of the moon for mankind. Very importantly, by comparing our new knowledge of the moon with our present understanding of the earth we can increase our knowledge of our own planet and answer significant questions which have until this time eluded us.

The most important scientific finding to date, resulting from the analysis of data

from Apollo 11 and 12, confirms the ancient age of the moon. We had *hoped*, but we now *know*, that the moon is 4.6 billion years old, as old as the earth and the solar system. Our hope for this finding rested upon the belief that if the moon were this old it would provide clues to the first billion years of the earth's history which has been erased by the earth's dynamic and often turbulent evolution. In addition, unaffected by a magnetic field or atmosphere, the moon has proven to be a repository for a history of solar activity.

There are major potential benefits to be gained from the Apollo missions. Understanding of the earth's early history and evolution will be of increasing importance in the future in the search for diminishing ore and mineral deposits. When we have a network of laser retroreflectors on the moon we can address problems such as rate of relative motion of our major continents and wobble of the earth's axis and its possible correlation with major earthquakes. A study of particles which originated in the sun and were trapped in lunar samples may unravel the sun's role in past ice ages and permit us to look ahead to future climate changes. In these and other ways, to project and, to some degree, control our future, we must understand our past. We have now reached a position in lunar exploration where we can begin to exploit our new technological capabilities to their fullest. Changes to be introduced on Apollo 15 will significantly increase the scientific return of each mission. The three remaining Apollo missions will provide increased payload and the duration and astronaut mobility for performing a thorough exploration of the chosen sites which will be more complex. The ability to stay longer and travel further will provide the opportunity to take greater advantage of the capabilities of man as an observer and explorer—the strongest benefits of a manned program of lunar exploration.

Astronauts will emplace automated geophysical stations that will return data which will tell us new facts about the sun and celestial bodies as well as the earth and moon. We will have the capability of searching for gravitational waves originating outside our solar system—a phenomena originally predicted by Einstein, and of fundamental importance in understanding the processes occurring in the universe.

The Command and Service Modules have been modified to provide a sophisticated complement of remote sensing experiments to be performed in lunar orbit. These experiments bring to the program the ability to study the physical and chemical nature of the moon as a whole. We will be able to extrapolate the knowledge gained from detailed investigations of the landing sites over wide regions.

Not only our nation but all mankind can take tremendous pride in the accomplishments of the Apollo Program. With the three remaining missions we will have reached a new plateau of knowledge. We will then have the data upon which to base later major decisions regarding the role of the moon in our plans of the future.

DAVIS FOLLOWING RIVERS' TRADITION

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 3, 1971

Mr. DORN. Mr. Speaker, one of the campaign pledges Congressman MENDEL J. DAVIS made to the people of South Carolina's First Congressional District while seeking the seat held by the late Chairman L. Mendel Rivers was to fol-

low the tradition established over the years by Mr. Rivers.

Mr. Speaker, I am indeed to note from a story by Barbara S. Williams, staff writer for *The News and Courier*, one of South Carolina's leading newspapers, that Representative DAVIS is indeed following the "early bird" habits, and personal attention to his mail and many, many other responsibilities that our beloved chairman did in serving his people. Representative DAVIS has done a splendid job since taking his oath of office.

In view of the affection and high regard held by Members of the Congress for Chairman Rivers, I insert Mrs. Williams' story to emphasize that Mr. DAVIS—although a freshman—is carefully following the teaching he learned while serving as a staff member to Mr. Rivers for a number of years. I am pleased to commend this splendid article to my colleagues:

(By Barbara S. Williams)

WASHINGTON.—In office only two weeks, the new congressman from the First District has assumed many of the work habits he picked up from the "master of serving the people."

The late Rep. L. Mendel Rivers was well-known on Capitol Hill as an "early bird," who arrived several hours before his staff.

A former member of that staff, Rep. Mendel J. Davis now finds himself in the office ahead of everyone, about 7 a.m.

Davis noted that he can get a lot of work done before the hum of the office routine begins.

"I open every piece of mail myself and read every letter. I then sort out where each letter should go."

Rivers also had an office policy of reading, handling and answering each letter on the day that it was received.

Davis maintained that policy even when Rivers was critically ill in a Birmingham, Ala., hospital and promised he would follow the same procedure if elected. "I am proud to say that during the first two weeks it has been done," he said.

It's the new congressman's belief that: "The people own this office. You're here to serve them. They hire you and they fire you. If you are not serving the people, you are not doing your job."

"Mr. Rivers was a master server of the people. That's why I feel I had the greatest teacher in the world."

Davis has found that there is a difference between serving a congressman and serving the people.

"When I was on the staff, I was working with the constituents and their problems for Mr. Rivers; under his direction, with the idea of helping him help the people."

"Before I was recommending to Mr. Rivers. Now the final decision rests with me. The question is how can I best help the people."

While he hasn't yet been given his committee assignments, Davis already has been assured a seat on Rivers' old Armed Services Committee when a Democratic vacancy arises.

Meanwhile, he has listed three other alternatives. Interstate and Foreign Commerce was a choice, he said, because he wants to see a new and diversified industry in the First District and a better development of the ports through more imports and exports.

Davis also listed Post Office and Civil Service as well as Banking and Currency. The congressman noted that the latter committee deals with housing and other domestic problems. Any of the three committees could be beneficial to his district, he said.

The new congressman has spent much of the past two weeks catching up with pending legislation. As a result, he has been doing a great deal of reading. "I want to know what I'm voting on," he said.

To date, Davis believes his most important vote was cast for the decision to continue development of the supersonic transport.

Davis said the decision to continue the SST just makes sense from a mathematical standpoint. "It would cost more to scrap the plane than to complete it," he said.

The new congressman also contended that the abandonment of the project would cost 30,000 jobs at a time when unemployment is on the rise. "We can't afford to have that many jobless," he said.

Davis also noted that the United States always has been first "and we can't afford at this time in history to be second to anybody."

Some of the new congressman's time during the past two weeks has been devoted to staff organization. Basically, however, the Rivers staff has remained intact including the retention of the congressman's long-time executive secretary, Mrs. Cora Bull.

Trezevant Hane, Rivers' former special assistant, now is Davis' administrative assistant.

The only two new additions to the Washington staff are Jane Williams, Davis' personal secretary and Michael Wagers of Rosinville, special assistant. Miss Williams was loaned to the Rivers staff by the University of Alabama when the late congressman was hospitalized. She later agreed to join the Davis campaign effort and then went on to Washington.

Mullins McLeod of Walterboro has taken Davis' old job as district assistant, headquartered in Charleston.

Davis began apartment-hunting this week with the hope of moving his wife and baby daughter to Washington soon.

The Davis' daughter, born New Year's day, has given the new congressman the edge in experience over South Carolina's senior senator. On a recent flight home, Davis was able to show Sen. Strom Thurmond how to quiet his crying daughter, born in March.

Davis chuckled that his ability to soothe the Thurmond baby "best shows the way the Democratic Party can reach the young people."

SPACE PROGRAM PROVIDES MANY SERVICES VITAL TO OUR NATION

HON. MANUEL LUJAN, JR.

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 3, 1971

Mr. LUJAN. Mr. Speaker, it is my belief that the NASA authorization bill provides for a program which serves the national interest.

Our space program must remain active if we are to solve problems of society on earth. Satellites provide daily service in such areas as defense, communications, weather observations, and natural resource management.

The potential of space exploitation is exciting and should be presented to the people of this country more effectively.

In my State of New Mexico, the citizens support the NASA authorization and particularly the space shuttle.

Senators ANDERSON and MONTOYA, Congressman RUNNELS, New Mexico Governor King, the citizens of the State, and I, ask your approval of the NASA program.

At a more appropriate time I want to tell you of the obvious advantages New Mexico offers the space shuttle program. Potential savings amount to more than \$1 billion.

Thank you.

RARICK REPORTS TO HIS PEOPLE ON MEDICAL CARE

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 3, 1971

Mr. RARICK. Mr. Speaker, I recently reported to my people on proposals for a national program of medical care.

I insert my report in the RECORD at this point:

RARICK REPORTS TO HIS PEOPLE ON MEDICAL CARE

The Nixon Administration's goal, at least verbally, is dedicated to restoring power to the people—to reverse the flow of power to Washington and to return power to the people at the local level who are best able to decide for themselves those issues which so greatly affect their lives.

And I agree that this is a noble goal to which to dedicate ourselves. The greatest source of people power is the U.S. Constitution. Our basic freedoms are defined and defended by the Constitution and the Bill of Rights. These were intended to protect the rights of the individual and defend against just what has been happening.

The Constitution is basically a contract between the sovereign states and the federal government. The people through the sovereign states existed prior to the federal government which is a creature of the states.

In the Constitutional contract the states delegated to the federal government only specified delegated powers. They expressly prohibited other enumerated powers. The Founding Fathers in their foresight and wisdom intentionally wrote the Constitution that way so to carry out the principal purpose as stated in the Preamble: "... To secure the Blessings of Liberty to ourselves and our Posterity."

For approximately the first 125 years of our nation's existence the Constitution, the American people, and the United States came first. Consequently, our basic document was adhered to and respected. As a consequence, we enjoyed economic freedom under Constitutional government and a system of free enterprise with a minimum of government interference. During this period, America prospered and attained the highest average level in education and material well being of any nation on earth.

Our forefathers who established this nation didn't envision many of the technological achievements of today—jet airplanes, guided missiles, or television. The authors of our Constitution concerned themselves with different matters: the God-given rights of man and how to protect them from the greed and selfishness inherent in the human nature of men running the Government.

The need for restraints on elected public officials as well as on unelected bureaucrats in positions of power in Washington is just as valid today and vital to us and the future of our children as ever before.

It is my sincere belief that the basic tenets of government embodied in the original Constitution and Bill of Rights are just as genuine and necessary today as in the past.

From the "New Deal" days of the Roosevelt administration to the present, Americans have witnessed an ever increasing socialization of their lives. A good measure of the degree to which the U.S. is becoming more and more socialistic is indicated by the increasing amount of taxes our citizens are required to pay. This includes not only the federal income tax, but other taxes such as the social security tax, excise taxes, local and state taxes, plus hidden taxes and the most cruel tax of all—inflation. Remember that if the government takes 100% of your paychecks, the government need give only what it thinks your needs are from the cradle to

the grave, but the overall cost is the expense of your freedom to spend your money as you see fit. We now have several generations that do not know what it is to receive in full every penny they earn. Deductions before pay make it so much easier to educate and train for socialism—making the productive pay for what they may not want or need.

Continuing the process of passing more and more socialistic legislation only consumes more than the amount of tax revenues collected and makes the national debt increase. Higher taxes and the loss of buying power by inflation reduce the availability to the individual of many needs of life. Thus the susceptibility of government provided programs resulting in government control over more and more facets of our everyday lives by arbitrary decisions of bureaucratic planners. With increased federal control over more areas of our lives, the freedom of an individual in making his own decisions decreases. Congress, if it is the representative of the power of people in government, should desire to reverse the socialistic trends and return power to the people by getting the federal government out of competition with its own citizens.

Pending before the Congress at the present time are several bills which when enacted into law will but take this nation still further down the road towards complete government control, which is communism.

I thought we'd talk today about one of these proposals—a national health care program which, if passed, can only lead to the complete socialization of medicine. To soften up the American people to accept such a plan, the propaganda mills are putting out false and misleading information.

One of the charges made is that health care expenditures have been the fastest rising item in the Consumer Price Index. This is misleading. Physicians' services have increased at a lower rate than other services. By lumping them with other health care expenditures, it helps create the climate of "government should control doctors." Who wants a government doctor?

Another false charge based on statistics of the World Health Organization is that the U.S. lags behind other Western nations in indices of health such as infant mortality. This should please abortionists and population control people, but the statistics are misleading. World Health Organization statistics are used without any comment of their validity or source. In many nations, Sweden for example, a neonatal death need not be recorded and may never be recorded.

Still another criticism of private medical care is that examinations reveal poor planning of hospitals and other health facilities. Government planning, as we know from experience, wastes colossal sums of dollars to save pennies that might be wasted through a private non-political system.

A national program of health care is said to be needed since emphasis can and should be put on preventing illness and disability.

Americans are being urged to destroy a free choice, private, individual responsibility system in order to improve the situation. Why? When in fact the statistics show foreign countries with government dictated and controlled medical systems have a much inferior prevention record than has the U.S. A comparison of the record of such preventable diseases as tuberculosis shows even socialist Sweden far behind the U.S.

Presently there are seven major plans for nationwide guarantees of medical care either awaiting Congressional action or early introduction. Next the socialists will seek to guarantee the right to live forever. And they will when the people will buy it and if it would produce votes.

Through an organized propaganda campaign of misleading and even false charges and information as to the nature and scope of the problem of the nation's health, the American people have been led to believe that a national health program is manda-

tory. We are told we must change even if for the worst—just to change from our present system.

One such plan receiving much publicity is the Nixon Administration plan known as "National Health Insurance Partnership Act" introduced in the Senate on April 22. The estimated cost is about 5.5 billion dollars a year to the federal taxpayers plus far larger but still unestimated costs by contributions from employers and workers. The government's payments for health care would be on graduated basis—covering all or nearly all of the bill for poor people and paying a lessening portion of the bill as people move into higher income brackets. The more taxes you pay, the less you'd get back on medical expenses.

Another plan known as the "Health Security Act" was introduced in the Senate. Everybody would be covered from cradle to grave. The estimated cost of this plan is conservatively placed at from 44 to 77 billion dollars a year. Half of the costs would come from general revenue of the government and half from social security taxes. In other words, the working people would pay the doctor bills of the non-workers. The federal bureaucrats would operate the entire program through a Health Security Board, which would set standard charges and prepay the bills. Performance of doctors, hospitals, and others would be checked by impartial professionals such as we have experienced by Equal Employment Opportunity and Civil Rights experts.

A look at the quality of health care in countries which have undertaken equal medical care—socialized medicine—should raise serious questions as to abandoning our present workable system for an inferior program in the U.S.

When England embarked on socialized medical care in 1944, the estimated cost was \$500 million per year. In the first year the cost was double that and is now seven times what its promoters thought it would be. Discounting inflation the cost is still about three times its original estimate. And people complain about waiting lines and impersonal attention more than before.

Doctor Lloyd Dawe, one of the many British physicians who have in recent years immigrated to the U.S., commented as follows on his experience with the National Health Service:

"As an intern in a London hospital and later in general practice there, I witnessed an unbelievable waste, interference, and bureaucratic regimentation that have accompanied Britain's unwieldy social experiment. I paid government imposed fines for prescribing the best medicine for my patients. I spent anxious hours in search of hospital space for the critically ill. I saw hospital grants frivolously spent. . . . Practice

under the National Health Service soon became intolerable for me, as it has for thousands of British and European doctors who have left their countries to practice in America. . . ."

In England which has had socialized medicine since 1944, it is reported that the average wait for non-urgent operations is 22 weeks, and the waiting period may stretch to years. People have to wait up to seven years for treatment of hernias or varicose veins. But in jolly old England you have equal medical treatment for all—equal waiting.

The August 10, 1970 issue of U.S. News & World Report comments on the cost of the French system, where the average worker now pays 33%—1/3—of his wages for health services by the government. It supports a lot of dead head doctors who otherwise couldn't make a living practicing:

"In France, where the government pays about 80% of the fees of physicians cooperating in the national health plan, deficits are getting out of hand. The social security system's health fund will be about 165 million dollars in the red this year. If present trends continue, the deficit would rise to 1.8 billion by 1975."

Commenting on socialized medicine in Sweden, a U.S. News & World Report for Jan. 24, 1966 states:

"The average patient here finds his situation has worsened rather than improved. It is more difficult for him to get a doctor. He must wait longer to get into a hospital, and he may be forced to leave the hospital before he is medically ready for discharge. . . . Overburdened doctors must turn away thousands of patients annually—many of them old people who badly need medical care. . . . Waiting periods for special treatment are sometimes so long that patients become incurably ill, even die, before they can get adequate care.

"Gravely ill patients, in need of immediate treatment, had to be turned away from hospital emergency rooms. There were not enough medical personnel on hand to take care of them."

In Quebec province of Canada, the system of socialized medicine grew so bad that an estimated 3,000 medical specialists deserted—left—moving mainly to Ontario and to the U.S. Whereupon, the government of Quebec in October of last year, passed a law requiring all medical specialists to return to work on minimum notice. Those not returning were liable to a fine of \$200 to \$500 per day plus possibility of a one month jail sentence.

The Canadian's emergency policy included doctors who had, during the previous three months, moved to other provinces or to other countries. They could be fined even though they were permanently practicing in other provinces or nations. Penalty could include

confiscation of any property they might still own in Quebec. That's what liberty under law has deteriorated to in socialist Canada.

The experience of other nations with socialized medicine should serve as a stark warning to the U.S. to beware on embarking on such a course for political promises to get the votes of the poor and disgruntled.

The enactment into law of a national health plan would necessitate payrolling a whole new layer of bureaucrats to administer the program—to draft guidelines and to spy on doctors. The administrative cost of Medicare and Medicaid is estimated to be greater than the doctor cost, whereas the administrative cost of private insurance programs is only about 30% of the premium. So the current propaganda about the high cost of medicine as an argument for nationalizing health services simply doesn't hold water. Under socialized medicine the costs would go up and the quality of service would go down.

A minor factor never mentioned by the leadership of either of the two major political parties is that any national health care program is clearly unconstitutional. The sovereign states did not delegate the power of providing health care to the federal government. This power belongs therefore to the States and the people thereof in accordance with the 9th and 10th amendments—that is if the States and the people think they can improve medical treatment by hurting doctors and providing inferior treatment at higher cost.

In Louisiana health services are provided by doctors in a free enterprise system. The doctors themselves, as well as patients, families, relatives, friends, some churches, and other charitable groups, help the less fortunate. In addition, our state of Louisiana has for many years operated charity hospitals to provide medical aid to the indigent. Our system may not be perfect, but it's superior and far ahead of any example suggested.

If the Nixon Administration really wants to return power to the people, why not allow the States and local governments to retain a certain percentage of the income taxes their citizens pay to Washington, say about 20% or 30% or even more. The State and local governments could then provide more and better services, including health care if their people prefer it that way.

When you want a doctor, you want one. You want him to be your doctor and not working for the Washington crowd. You know the man who pays the bills is always the one who is sought to be satisfied. And when it comes to you and your family and your doctor, you don't want Uncle Sam, federal judges, H.E.W., the Justice Department the U.N., or even the President looking over his shoulder.

HOUSE OF REPRESENTATIVES—Friday, June 4, 1971

The House met at 10 o'clock a.m.

Rabbi Israel O. Goldberg, Ahavas Shalom Agudas Achim Anshe Sphard, Randallstown Synagogue Center, Randallstown, Md., offered the following prayer:

Almighty G-d, Sovereign of the Universe, we invoke Thy blessings upon this convention of Representatives of the U.S. Congress.

We pray to Thee, to grant our chosen Representatives the wisdom and guidance, so that they may ever pursue the paths of justice, democracy, and brotherhood.

Enable them to be the instruments in

eradicating intolerance, prejudice, and malice from the midst of our great Nation.

Guard our beloved country from every enemy, pestilence, and sorrow; from distress, anguish, and gloom. Secure our borders to be free from totalitarian ideologies, pagan philosophies, and the anti-democratic principles.

Grant that our country may forever serve as a beacon light for liberty-loving people throughout the world.

May we in concert with all peoples who cherish freedom, achieve speedily the triumph of Thy kingdom of peace and good will on earth. 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.

RABBI ISRAEL O. GOLDBERG

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

Mr. BYRON. Mr. Speaker, I am pleased that Rabbi Israel O. Goldberg