

The Senate will convene at 11 o'clock a.m. Following the recognition of the two leaders under the standing order, the Chair will recognize the distinguished Senator from Illinois (Mr. PERCY) for not to exceed 15 minutes; following which the Chair will recognize the distinguished Senator from Alaska (Mr. GRAVEL) for not to exceed 15 minutes.

At the close of the two orders mentioned, there will be a period for the transaction of routine morning business, with statements limited therein to 3 minutes, the period not to extend beyond 12 o'clock noon.

At the conclusion of the period for the transaction of routine morning business, the Chair will lay before the Senate the unfinished business, H.R. 6531. The pending business will be amendment No. 143 by Senator MCGOVERN and others. Time thereon is controlled.

When the Senate completes its business tomorrow, it will stand in adjournment until 11 a.m. on Monday next.

I foresee no rollcall votes tomorrow. However, as Senators are aware, of course, amendments to the amendment may be called up at any time and votes may occur thereon.

#### ADJOURNMENT TO 11 A.M.

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 11 a.m. tomorrow morning.

The motion was agreed to; and (at 6 o'clock and 9 minutes p.m.) the Senate adjourned until tomorrow, Friday, June 11, 1971, at 11 a.m.

#### NOMINATION

Executive nominations received by the Senate June 10, 1971:

##### U.S. TARIFF COMMISSION

Joseph O. Parker, of Virginia, to be a member of the U.S. Tariff Commission for the term expiring June 16, 1977, vice Bruce E. Clubb, term expiring.

#### CONFIRMATIONS

Executive nominations confirmed by the Senate June 10, 1971:

##### DISTRICT OF COLUMBIA COUNCIL

The following-named persons to be members of the District of Columbia Council for terms expiring February 1, 1974:

Margaret A. Haywood, of the District of Columbia.

Joseph P. Yeldell, of the District of Columbia.

Henry K. Willard, of the District of Columbia.

## EXTENSIONS OF REMARKS

### BICENTENNIAL CELEBRATION OF PERU

#### HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 1971

Mr. CONTE. Mr. Speaker, it is indeed an honor for me to call to the attention of the House the bicentennial celebration of Peru, a small village in Berkshire County of Massachusetts. Peru, with its tiny population of about 150 people, has a colorful history of a mountain town settled by the hardy pioneer types that reflect the finest traditions of New England perseverance and independence.

The tract of land that Peru now occupies was originally sold at auction in Boston to one Elisha Jones in 1762. After the sale, a man from Hatfield, Mass., named Oliver Partridge became the joint proprietor, and the town was incorporated in 1771 as Partridgefield, a name bestowed in his honor. Peru received its present name in 1806 when the townspeople decided their town's name should be shortened. The present name was suggested by the Reverend John Leland, "because," he said, "it is like the Peru of South America, a mountain town, and if no gold or silver mines are under her rocks, she favors hard money and begins with a P."

The remarks of Reverend Leland reflect the rugged geography of the village on which only the toughest and most dedicated settlers could endure the long cold winters and till the rocky soil to make a living. Peru is considered to be the highest village in the Commonwealth, situated at the summit of the Berkshires at an altitude of nearly 2,300 feet. As late as the early part of this century the roads were so rugged and the winter snows so heavy that church services were held only from May until November, and the schools were closed from Christmas until March.

Many families, not so long ago, still kept the old New England custom of "storing up for the winter." These families, many of whom lived miles from the main roads, would supply themselves with enough canned food, barrels of potatoes and apples, logs for the parlor and kitchen stoves, and kerosene for the wick lamps to last them through the long, cold, hard months. And if you went into any woodshed, you probably would have seen a huge carcass of pork or beef hanging from the rafters.

All these scenes of rugged individualism and determination are really quite recent, and some still remain today. The spirit and conviction of the hard pioneer life certainly exists in Peru to this day, and her citizens are proud of their heritage. Two virtues that the inhabitants of Peru still value from the early days are self-sufficiency and the ability to solve their own problems, no matter how tough the circumstances.

I am told that there is a story that Peru townspeople still tell that illustrates this tradition of personal drive and ingenuity. As the story goes, back in 1799 a man named Charles Ford moved to Peru to seek his fortune in the new town. He traveled with all his worldly possessions, which consisted of a horse and cart, a yoke of oxen, and one hog. The long trip by foot took its toll on the poor hog, and it eventually became footsore and caused much delay. Mr. Ford, who was a shoemaker, sat down on the roadside and made small leather boots for his hog's road-worn feet. After fitting his traveling companion with his custom-made footwear, Mr. Ford and his entourage were able to proceed to Peru without further difficulty.

Today, Peru has, because of the austere beauty and solitude of the mountain range, many summer residents who escape the pressures of city living to enjoy the beautiful scenery and foliage and the bounding trout streams that are indigenous to the area.

Peru, in its long history as a true New England democratic community, has kept one of the finest examples of meaningful self-government ever devised. I am referring, of course, to the institution of the town meeting. Since the original warrant for the first town meeting was issued by William Williams in 1771, the people of Peru have met every year. The town meeting day is now on the 2d of March, and it is an exciting day for the entire town. All the citizens, including those voters living in other towns and cities during the winter, turn out for this great event. Occasionally, the intensity of debate reaches a high pitch, as important matters such as schools, money appropriations, cemeteries and roads are discussed. In the true spirit of fair play, however, there have never been any serious disturbances as the contest continues—not along partisan lines of Republicans and Democrats, but between those on one side in local affairs, and those on the other. All local issues are discussed in this form of honest debate, with each citizen having an equal say. But whatever the issue, respect for points of law and for one another is observed by all.

I must say that, in these days of social tension and complex government bureaucracy with which we are only too familiar here in Washington, it is certainly refreshing to know of this fine tradition that the town of Peru has maintained throughout the years. This dedication to the ideal of personal involvement in self-government is a fine and meaningful example for us city folk, and a goal to which we should all be dedicated.

What is reflected in these annual town meetings is the spirit that these people show, not on one day, but on every day of the year. They are a fine people and carry on their lives in the best traditions of democracy and self-respect. Therefore, Mr. Speaker, I am proud to honor the town of Peru, Mass., on the occasion of its 200th anniversary.

GEORGE ROGERS CLARK: CONQUEROR OF THE OLD NORTHWEST

## HON. JOHN SHERMAN COOPER

OF KENTUCKY

IN THE SENATE OF THE UNITED STATES

Thursday, June 10, 1971

Mr. COOPER. Mr. President, though the people of Kentucky are of divergent origins, both North and South, my State enjoys the great historical heritage of the Commonwealth of Virginia which, at one time, extended from the Atlantic seaboard beyond the Alleghenies to the Mississippi and included Kentucky and Illinois as counties of the Old Dominion. The story of the conquest by Virginia during the War for American Independence of the vast empire of the old Northwest Territory is one of the great sagas of our country's history. Its principal hero was George Rogers Clark of Albemarle County, Va., who, by his brilliant performance as commander in chief, Virginia forces, western department, became one of our Nation's heroes.

Though generally overlooked for many years by leading historians for a variety of reasons, this gifted soldier in more recent times has been increasingly recognized because of the magnitude of his achievements which won the commendation of George Washington, and now have been recorded in authoritative books.

In Virginia, Clark is honored as one of her most illustrious sons. In Kentucky, he is recognized as one of the fathers of our Commonwealth and as the founder of Louisville. In West Virginia, the city of Clarksburg is named for him.

A number of monuments honor him in various locations. At Louisville, Ky., there is the George Rogers Clark Memorial Bridge spanning the Ohio River, a river which he knew so well; at Vincennes, Ind., there is located the Clark Memorial; at Riverside Park in Quincy, Ill., a bronze statue gives a realistic likeness; and, in Virginia, at Fredericksburg, the city associated with his youth, there is at its traffic circle a monument with a plaque recording Clark's services and, at Charlottesville, another heroic bronze statue.

Though the records about General Clark and his works are extensive, they are scattered in various repositories. A recent article appearing in the June issue of the Explorers Journal entitled "History of Exploration: George Rogers Clark" by Capt. Miles P. DuVal, Jr., U.S. Navy, retired, highlights the career of General Clark.

The author, Capt. Miles P. DuVal, Jr., is a well-known historian, the author of several authoritative works on the Panama Canal, and he is a frequent contributor to the Explorers Journal on historical subjects. I should note that the Explorers Journal is the official magazine of the Explorers' Club of New York.

Mr. President, I believe many Members and the American public will find Capt. Miles P. DuVal's thoughtful article informative and of historical interest, and I com-

mend it to their attention. I now ask unanimous consent that the article be printed in the Extensions of Remarks.

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

GEORGE ROGERS CLARK

(By Miles P. DuVal, Jr.)

### PROLOGUE

At the start of the War for American Independence, the thirteen original English Colonies that formed the United States were a narrow strip between the Atlantic seaboard and the Alleghenies from Maine to Georgia. British jurisdiction extended southward from Canada between the new nation and the Mississippi, and included Florida.

Threatened with invasion from the north by British forces in Canada over the natural Lake Champlain-Hudson River route, endangered from the east by British sea power, and attacked from the West by a combination of the British Army and incited Indian savages, the young country faced the desperate situation of a three-front war.

The key point for defending the western line was Virginia's Fort Pitt at Pittsburgh, where the Allegheny and Monongahela Rivers join to form the Ohio. The base for British attacking forces was at Detroit, which controlled key transportation routes on the Great Lakes and overland to the Ohio and Mississippi Rivers. Subordinate British stations were at Mackinac covering the strait between Lakes Michigan and Huron, Vincennes on the Wabash, and Kaskaskia and Cahokia on the Mississippi, the last being nearly opposite Saint Louis, the Spanish headquarters for upper Louisiana.

One evening in the spring of 1779, after dinner with his staff, General Washington was quietly sitting pondering the problems of the war when an express arrived. Not knowing what to expect as the Commander in Chief began reading the dispatch, the staff stopped talking and watched the General's face. Gradually its muscles relaxed and its strong lines softened. He announced that Colonel George Rogers Clark of the Virginia Militia, by a winter march, had surprised and captured Vincennes and its garrison, and that the British Commander, Lieutenant Governor Henry Hamilton of the British western territory was a prisoner of war.

This decisive victory of Colonel Clark on February 25, 1779, after one of the most brilliant campaigns in history, meant that British plans for the summer of 1779 were upset, that British pressure on Pittsburgh and the western front were temporarily relieved, and that Washington was left free to pursue the great task of winning the war in a series of operations culminating in the Battle of Yorktown, ending the war with retention by the United States of the vast empire north of the Ohio conquered by Clark.

Who was Clark and what are the highlights of his life?

### EARLY YEARS, 1752-1771

Born on a farm overlooking the Rivanna River in Albemarle County near Charlottesville, then near Virginia's western frontier, George Rogers Clark was of English-Scotch ancestry, with lines back to early colonial times. His father, John Clark, was a successful planter and his mother, Ann Rogers Clark, described by a close relative as the "grandest, most majestic woman he ever saw,"<sup>1</sup> was from a family famed in the history of the United States Navy.

Through them, young George Rogers had the heritage of two of the best known families of the Tidewater section of Virginia. Their greatest pride was that, of their six

Footnotes at end of article.

sons, five became officers in the Revolutionary War, two of them generals. The youngest, William Clark, who was only a child later attained great fame as the leader in the Lewis and Clark Exploratory Expedition.

George Rogers Clark was born two years before the outbreak of the French and Indian War. After the defeat of General Braddock near Pittsburgh on July 9, 1755, which opened the western frontier to Indian attacks, the Clark family in 1757 moved east to Caroline County, south of historic Fredericksburg. Their sojourn near Charlottesville had laid the foundation for a life-long friendship of George Rogers Clark and Thomas Jefferson, who was nine years older.

In Caroline County young Clark attended a school run by a well known Scotch educator, Donald Robertson, and proved himself proficient in mathematics. He studied geography, history, and nature, acquiring a love of books that made him an eager reader for life. He was always a leader among the students, one of whom was James Madison. More significant were instructive discussions at home. In these, one of his mentors was George Mason. Another was his grandfather Rogers under whom he studied surveying, becoming expert. The greatest influence on young Clark, however, was the youthful Colonel George Washington, who became his ideal—as Washington was to many other young Virginians at that time.

With the formal education of George Rogers ended at the age of twelve, his father determined that this son should be prepared for the time when he would leave home. At fifteen, George was buying his own clothing with proceeds from crops that he had grown. At sixteen, he sold his corn and tobacco for 30 pounds, which made him feel that he was a capitalist as well as planter.

The extension of British dominion, following the peace of 1763 with France, beyond the Alleghenies westward to the Mississippi and southward to the gulf of Mexico, served to stimulate westward migration among the colonials, despite a proclamation by George III prohibiting them from settling or claiming land beyond the headwaters of streams flowing into the Atlantic. Living in the path of the growing westward movement, the nineteen-year-old George Rogers found the idea of exploration alluring. Like George Washington, he decided to seek his fortune in the West.

### GOES WEST AND BECOMES A SURVEYOR, 1772

The vast area west of the Appalachians in 1772, with the exception of a few French settlements, was a primeval wilderness, much of it covered with forests abounding in wild game and inhabited by warlike Indians. Under intertribal agreements, Indians lived north of the Ohio and south of the Tennessee. The extensive salient extending southwestward from Virginia and Pennsylvania between the Ohio and Tennessee Rivers was uninhabited and reserved by Indians for wild life, thus forming the "happy hunting ground" in which they obtained food and at times fought tribal wars.

In the years following the peace treaty of 1763, the Indians remained tranquil despite occasional encroachments by English settlers locating west of the Alleghenies. When Virginians started their westward migrations early in the 1770's, they usually traveled via the Monongahela to Fort Pitt, an area then claimed and governed by Virginia, descended the Ohio, avoiding the northern bank because of hostile Indians, and settled in the central part of Kentucky. Others, including some from Maryland and Pennsylvania, traveled through the Valley of Virginia to the headwaters of the Tennessee and thence through the Cumberland Gap to the same area.

Seeing their hunting grounds invaded and food supply threatened, Indians north of



the Ohio became apprehensive and came to feel that they would have to defend their territory. This was the status of affairs in the spring of 1772 when Clark, equipped with survey instruments and books, set out on his first exploring expedition—a "tall, slender, blue-eyed youth of nineteen with clear complexion and sandy hair."<sup>2</sup>

Choosing the northern route, Clark crossed the Blue Ridge and followed the Monongahela to Pittsburgh. Leaving there with a few companions, including the Reverend David Jones, later a chaplain in Washington's army, the "young gentleman from Virginia"<sup>3</sup> slowly descended the Ohio to the mouth of the Great Kanawha and returned home by a southern route across a succession of mountain ranges.

Enthusiastic about the West, Clark, accompanied by his father and two slaves, went back later in 1772 and settled in fertile bottom land along Fish Creek about 40 miles down the Ohio from Wheeling. He cleared an area for farming and became a successful surveyor.

#### GOVERNOR DUNMORE LAUNCHES CLARK ON HIS MILITARY CAREER, 1774

The tide of immigration by 1773 swelled, with white settlers going hundreds of miles below Fort Pitt and survey parties as far as the Falls of the Ohio. This enabled Clark to earn a "good deal of cash"<sup>4</sup> by surveying and to become well acquainted with the terrain. Indians, already apprehensive, became increasingly concerned as the migration grew.

Returning home early in 1773 for a visit with his parents, Clark found that his father had become uneasy about his safety. This, however, did not dampen Clark's enthusiasm and he returned to the "back country."

Eventually, open hostilities developed between Indians and white settlers. Inexperienced in the cruel warfare of the forests, thousands of the colonials gave their holdings and fled east to safety.

Lord Dunmore, then Royal Governor of Virginia, called out the militia and on May 2, 1774, commissioned Clark, age 21, as a captain. Twelve days later, Dunmore placed him in command of the militia in Pittsburgh and its dependencies. From this base in August, Clark participated in his first Indian expedition—a minor surprise attack against Shawnee towns on the Muskingum River in Ohio.

After raising 3,000 troops in Virginia, Lord Dunmore decided to take the war into enemy territory. Organizing his forces into two commands, the southern group under General Andrew Lewis defeated the Indians on October 10, 1774, at Point Pleasant, West Virginia. The northern group, to which Clark was attached, remained under the command of Dunmore, who was so much impressed by the abilities of Clark that he suggested his becoming a professional officer of the British Army.<sup>5</sup>

In the treaty of peace that followed this war, the Indians gave up all claim to the land south of the Ohio, agreed not to go there, and supplied hostages, one of them an Indian Chief. With peace thus assured, settlers rapidly returned to their claims and, in March 1775, completed the first settlement in Kentucky at Harrodsburg.

The most significant consequences of what is known as Dunmore's War were that it gave some 3,000 Virginians a glimpse of the wealth, beauty, and fertility of the West, trained them for greater events yet to come, and launched Clark on his military career.

#### SAFETY OF KENTUCKY AROUSES CLARK'S CONCERN, 1775

Meanwhile, Clark obtained a position as deputy to Colonel Hancock Lee, the successor of George Washington as chief surveyor for

the Ohio Company, which was engaged in the development of the western region. While at Wheeling on his way to meet Lee in central Kentucky, Clark, on May 4, 1775, joined a party of seven men among whom was a cultured Englishman, Nicholas Cresswell, who described Clark as "an intelligent man."<sup>6</sup>

When stopping at Grave Creek where Clark had lived he showed them Indian mounds and explained the use by Indians of a red root (called pocoon) in the treatment of rattlesnake bites. Evidently Clark made a fine impression on the Englishman, for after Clark separated from the party, Cresswell recorded that he "always behaved well."<sup>7</sup>

As one of the earliest surveyors in the Ohio Valley, Clark established claims for much valuable land and soon considered himself a man of wealth. His activities, however, were not limited to the acquisition of land for himself. To encourage more extensive settlement, he and Colonel Lee laid out the town of Leesburg on the Kentucky River near Frankfort.

By this time, the relations of the colonies with the British Government had become critical. Patrick Henry had made his immortal address before the Second Virginia Convention on March 23, 1775, at St. John's Church in Richmond, calling for war, and the first shots had been fired on April 19 at the Battle of Lexington, Massachusetts. Washington had been chosen two months later as Commander in Chief, and, on July 3, had assumed command of the Army at Cambridge.

Because of the start of hostilities, many settlers feared losing their lives and property. In addition to the hazards of war, states north of Virginia disputed her claim to her 1609 charter-based western territory and urged the Congress to establish it as the common property of all the States.

The resulting critical situation deeply impressed Clark, then 22, who recorded, "It was at this period that I first entertained the thought of concerning myself about the interest of this country."<sup>8</sup>

#### VIRGINIA DECIDES TO MAINTAIN HER NORTHWESTERN TERRITORY, AUGUST 23, 1776

Determined to find a way out of the difficulties, Clark returned to eastern Virginia while the Second Virginia Convention was still in session. His brother Jonathan Clark, George Mason, and Thomas Jefferson were members and thus in a position to aid him in estimating the political situation.

Returning to Kentucky in the spring of 1776, Clark had a definite plan in mind and called for a meeting of settlers on June 6, at Harrodsburg at which time "something would be proposed to them which much concerned their interest."<sup>9</sup>

As Clark arrived too late that day to present his plan, the gathering concluded that his purpose was to send delegates to Virginia with a petition for Kentucky, then a part of Fincastle County, the westernmost part of Virginia, to be made a separate county with its own government. It thereupon elected him and John Gabriel Jones as delegates to the Virginia General Assembly.

Desiring to arrive at Williamsburg before the Assembly adjourned, the two traveled via the Cumberland Gap, but before reaching their destination, they learned that the Assembly had adjourned and would not meet until October. The two decided to remain in Virginia, Clark to call on Governor Patrick Henry, then ill at his home in Hanover, and Jones to go to Holston in southwestern Virginia to join a force being raised to repel hostile Cherokees then attacking the frontier.

Presenting his credentials to Governor Henry, Clark found him sympathetic and obtained a letter to the Governor's Council. He soon saw that this body was likewise

sympathetic but reluctant to authorize delivery of 500 pounds of ammunition, requested by Clark for use in Kentucky. Both he and the Council realized that more was at stake than 500 pounds of ammunition and that overt action by the Council would commit the state to an assertion of its sovereignty over the Northwestern Territory as provided by Virginia's charter against all claimants—a majority in the Congress, northern states, and large land companies. On the other hand, the Council feared to lose its Western Territory and Clark determined to utilize that fear.

In Clark's own words, "I wrote to the Council and enclosed the order for the powder. I told them I had weighed the matter and found it was out of my power to convey those stores at my own expense such a distance through a hostile country; that I was sorry to find that we would have to seek protection elsewhere, which I did not doubt of getting; and that if a country was not worth protecting it was not worth claiming."<sup>10</sup>

The Council thereupon acted, and on August 23, 1776, issued orders for transporting the powder to Pittsburgh to await instructions from Clark. Thus, the 24-year-old leader secured the necessary commitments of the Governor's Council to maintain Virginia's control over her charter-based Northwestern Territory.

#### FATHER OF THE COMMONWEALTH OF KENTUCKY, DECEMBER 7, 1776

Virginia's General Assembly met on October 1, 1776, and started consideration of the Kentucky question the same day. Colonel Arthur Campbell, County Lieutenant of Fincastle County and member of the Assembly, did all in his power to block Clark's plan, for he did not wish to see his own extensive domain reduced. Large land promoters submitted a memorial opposing Virginia's assumption of jurisdiction over the Northwestern Territory. But Clark, who had been joined by Jones, did not weaken.

For a time it looked as if Clark's plan would be defeated. He and Jones, who were denied seats as Members of the General Assembly, submitted a final petition, evidently written by Clark, emphasizing the "defenseless state" of their constituents, imploring "immediate protection," and reflecting keen strategic insight as to the value of Kentucky in protecting the states from attack from the West.

The petition stated, "[The Assembly] cannot but observe how much it is to the interest of Virginia to prevent the inhabitants from abandoning [Kentucky] and how necessary it will be to the [United States] in case of an Indian War . . . with nations of Indians lying west of the River Ohio, as their situation is so contiguous to those nations that the seat of war may be carried thither and thus secure the frontiers effectually, at once. Add to this, that in this service they can save the [United States] at least one-half of what an army must cost. . . ."<sup>11</sup>

Finally, after a deadlock between the two houses for more than two months, the General Assembly, on December 7, 1776, after Clark and Jones had departed, passed the bill separating Kentucky from Fincastle County and making it a new Virginia county, with boundaries substantially the same as present-day Kentucky.

This action by the Virginia General Assembly, brought about mainly through Clark's vision and services, gave the new county its own government, authority to organize its militia, and the power to administer it. Moreover, it won for Clark acclaim by historians as the Father of the Commonwealth of Kentucky.

#### STRATEGY FOR GAINING CONTROL OF THE CONTINENT, 1777

After the ammunition arrived at Pittsburgh, Clark and Jones, in the late fall of 1776, decided to return to Kentucky by that

Footnotes at end of article.

post and to take the powder with them. At Fort Pitt, Clark saw many Indians who, through professional friendship, were spies, knew about his plans, schemed to take the powder from him on the way, and "were fully preparing for war in the spring."<sup>12</sup>

Recognizing that safety depended upon expediting the transport, Clark started down the Ohio with a party of seven men in small boats. After passing hostile Indians in the night, he discovered that he was being pursued, landed near Limestone, Kentucky, about midway between the Big Sandy and Licking Rivers, hid the ammunition in several places, set the crafts adrift as decoys, and went overland to Harrodsburg for assistance.

As feared by Clark, Indians invaded Kentucky, slaughtering isolated settlers and forcing others into their forts or to flee. On January 2, 1777, a force under James Harrod left to recover the Virginia powder, reaching Harrodsburg when it was sorely needed by the Kentucky County Regiment of Militia, organized by March 5 with Clark as Major, in command at the age of 25.

In describing the operations in Kentucky at this time, Clark later recorded that they were very uniform, "The defense of our forts, the procuring of provisions, and when possible surprising the Indians . . . burying the dead and dressing the wounded. . . ."<sup>13</sup>

As a great admirer of Washington and one who viewed the war with an instinctive understanding of strategy, Clark thought in terms not only of the needs of Virginia, but also of the United States, and devoted all his unoccupied time to the pondering of strategic problems. In his own words:

"This led me to a long train of thinking, the result of which was to lay aside every private view and engage seriously in the war, having the interest and welfare of the [United States] my only concern until the fate of the continent should be known. . . . This . . . enabled me better to judge the importance of Kentucky to the Union, situated as it was in the midst of the Indians. . . . I saw that as soon as they should accomplish the destruction of Kentucky they would descend upon our frontiers; and instead of the states receiving supplies from thence, they would be obliged to keep large bodies of troops for their defense. It would be almost impossible to move an army at so great a distance to attack their towns, even if they could be found. By supporting Kentucky and encouraging its growth these obstacles would in large measure be removed; for . . . we might, with a little assistance, march with ease at any time from this country to any part of [Indian] country we chose."<sup>14</sup>

Thus Clark came to view the security of Kentucky as a matter of the "greatest consequence, which ought to meet with every encouragement, and to perceive that nothing [he] could engage in would be of more general utility than its defense."<sup>15</sup> His preparations included the formation of a widespread intelligence network in the Mississippi and Ohio valleys, with the sending of spies to scout the Illinois area, which included Indiana.

Clark's vision was not restricted to keeping the United States a narrow strip on the Atlantic Coast, but contemplated gaining control of the continent. His plan was to drive the British out of the Western Territory by expeditions against their distant posts as the best way to support Washington in the War for American Independence.

#### VIRGINIA'S MOTIVES FOR CONQUEST

Clark's spies returned from Illinois on June 22, 1777, with information that British forces at Kaskaskia were efficient but did not

expect an attack by the Americans, that Indians were being incited and that, despite attempts to inflame the French, the latter evidenced affection toward the struggling Americans.

Thus supplied with recent intelligence, Clark set out on October 1 for Williamsburg to propose his plan to Governor Patrick Henry, Virginia's first governor as an independent commonwealth.

Cautious in making his approaches, Clark talked to key leaders to find out their attitudes, settled his accounts as major of the Kentucky County Regiment with state auditors, and visited his father's home in Caroline.

In presenting his ideas Clark knew that Virginia had important reasons for gaining control of the Western Territory—fertile lands in Kentucky, more valuable lands north of the Ohio, and, because of opposition from northern states, the danger of losing all forever if not occupied. Even more significant, however, were millions of acres of "promising mineral lands"<sup>16</sup> in West Virginia.

#### GOVERNOR HENRY AUTHORIZES INVASION OF THE ILLINOIS, JANUARY 2, 1778

On December 10, 1777, Clark was back in Williamsburg and submitted his design to Governor Henry. His plan was to transport his command down the Ohio River almost to its mouth, march overland to Kaskaskia, timing his arrival there at night, surprise and capture the fort, win over French inhabitants by generous treatment, and overcome hostile Indians. His letter stated that possession of Kaskaskia "would distress the garrison at Detroit for provisions; . . . fling the command of the two great rivers into our hands. . . . enable us to get supplies of goods from the Spaniards, and to carry on trade with the Indians."<sup>17</sup>

The proposal faced two difficulties: the Governor had no authority to send troops across the Ohio, and there was the problem of maintaining secrecy. Governor Henry and Clark met the situation by discussing the plan only with the Governor's trusted friends, among them Thomas Jefferson, George Mason, and George Wythe, who became enthusiastic for success.

Governor Henry issued two sets of instructions. One was for public use authorizing Clark to enlist seven companies and to "proceed to Kentucky and there to obey such orders and directions as you shall give them. . . ." The other was secret, covering the main features of Clark's plan for taking Kaskaskia, Cahokia, Vincennes, and, ultimately, Detroit, and directing humane treatment of British captives.

Buoyed up with such orders received on January 2, 1778, Clark, by then a colonel, was supremely confident of success and started upon the arduous task of organizing his forces.

By February 1 Clark was at Brownsville on the Monongahela. Leaving there in late May with two companies of Virginians totaling about 150 men, he went by Pittsburgh and Wheeling for the Falls of the Ohio. There he took possession of Corn Island in the river opposite the site of Louisville, fortified it, and started upon a training program for his little army.

#### BRITISH PLAN FOR ATTACK, 1778

Meanwhile, under the leadership of Colonel Henry Hamilton, Lieutenant Governor at Detroit, British forces were being readied with over 800 troops there and smaller garrisons at Mackinac, Vincennes, Cahokia, and Kaskaskia. The commandant at the last was Philip de Rocheblave, who was violently anti-American. All were inciting Indian savages to join in crushing the rebellious colonists and, in the language of George III, restoring them to their "former state of happiness and prosperity."<sup>18</sup>

While Clark was on his way to the Illinois, Governor Hamilton was planning a combined British and Indian attack on Kentucky and the Allegheny frontiers, including the capture of Pittsburgh, for which he had obtained plans of the fort. His objectives were to destroy the crops of the settlers and to drive them back across the Alleghenies.

Meantime, the Congress called upon the Governor of Virginia to raise a force of 2,500 to join in an expedition under the Continental commander at Pittsburgh to take Detroit, and Governor Henry started upon this task. The fact that he had authorized Clark to take Detroit indicates that there was confusion in strategic planning that could only serve to weaken Clark.

#### VIRGINIA FORCES CAPTURE KASKASKIA AND CAHOKIA, JULY 4-5, 1778

After a month's stay on Corn Island training his troops, Clark left with his command of 170 or 180 men on June 24, 1778, at the very time of an eclipse of the sun, shot the rapids and got underway for Fort Massac in southern Illinois. Fortunately, before departing he received a letter from Pittsburgh informing him of a recent treaty of alliance between the United States and France.

As described by a contemporary at this time, "Col. Clark himself was nature's favorite, in his person as well as mind. He was large and athletic, capable of enduring much, yet formed with such noble symmetry and manly beauty that he combined much grace and elegance together with great firmness of character. He was grave and dignified in his deportment, agreeable and affable with his soldiers when relaxed from duty; but in a crisis, when the fate of a campaign was at stake, or the lives of his brave warriors were in danger, his deportment became stern and severe. His appearance in these perils indicated, without language to his men, that every soldier must do his duty."<sup>19</sup>

Soon after landing at Fort Massac, a party of hunters recently in Kaskaskia arrived. Questioned by Clark, they reported that the militia commanded by Rocheblave was kept in good order, that the inhabitants had been incited against Americans, especially Virginians, that, if given timely warning, they could defend themselves effectively, but, if taken by surprise, Clark would be victorious. No part of their report pleased Clark more than that the inhabitants viewed the Virginians as "more savage than their neighbors, the Indians." In his words, "I resolved to make capital of this should I be fortunate enough to gain control over them, since I considered the greater the shock I could give them in the beginning the more appreciative they would be later of lenity, and the more valuable friends."<sup>20</sup>

The march overland across southwestern Illinois, made to avoid spies on the lower Ohio and Mississippi rivers, was uneventful. On the evening of July 4, 1778, Clark had arrived within a mile of Kaskaskia. After dark he marched with his main division against the fort, found an entrance, captured Commandant Rocheblave in bed, gave a prearranged signal to the other three divisions, and with a general shout took over control of the amazed town, placing its principal militia officers in irons and causing general apprehension. On the same day, he sent one of his captains and 30 men to Cahokia, which was also taken by surprise and captured with equal ease.

Eventually a delegation of Kaskaskians headed by their priest, Reverend Pierre Gibault, called on Clark and told him that the inhabitants, expecting to be separated never to meet again, wished to assemble in their church for farewells, which Clark permitted. After some time in the church the priest and some of the leaders again called on Clark, who stressed the point that Virginians were not savages, and that the King of France

Footnotes at end of article.



had joined the Americans in making war on the British. Relaxing the restrictions placed on the inhabitants, Clark succeeded in making friends of the French, and some of them joined Clark's militia, strengthening his forces.

It was during this period of his western campaign that Clark, at St. Louis, met the beautiful and cultured sister of the Spanish Governor of Upper Louisiana, Teresa de Leyba, to whom he became betrothed, but never married and never forgot.

#### OCCUPATION OF VINCENNES, JULY 20, 1778

Though bold, Clark was prudent. He had heard that Father Gibault had favored the Americans even before they arrived at Kaskaskia and sent for him. The two had a long discussion about Vincennes. The priest did not think that any additional military force from the Falls would be necessary when the people there understood what had happened at Kaskaskia and Cahokia. He offered to go to Vincennes, a distance of 240 miles, in a delegation to acquaint them with the facts.

This proposal was agreeable to Clark, and the delegation left for Vincennes on July 14 with letters to inhabitants there from friends in Kaskaskia. After arrival the group spent a day or two explaining matters. According to the idea of joining the Virginians, the people went to their church, took the oath of allegiance, elected one of themselves as commander of the militia, garrisoned the unmanned British fort, and, to the surprise of Indians, hoisted the American flag.

Returning to Kaskaskia about August 1, Father Gibault brought the glad tidings, and Clark was thus able to consolidate his position. He sent a small troop to Virginia with reports to Governor Henry and to former Commandant Rocheblave of Kaskaskia as a prisoner of war, placed Captain Leonard Helm in command at Vincennes and appointed him Indian Agent.

#### HAMILTON RETAKES VINCENNES, DECEMBER 17, 1778

When learning on August 6, 1778 of Clark's victories in the Illinois, Governor Hamilton at Detroit promptly planned to dislodge the Americans and to recapture Vincennes and other areas occupied by them, including Kentucky. On September 22, his preparations were well underway and he reported, "The Spaniards are feeble and hated by the French, the French are fickle and have no man of capacity to advise or lead them, the rebels are enterprising and brave but want resources, and the Indians can have their resources from the English if we act without loss of time in the present favorable conjuncture."<sup>22</sup>

Having completed preparations, Hamilton and his force left Detroit on October 7 for a 600 mile winter movement to Vincennes. Informed on the way by spies and prisoners, Hamilton approached cautiously, well prepared to block every possible move by Captain Helm.

When Hamilton's forces were sighted by Helm on December 17, 1778, the Captain hardly had time to write Clark about his predicament. Unfortunately, this letter was intercepted and reached Hamilton rather than its addressee.

With his intelligence reports thus confirmed, Hamilton was in a position to act with confidence and promptly obtained the surrender of Fort Sackville with Captain Helm as his prisoner.

By this time winter had set in. Cold rains flooded the flat plains of the Illinois country. The Wabash near Vincennes overflowed its banks, becoming a long lake at places five miles wide. Considering further progress impossible, Hamilton decided to go into winter quarters, using this time to strengthen the fort, sending out parties to harass the Americans at Kaskaskia, and making plans to retake

the Illinois Country in the spring with overwhelming force and to drive American settlers in Kentucky and other western areas to their home states east of the Alleghenies.

#### CLARK DECIDES TO RETAKE VINCENNES, JANUARY 29, 1779

Weeks passed. The regular posts from Vincennes did not arrive and Clark began to suspect that something was wrong. He sent out spies but they did not return. Finally, Clark sent a Spanish merchant, Señor Francis Vigo, to Vincennes to appraise the situation.

Returning on January 29, 1779, Vigo gave a full report on the loss of Vincennes: Governor Hamilton had ordered some of his forces home for the winter, Fort Sackville was being repaired, and the Governor expected reinforcements in the spring, when he planned to start his campaign against the Americans.

Clark understood the gravity of the situation. As he expressed it, "We saw but one alternative, which was to attack the enemy in their quarters. If we were fortunate, it would save the whole, if otherwise it would be nothing more than what would certainly be the consequence if we should not make the attempt."<sup>23</sup> In other words, he had to conquer or be conquered.

He issued the necessary orders, and on February 3 wrote Governor Henry of his decision, stating, "Who knows what fortune will do for us? Great things have been effected by a few men well conducted."<sup>24</sup>

On February 5, he started on his Homeric march of 237 miles overland from Kaskaskia to Vincennes with a total force of only 130 men, of whom 60 were French volunteers. Marching across flooded plains and over muddy trails, crossing swollen streams requiring soldiers to hold up their rifles to keep them dry, and suffering from cold, Clark was able to maintain high morale of his troops.

By the 18th the little Army was on the west bank of the Wabash within sound of Fort Sackville's morning gun, and five days later in a position to attack.

#### VINCENNES CAPTURED, FEBRUARY 25, 1779

Tired by eighteen days and nights of exposure and toil, faced by a well fortified enemy in superior numbers, and realizing what would happen if his command fell into the hands of Indian savages, Clark recorded his thoughts: "Our fate was now to be determined, probably within the next few hours, and we knew that nothing but the boldest conduct would insure success."<sup>25</sup>

Using a prisoner as a messenger, Clark, on February 23, 1779, sent a placard to Vincennes inscribed with a message to the inhabitants, informing them that his army was within two miles, that he was planning to take the fort that night, and that he urged them to remain in their houses, but for any friends of England to enter the fort and "fight like men." As he watched the messenger with spy glasses, Clark could see the commotion that his message caused, but nothing happened at the fort.

When the firing on the fort started at night, the defenders did not believe it was from an enemy until one of their own men was killed. In the morning Clark sent Governor Hamilton, under a flag of truce, a letter advising him of the "impending storm" and demanding immediate surrender. Hamilton replied that he and his garrison were "not disposed to be awed into any action unworthy of British subjects,"<sup>26</sup> and the firing recommenced.

At a critical time in the investment of the fort, Clark spotted a group of Indians returning from a raid in Kentucky, approaching the fort, with two prisoners, and sent a group of his own men to greet them. As expected, the Indians mistook Clark's men as friends sent by Hamilton and gave signs of joy.

Suddenly they discovered their error but it was too late, and six were captured. To im-

press the garrison and to incense the Indians against Hamilton for failure to protect them, Clark, knowing that these savages had just returned from a raid against Kentucky, butchering friends and relatives of the Virginians, ordered them tomahawked in full view of the British garrison.

Clark moderated his original demand for "surrender at discretion" (unconditional surrender) and offered more generous terms, which Hamilton accepted. About 10 a.m. on February 25, 1779, the British Governor marched his well-attired and driller regulars between the ranks of Clark's rough looking frontiersmen. Hamilton was soon on his way to Williamsburg as a prisoner of war.

This capture of Vincennes was the key battle for control of the West, making the vast area north of the Ohio part of the United States. Clark, then only 26, in what was probably the most brilliant operation of the entire Revolutionary War, by doing the "impossible" had taken Vincennes with complete surprise, winning a victory comparable in its consequences to those of Wolfe at Quebec in 1759 and of MacArthur at Incheon in 1950.

What was the view of contemporary leaders on the capture of Vincennes? These are the words of John Marshall: "Clark anticipated and defeated (Hamilton's) design by one of those bold and decisive measures, which, whether found on a great or a small scale, mark the military and enterprising genius of the man who plans and executes them."<sup>27</sup>

#### CLARK'S PLANS TO TAKE DETROIT FRUSTRATED, 1779

Clark instinctively recognized that the proper move to make at this time was to take Detroit immediately, before the enemy had a chance to recover. Three days after the surrender of Fort Sackville dispatches from Governor Henry arrived, advising that the Virginians would be reinforced by 500 men, enclosing a December, 1778, Act of the Virginia General Assembly to create the new County of Illinois, informing Clark of the appointment of Captain John Todd as head of its government with the title of County Lieutenant, and enclosing a resolution of the Assembly commending Clark and his command for their "extraordinary resolution and perseverance in so hazardous an enterprise."<sup>28</sup>

Clark called a council of war to consider his plan for immediate attack on Detroit. He explained the "almost certainty of success" and expressed a fear of delay. Although all supported the idea, the operation was delayed until June 20 to enable preparations, with Vincennes as the rendezvous.

On return to Kaskaskia, Clark and his small force received the welcome of heroes. Addressing the throng, he praised the conduct of his troops and introduced the new County Lieutenant. Thus was established the first American government northwest of the Ohio.

Despite his outward confidence Clark was deeply concerned. Virginia was heading toward bankruptcy, making the supplying of his command increasingly difficult. To meet what was a desperate situation, he felt compelled to assume personal responsibility for large numbers of Virginia's war obligations. Though patriotic, this action proved to be the fatal error of his career.

When the expected reinforcements finally arrived at Kaskaskia in late May, instead of 500 well equipped soldiers promised Clark there were only 150 half-clothed and half-starved men. Instead of 300 troops expected from Kentucky only 30 arrived. Worst of all, one of his commanders, Major John Bowman, instead of joining Clark at Vincennes, waged war on the Shawnees, who had already been overawed by Clark's capture of Governor Hamilton and wished peace. This action antagonized the Indians, forcing Clark to abandon his 1779 plan to take Detroit. He then divided his troops among Vincennes,

Kaskaskia, Cahokia, and the Falls of the Ohio, which latter location he made his headquarters for the rest of the war.

While Clark was still in the Illinois country, the Virginia Assembly adopted another resolution commending him for his capture of Vincennes and authorizing the presentation of "an elegant sword."<sup>29</sup> Offended because the sword was a second-hand one, and in disgust at the failure of the Virginia Government to support him, Clark "thrust it into the ground, broke it off, and kicked the hilt into the Ohio River."<sup>30</sup>

No wonder Clark wrote George Mason: "Never was a person more mortified than I was at this time to see [slip] so fair an opportunity to push a victory—Detroit lost for want of a few men."<sup>31</sup>

#### FOUNDER OF LOUISVILLE, 1779

When Colonial Clark returned to the Falls of the Ohio in the late summer of 1779, he found the population south of the river had considerably increased, and that the garrison left on Corn Island had shifted to a stockade on the southern bank of the river.

Recognizing this as the best site from which to exercise general supervision over the military operations in Virginia's Western Department, he established his permanent headquarters there and prepared a plan for the proposed city of Louisville, the drawing of which is still preserved. This plan is significant for Clark's vision as to the need by a populous city for adequate public spaces. It was this work in municipal planning, started in 1779, that won additional fame for Clark as the Founder of Louisville.

In November Clark sent over 20,000 papers and vouchers to Richmond for deposit with the state auditor. In the panic caused by General Benedict Arnold's invasion of Virginia, they were assumed to have been burned. This disappearance caused Clark enormous difficulty in obtaining affidavits in lieu of vouchers. They remained lost until discovered in 1913 in 70 large packages in an unused room in the auditor's office in Richmond.

#### ENEMY REACTIONS AND PLANS FOR RE-CONQUEST, 1779-80

Clark's capture of Vincennes was a deep shock to British military leaders. They attributed to him far greater forces than he had. Because of Virginia's failure to follow up the victory at Vincennes when it should have done so, British officers gradually recovered their composure, and by early 1780 had planned four strong expeditions composed largely of Indians and traders to recover the entire Western territory—operations that were coordinated with the main British campaign in the South Atlantic States.

The first, starting from Mackinac, was to descend both banks of the Mississippi as far as Natchez and clear them of Americans and Spaniards, for Spain was then at war with Britain. A second, formed at Chicago, was to descend the Illinois River to guard the plain between the Mississippi and the Wabash. A third from Detroit was to go through Shawnee territory, capture Fort Nelson at the Falls, and then attack Kentucky. A fourth from Pensacola was to take Spanish Louisiana and then ascend the Mississippi to join the force from Mackinac. So confident were the British of success that they even planned the disposition of the country in advance, with alluring promises of land to traders.

#### SAVES THE WESTERN TERRITORY, 1780

When the blow fell, Clark was at the Falls of the Ohio. As planned, the first British move was down the Mississippi. Showing tremendous energy and strategic insight in meeting the situation, Clark hurried to Fort Jefferson at the mouth of the Ohio. There he

received expresses from Illinois requesting help. He went to Cahokia, arriving just in time to assist in beating off the British attack. A British assault on St. Louis was defeated by the Spanish commandant de Leyba. These two victories enabled Clark to use French and Spanish forces to counterattack the enemy near the Rock River in Illinois.

Leaving Cahokia on June 4, 1780, for the Falls of the Ohio via Fort Jefferson, Clark ordered available men there to go to the Falls by boat. He and two others, disguised as Indians, went overland by boat through Indian-infested territory, hoping to arrive at the Falls before the British, who, in turn, wished to attack Fort Nelson before Clark's arrival.

When British forces reached the Ohio River, several hundred miles above the Falls, they received a false report that Clark was at Fort Nelson. Because of their fear of Clark, Indian allies of the British refused to attack the Falls, and their leaders had to satisfy themselves with attacks on lesser strongholds.

In the south, Spanish Governor Galvez of Louisiana, in coordination with Clark, defeated the British invasion from Pensacola.

When Clark arrived at Harrodsburg, he found crowds of settlers, highly excited about registering claims at a new land office. No one was concerned about defending his country. But Clark needed troops. On refusal of the registrar to close the land office, Clark ordered it closed and placed the horses, arms, and ammunition of settlers in the service of the state, thus preventing them from leaving for the East. Calling for recruits, Clark soon had a thousand men, who marched against the Shawnees on the Scioto and defeated them at Piqua on the upper Miami in Ohio.

The result of these campaigns was the saving of the Western Territory for the United States.

#### LAST EFFORT TO TAKE DETROIT FAILS, 1781

By the end of the 1780 operations, Clark knew that Virginia was about to relinquish its claim for the Western Territory north of the Ohio in favor of the United States. Despite this, he decided to make another attempt to take Detroit, for he recognized that until this key point was captured it would continue to serve as a hatching-place for Indian warfare.

Again he went to Richmond and saw his friend, Governor Thomas Jefferson, who made Clark a brigadier general, approved his plan, and promised 2,000 men. Clark also requested General Washington to order the Continental Commander at Pittsburgh to place a regiment there under Clark's command. Washington agreed, and wrote Governor Jefferson, "I shall think it a most happy circumstance should your state . . . be able (to take Detroit)."<sup>32</sup>

While Clark was away from the West, conditions there became chaotic, largely because of the loss of Virginia's credit. Unable to obtain supplies, his force at Kaskaskia had to abandon it in February, 1781. British forces under Benedict Arnold invaded Virginia, requiring men promised to Clark for the taking of Detroit to remain at home. He himself had to take part in defending the state.

At Hood's Ferry on January 6, 1781, Clark ambushed Arnold's force—the only check that it received. But Clark had to retire because his raw militiamen were not equipped with bayonets. Clark then went to Pittsburgh to try unsuccessfully to raise 2,000 men in that region, and the Commandant, despite Washington's orders, felt that the situation did not permit the designated regiment to join the proposed Virginia Detroit expedition.

Finally, the Virginia Assembly in June, 1781, on a resolution offered by Patrick Henry, put a stop to the Detroit plan. On

learning of Clark's difficulties, Washington wrote him, "I feel not only for the public disappointment, but for your own, as I doubt not you had the affair much at heart and that you would have executed it with your usual ability and address had you been able to have found the means."<sup>33</sup>

Still hoping for support in Kentucky, Clark descended the Ohio, but his men deserted so rapidly that when he reached the Falls the few remaining were inadequate for offensive operations, ending all chance for what he had hoped to make his greatest triumph—the capture of Detroit.

#### RELIEVED OF COMMAND, JULY 2, 1783

Cornwallis surrendered to Washington in October, 1781, at Yorktown, virtually ending the war East of the Alleghenies, but not in the West. To make matters worse, in December the Virginia Legislature allowed the act for the government of Illinois County to expire and refused to extend it. In Kentucky in early 1782, land speculators stirred up disaffection with demands for separation from Virginia. Clark and other officers received reports of enemy preparations at Detroit for attacking the Falls. By mid-summer large enemy forces were concentrated in Shawnee territory, ready to strike.

Notwithstanding Virginia Governor Benjamin Harrison's prohibition of offensive operations, Clark called a conference of Kentucky County Lieutenants to consider a counter stroke, but could not gain their support. When the blow came, it was not against Fort Nelson at the Falls, but on Fayette County. It ended on August 18 in a complete rout of Virginians and heavy losses at Blue Licks.

Although Clark had tried to avert such disaster by a timely counter stroke, he was over a hundred miles away, and did not know about it until after it had occurred. Survivors sought a scapegoat and placed responsibility on him. Thus he became the victim of slander, with charges of tyranny, ambition, vanity, cowardice, speculation, drunkenness, idleness, and even collusion with horse thieves."<sup>34</sup>

Unfortunately for Clark his friends Mason and Jefferson were no longer in the General Assembly of Virginia, while his personal enemies from the Kentucky counties were.

Chastened by the Blue Licks tragedy, the people of Fayette and Lincoln counties urged Clark to lead them in an expedition against the Indians. Assuming that the urgency of the situation would assure its approval, Clark crossed the Ohio in early November, 1781, with over a thousand men, and destroyed the principal Shawnee towns. For this victory he was commended by Governor Harrison. Jefferson, who understood the nature of the gravest difficulties that Clark had faced, wrote him on November 26, 1782:

"That you have made enemies you must not doubt, when you reflect that you have made yourself eminent. If you mean to escape malice, you should have confined yourself within the sleepy line of regular duty. When you transgressed this, and enterprized deeds which will hand down your name with honor to future times, you made yourself a mark for malice to shoot at."<sup>35</sup>

After a visit in Richmond to settle his accounts, General Clark, on July 2, 1783, was relieved of his command with honor. Although only 30, this virtually ended his great career. Most that followed was anticlimatic and increasingly tragic.

#### VISUALIZES THE EXPLORATION OF THE WEST TO THE PACIFIC

Clark spent most of his time in Virginia in 1783 at the home of his parents in Caroline County. The next year they moved to Kentucky, and settled in rich land near Louisville known as "Mulberry Hill," where Clark lived for fifteen years.

Footnotes at end of article.



Because of the life-long interest of Clark in natural history, and of his experience in exploration, Jefferson wrote him suggesting that he lead an expedition to explore the West from the Mississippi to the Pacific.

Clark liked the idea, but could not afford to undertake it because of his financial situation. He replied to Jefferson suggesting that it be done under Congressional authorization by "three or four young men,"<sup>36</sup> who should learn the language of the distant Indians and study the geography of their country.

The plan outlined by Clark was later adopted by Jefferson when, as President following the Louisiana Purchase, he sent the Lewis and Clark Expedition, in which William Clark, the youngest brother of George Rogers, and his associate gained great fame.

#### WABASH EXPEDITION AND MUTINY, 1786

In February, 1784, Virginia appointed Clark as President of the Illinois Regiment Grant Commission to distribute land to soldiers of that regiment. In March the Congress appointed him a Commissioner for peace negotiations with Indian tribes on the recommendation of Thomas Jefferson, who wished to bring Clark "forward on the continental stage." Though successful in his negotiations with the Shawnees in Ohio, their surrender of lands antagonized other Indians in the Northwest, who formed the "Wabash Confederacy," and aimed to drive all white "intruders" out of the Western Territory.

Though no longer Commander in Chief of the Virginia forces, Clark recognized the gravity of the 1786 situation. He was eventually chosen by Kentucky district officials to command, and led the combined forces to Vincennes with the aim of making a direct attack.

When close to the enemy, one of his regiments mutinied and marched home despite Clark's most fervent appeals, making Clark too weak to attack. Despite this Clark nullified the mutiny, overawed the Indians by his audacity and brought them to terms, shielded the Kentucky counties, and enabled the Congress to arrange a permanent peace with the Confederacy the next year—one of the most brilliant achievements in his career.

#### TRAGEDY CULMINATES

In the course of the Wabash campaign, Clark, under authorized military procedures, confiscated food supplies of Spanish subjects for use of his army. Seized upon by General James Wilkinson, an adventurer, who sought Clark's position as Indian Commissioner and respected military leader, this action served the conspirator in making false charges to Governor Edmund Randolph of Virginia.

Without adequate investigation the Governor issued a proclamation in February, 1787, condemning Clark and calling for his prosecution. Overwhelmed by the injustice, Clark replied, "I respect the State of Virginia. The information you have received hath already been stained with the blood of your country! Facts will prove themselves."<sup>37</sup>

Until 1786 Clark had been a remarkably sober man. Unable after repeated efforts to obtain settlement by Virginia for military supply bills that he had endorsed and assumed, harassed by creditors, humiliated by suits, financially ruined, reduced to poverty, driven to receive support by his family, and threatened with imprisonment, Clark found the Governor's public condemnation too much to bear. He broke his engagement with Teresa de Leyba, who returned to Spain and became a nun, and sought relief in drink, giving his enemies opportunities to support their scurrilous and malicious charges. The projected prosecution never materialized because it lacked the base of truth.

#### VINDICATION BY VIRGINIA

About 1803 Clark moved to Clarksville on the Ohio River opposite Louisville, and built

a log cabin on a point near the Falls where he had a fine view of Corn Island and Louisville. The monotony of his life there was broken by visitors who wished to see the distinguished soldier, among them the naturalist Audubon. Some of these described Clark as having a likeness to George Washington.

It was from this location that General Clark, on October 8, 1803, saw his brother William and Meriwether Lewis depart on their famed exploring expedition and return three years later.

In 1808 Clark suffered a stroke affecting his right side, and lost his right leg, amputated in the middle of the thigh at a time when antiseptics and anesthesia were unknown. To enable him to stand the ordeal of surgery without flinching, Clark sent for a drummer and fifer who played martial music that he had heard on the winter march to capture Vincennes. Soon afterward he moved across the river to Locust Grove, the home of his sister, Mrs. Luc Croghan, near Louisville, slowly regaining strength enough to walk on crutches.

Learning of General Clark's tragic condition, Charles Fenton Mercer, of Fredericksburg, Virginia, an extraordinarily able member of the House of Delegates in the Virginia Legislature, introduced and secured passage, in February, 1812, in a memorable proceeding, of a resolution recognizing the "unskilled integrity, the valor, the military enterprise, and skill of General George Rogers Clark, to whom and to his gallant regiment . . . the State of Virginia was indebted for the extension of her boundaries from the Atlantic to the Mississippi."<sup>38</sup> It authorized the presentation of a suitably engraved sword and gave him an annual pension equal to half the full pay he received as Colonel of the Illinois Regiment.

Clark died on February 13, 1818, at the age of 65.

#### IN PERSPECTIVE

Were it possible for George Clark to return to earth today, he would find that his services were of far greater value than he could possibly have imagined.

In Kentucky and other states that he helped to acquire, he would note numerous monuments in his honor, preeminent among them being the George Rogers Clark Memorial Bridge across Ohio at Louisville and the Clark Memorial at Vincennes.

Notwithstanding the vast consequences of Clark's achievements and the recognition that he has received, his fame has remained largely obscured, primarily because of the dispersal of contemporary record. These have finally been collected in convenient repositories and are thus available for scholars.

The contributions of George Rogers Clark can now be appraised objectively. They place him in the illustrious company of our greatest soldiers, strategists and statesmen: Washington, Jefferson, Sam Houston, and MacArthur.

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#### FOOTNOTES

<sup>1</sup> Bakeless, p. 15.

<sup>2</sup> Bodley, p. 8.

<sup>3</sup> *Ibid.*, p. 8.

<sup>4</sup> *Ibid.*, p. 9.

<sup>5</sup> Bakeless, p. 28.

<sup>6</sup> Bodley, p. 20.

<sup>7</sup> *Ibid.*

<sup>8</sup> Quaife, p. 26.

<sup>9</sup> Quaife, p. 28.

<sup>10</sup> Quaife, p. 33.

<sup>11</sup> Bodley, p. 33.

<sup>12</sup> Bodley, p. 34.

<sup>13</sup> Quaife, p. 40.

<sup>14</sup> Quaife, pp. 40-41.

<sup>15</sup> *Ibid.*, p. 41.

<sup>16</sup> Bodley, p. 44.

<sup>17</sup> Bodley, p. 46.

<sup>18</sup> *Ibid.*, p. 47.

<sup>19</sup> Bodley, p. 54.

<sup>20</sup> Bodley, p. 61.

<sup>21</sup> Quaife, pp. 55-56.

<sup>22</sup> Bodley, p. 93.

<sup>23</sup> Bodley, p. 106.

<sup>24</sup> Bodley, p. 109.

<sup>25</sup> Quaife, p. 132.

<sup>26</sup> Bodley, p. 127.

<sup>27</sup> Marshall, Vol. III, p. 77.

<sup>28</sup> Bodley, p. 136.

<sup>29</sup> Bodley, p. 142.

<sup>30</sup> Bakeless, p. 234.

<sup>31</sup> Bodley, p. 136.

<sup>32</sup> Bodley, p. 168.

<sup>33</sup> Bodley, p. 175.

<sup>34</sup> Bodley, p. 210.

<sup>35</sup> Bodley, p. 218.

<sup>36</sup> Bodley, p. 238.

<sup>37</sup> Bodley, p. 324.

<sup>38</sup> Bodley, p. 369.

### TRIBUTE TO AMERICA'S RURAL ELECTRIC COOPERATIVES

HON. L. H. FOUNTAIN

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 7, 1971

Mr. FOUNTAIN. Mr. Speaker, I am happy to join with other Members of the House in paying well-deserved recognition to America's rural electric cooperatives, which have worked so diligently over the years to bring the blessings of abundant electric power to every part of our land—no matter how remote.

The rural electrification program has meant much to the people of North Carolina, especially to those in the congressional district I have the honor to represent.

Since May 18, 1936, when the first REA line was energized in my State, the rural electric cooperatives have been highly successful in providing the service needed by our rural population.

When they began, only 3.2 percent or 9,672 of North Carolina's farms had electric service, but today 99 percent of our 157,000 farms receive service.

This has made and continues to make a dramatic difference in rural life in North Carolina just as it has and does in other States.

The service provided by our rural electric cooperatives is of vital importance not only to the members served, but also to those living in urban areas. Without a plentiful supply of electricity in rural America, it is not likely that our farms would be nearly so capable of meeting the Nation's needs for food and fiber at reasonable prices.

People would not want to live and work in rural areas without electricity. And without the labor-saving help of electricity farm output would be greatly and adversely affected.

In short, the rural electrification program is absolutely essential to the Nation as a whole and we should not hesitate to do all we can to insure its continued vitality, especially in the area of adequate loan funds.

This program provides a necessity of life—not a luxury, and we should not forget it.

#### MANNERS OF REPORTERS AT NEWS CONFERENCE

### HON. JOHN N. ERLBORN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 1971

Mr. ERLBORN. Mr. Speaker, the President's news conference of June 1 was less than satisfactory. Some blame the President for this and some blame the reporters who asked the questions.

Some of the questions went beyond skepticism, and gave evidence of suspicion and distrust.

A great many news gatherers across our land see their task in a light which differs from the parochial Washington view. One of these is Harold White, editor and publisher of the Naperville Sun, an excellent weekly newspaper in Naperville, Ill.

Mr. White writes a column entitled, "Dear Arch." Here is his comment in the June 3 issue:

[From the Naperville (Ill.) Sun, June 3, 1971]

#### NAPERVILLE'S HERITAGE

DEAR ARCH. On several occasions, I have watched reporters on TV at President Nixon's news conferences; and I must admit I am ashamed of the ill manners displayed by some of my fellow members of the press. These oafs' snarls of contempt for their President come through on the television screen loud and clear; and I wonder why they are not fired from their jobs for showing such public disrespect for the office of President of the United States.

Even now, after many thousands of our boys have been brought home from Vietnam, the President is openly accused of lying about "winding down the war." You and I both know, Arch, that Nixon inherited the Vietnam war. It was not of his making. Where were these critics when their beloved President Kennedy sent over the first troops? Where were they when President Johnson greatly escalated the war?

Getting into trouble is far easier than getting out of it. We don't envy Nixon's role

one bit in trying to pull the fat out of the fire that his predecessors put into it. It is so simple to say "bring the troops ALL home at once." It is so simple to say it, that even a simpleton can say it. And many simpletons in our Congress are saying it, for political reasons. They know full well that it cannot be done that way.

It is time, Arch, for us to rally around the President who is trying to attain peace with honor. If he is successful, it will be only with the help and support of all people in this country.

But let me digress: When I was a student at North Central College, I learned about the English novelist, William Makepeace Thackeray, in one of my English literature courses. Did you know, Arch, that Thackeray was a newspaperman, as well as a novelist? What made me think of him, as I write you today, is that if Nixon is successful in ending the Vietnam war, he should change his middle name—from Richard Milhouse to Richard Makepeace Nixon.

So long for now,

HAL.

#### WALK FOR DEVELOPMENT

### HON. JOHN B. ANDERSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 1971

Mr. ANDERSON of Illinois. Mr. Speaker, as a member of the sponsoring committee of the American Freedom from Hunger Foundation's Young World Development program, I am proud to report that this year's Walks for Development on the weekend of May 8-9 were a tremendous success. I recently received a letter from Mr. John G. Healey, International Walk chairman and director of Young World Development, in which he reported that some 630,000 Americans participated in this year's Walk for Development, raising over \$5 million for overseas and domestic development projects. At the same time, there were walks in 51 other countries which raised another \$4 million.

Once again Illinois led the Nation with the largest and most successful walks, with over 200,000 participants in the greater Chicago area. I was privileged to participate in the Rockford, Ill., walk which turned out over 2,200 marchers. At this point in the RECORD, Mr. Speaker, I include the text of the letter which I received from Mr. Healey, and a copy of my remarks at the Rockford walk on May 8, 1971. The items follow:

#### INTERNATIONAL WALK FOR DEVELOPMENT,

Washington, D.C., June 3, 1971.

HON. JOHN B. ANDERSON,  
House of Representatives,  
Washington, D.C.

DEAR CONGRESSMAN ANDERSON: May 8th and 9th, as you know, saw more than 630,000 Americans, aged 2 to 92, join the International Walk for Development (IWD). As Chairman of U.S. participation in IWD, I would like to express our sincere appreciation of your support for the thousands of walkers who demonstrated their commitment to eliminate poverty and hunger from our world.

The U.S. was the scene for the largest Walks ever staged—105,000 in Buffalo, New York, and more than 200,000 in the greater Chicago area. Shelby, North Carolina hosted

the smallest walk—4 determined young walkers!

While Americans were walking to raise over \$5 million for domestic and overseas development projects, their counterparts in 51 countries raised another \$4 million. Ranking government officials and members of the diplomatic corps joined walkers around the world. In Rome, 80,000 people were addressed by Pope Paul VI, while in Nairobi, Kenya, President Jomo Kenyatta applauded the Walks for "expressing the mobilization of human resources in the cause of social justice."

The organizers of the Walks for Development in this country are members of Young World Development (YWD) of the American Freedom from Hunger Foundation. YWD is an on going youth program designed to focus attention on the problems of human need in local communities, in the nation and in the world. We feel that this weekend has served to focus attention on some of the problems that will face all of us in the coming years, but we feel that the International Walk was only a small beginning in the work of forging this country's commitment to human development. We sincerely hope that we can continue to count on your support for our programs.

You will be receiving a detailed report of the results of IWD and we will keep you informed of our future activities.

Sincerely,

JOHN G. HEALEY,  
Chairman, International Walk for Development Director, Young World Development.

#### ROCKFORD WALK FOR DEVELOPMENT

(By Congressman JOHN B. ANDERSON, Rockford, Ill., Saturday, May 8, 1971)

It's a real pleasure and thrill for me to be here today to participate in this Rockford Walk for Development, and it's a special inspiration for me to see so many young people turned out for such a constructive demonstration.

You know, we've seen the demonstrators come and go in Washington over the last couple of weeks to demonstrate their concern for peace. The vast majority came to peaceably assemble and petition their government for an end to the war. A minority stayed on in the name of peace abroad but adopted the tactic of disrupting the peace at home. I think most observers in Washington would tell you that their destructive demonstration was counterproductive to the cause of peace.

Today we are witnessing a different kind of demonstration here in Rockford and in 350 American communities and some 51 countries around the world. Millions of young people are participating in a constructive demonstration—a demonstration for development—a demonstration aimed at helping the poverty-stricken peoples of the world—a demonstration designed to combat world ignorance, disease and hunger.

Last week I brought Peace Corps Director Joe Blatchford to Rockford to talk to an all-district college conference on "Youth and Voluntarism." And one of the things which he told that gathering was that even if all the guns around the world stopped firing today, there would still be no peace. There will be no peace so long as thousands are dying of starvation every day; there will be no peace so long as millions continue to live in abject poverty around the world, without education, without employment, without adequate medical care, without any hope for improving their chances for survival.

Mr. Blatchford concluded that there can only be hope when those who do not suffer from these injustices become outraged at the injustices endured by the underprivileged and down-trodden. There can only be hope



when the "haves" become outraged at the injustices suffered by the "have nots," and resolve to do something about it. We have seen this outrage constructively channeled into such programs as the Peace Corps overseas and Vista here at home, and the thousands of other small private efforts to combat poverty both at home and abroad.

The Young World Development program of the American Freedom from Hunger Foundation which is sponsoring these walks for development is another excellent example of this constructively channeled outrage. The young people who organized this walk here in Rockford today, and those who have organized similar walks across this country and around the world, are demonstrating a positive concern for those less fortunate than themselves.

The Young World Development movement in America got its beginning back in 1967 when a group of young people in the Fargo, North Dakota, Moorhead, Minnesota area organized the first walk for development. The idea soon spread and some 190 walks have been held since that time raising over \$2.5 million. The Illinois walks of the past two years have been among the most successful in the nation involving more than 65,000 young people and raising over \$665,000 for development projects both at home and abroad. And this weekend's walks promise to be the biggest and most successful ever.

I think the most important aspect of the Young World Development program is that it's not only a fund-raising activity, but that it's an educational movement.

By choosing selected poverty projects here and overseas, the Y-W-D has been able to focus the attention of the American people on the plight of the poor in specific areas, and efforts being made to assist those people. Half the funds raised in today's Rockford walk will go towards supporting international voluntary service personnel in the Congo, and a medical project in Guatemala, and half of the funds will go towards supporting the Crusaders Central Clinic Association here in Rockford—more familiarly known as the "well baby clinic." Likewise, other communities across the U.S. have chosen their own domestic and overseas poverty projects to support.

It is my hope that the educational efforts of the Young World Development movement will lead to a sustained national effort to combat hunger and poverty around the world. It's not enough for us to say, "I did my bit for development on May 8th," and then forget about it. We must be impressed with the fact that poverty is a way of life for two-thirds of the world's people, day in and day out, for a lifetime, and that we have a continuing moral responsibility to alter that fact. It is my hope that today's walk will be a first step in a continuing journey to eliminate racial, social and economic injustice in this world.

That to me is the real reason why we are walking today and why we must keep walking. I believe it was Albert Camus who said that, perhaps we cannot prevent this world from being a world in which children are tortured, but we can reduce the number of tortured children. If we do not do this, who will do this?

By your participation in this walk today, you are demonstrating that you are willing to do this. And that you care about the number of tortured children in this world. By your small sacrifice here today, you are saying, "Walking hurts, but hunger kills."

I want to thank each and everyone of you for demonstrating that concern today, and I also want to thank your sponsors for their financial backing. The time has come to put our feet where our mouths are; the time has come for me to stop talking, and for us to start walking.

## SECRETARY STANS POINTS TO DEPRESSED CONDITION OF TEXTILE INDUSTRY, AND CALLS FOR TRULY RECIPROCAL TRADE POLICIES

HON. O. C. FISHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 1971

Mr. FISHER. Mr. Speaker, in a speech before the International Wool Textile Organization on May 31, Secretary of Commerce Maurice H. Stans reminded the delegates from 28 countries that the import problem "is particularly acute for the American wool textile industry."

The Secretary said imports now account for 28 percent of total U.S. market for wool products, and added that "wool textile output in this country has declined 25 percent in the last year alone—and this is now truly a depressed industry."

In emphasizing the reciprocal aspects of such trade, Mr. Stans told the delegates:

We have been expected by some to put up with restrictions on American products and investments which others do not want us to impose upon them.

A news release concerning the speech follows:

U.S. DEPARTMENT OF COMMERCE NEWS

Secretary of Commerce Maurice H. Stans said today that the time may be approaching when international economic problems "will require a meeting of the nations of the world for a historic conference on matters of trade and investment."

The Secretary spoke before the Opening General Sessions of the International Wool Textile Organization at the Department of State.

Secretary Stans said that in the light of new conditions, the United States "already is reevaluating its own trade policies within its traditional commitments and principles."

"In light of those same conditions, the time has come for other nations to reevaluate their policies as well."

Declaring that "no country has a trade problem unto itself," the Commerce Secretary said that "today's issues are complex, and the time has come for all of us to stop firing rhetorical bullets about trade war and retaliation. We have to develop a sense of reciprocity to achieve fair, expanded, two-way trade between us."

Secretary Stans charged that "some of the rules of international trade are not being fairly applied by all the trading nations of the world."

He added: "We have been expected by some to put up with restrictions on American products and investment which others do not want us to impose upon them."

Secretary Stans said that President Nixon desires "to achieve freer trade for all of us, in a context of fairer trade conditions for the United States."

The Secretary pointed out that President Nixon appointed the Williams Commission more than a year ago to undertake a complete review of U.S. trade policies, and that it will soon report its findings and recommendations.

Mr. Stans also called attention to the President's recent creation of the new Council on International Economic Policy "to devise long-term policies and programs." This move recognizes "at the White House level for the first time in our history that matters of

international commerce and finance must rank along with domestic concerns, diplomatic considerations and military interests as matters of the highest national priority."

Mr. Stans also declared that a solution of the "very vexing" textile import problem is "essential."

He pointed out that over 100,000 jobs in the textile and apparel industry were lost in the last year, and 549 plants closed in the past two years.

The import problem, Secretary Stans said, "is particularly acute for the American wool textile industry. Imports now account for 28 percent of the total U.S. market for wool products—wool textile output in this country has declined 25 percent in the last year alone—and this is now truly a depressed industry."

## KENNY FUNK, NEBRASKA RURAL ELECTRIC YOUTH ESSAY

HON. JOHN Y. McCOLLISTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 1971

Mr. McCOLLISTER. Mr. Speaker, it is a pleasure to share with my colleagues the essay written by Kenny Funk, a sophomore at Clearwater High School in Ewing, Nebr.

Kenny's essay, "The Value of Rural Electrification to Our Home and Community," was selected as the winning essay by the Elkhorn Rural Public Power District of Battle Creek, Nebr., in cooperation with the Nebraska Rural Electric Association.

Mr. and Mrs. Joseph G. Funk of Ewing can certainly be proud of their son, Kenny.

## THE VALUE OF RURAL ELECTRIFICATION TO OUR HOME AND COMMUNITY

I, Kenny Funk, being a permanent resident of the Rural Public Power District, find that the present and future of the state of Nebraska depends upon the participation of informed citizens on the value of Rural Electrification to our home and to our community.

It is the responsibility of Nebraska's citizens to understand the operations of the various divisions of the Rural Public Power District. A knowledge and an appreciation of the historical developments of the electricity of Nebraska provides a person with a background of information from which he can make effective decisions.

If we understand the underlying causes of the developmental events leading up to our present electrical powers, we can recognize the radical changes which have taken place since the days when the electric power first came to our community. We will also recognize the changes in our culture patterns and the living conditions of the various areas in our state and of the people occupying our precious land of Nebraska. When we understand and work with the Rural Electrification people we can appreciate the need for future changes as a result of scientific developments and population shifts.

In 1935, only one farm in every ten in the United States had electric service. In the late 1950's about ninety five out of every one hundred farms had such service. Almost every farm has the modern convenience of electricity today. Of these farms, more than half are served by REA financed electric systems. The Rural Electric Service are local services, independent groups, composed of many, many rural members with the Rural Power District.

Rural families use electricity for many purposes other than household operations. Electricity runs such labor saving farm equipment as meters, milking machines, grinders, pumps and many other machines that make the work of a farmer much easier. Many new Grade A milking parlors are going up in our area, because they have the modern method of electricity to help save time with many of their labor devices. A modern farm has more than four hundred different uses for electricity.

Many new lines and transformers were put up in our area this last year to take care of the increased load of power that is being used for irrigation. With new methods of irrigation and the electric power providing the energy to run the meters had enabled many farms in the sand hill area to raise over 200 bushel an acre corn, something that people thought was impossible. If it can be done now, what does the future in the raising of crops hold for us?

The Rural Public Power District provided every farm home with electricity and many of the farm homes are just as modern and convenient as many of the city homes.

I hope to be able to spend my adult life on the farm and I know that in the 1970's and 1980's we are going to see many new inventions and new methods that will need electric power to make farming and any other farm operation, such as hog raising, milking, feeding cattle, and other operations pertaining to the farm, much easier.

#### VA ADMINISTRATOR RECEIVES HONORARY DEGREE

### HON. FRED SCHWENDEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 1971

Mr. SCHWENDEL. Mr. Speaker, on Monday, May 31, Donald Johnson, Administrator of Veterans' Affairs, was honored when Iowa Wesleyan College, Mount Pleasant, Iowa, conferred on him, the honorary degrees of doctor of laws.

This is an appropriate way to recognize the talents and work of Don Johnson. There is no doubt he has earned this recognition. His record at the Veterans' Administration, when it is facing the most difficult challenges in its history, is outstanding. He is the man for the job.

The citation which accompanied the honorary degree speaks simply, but eloquently of Don Johnson's record. I commend it to the attention of the House.

Donald E. Johnson, native of Iowa, educated at Iowa State University and Eastern Oregon College of Education, veteran of World War II with combat service in the European Theater of Operation, recipient of the Bronze Star and the Croix de Guerre of the Belgian Government, leader in The American Legion in Iowa and the nation, Iowa business executive in farm supplies, poultry and fertilizer, named as 1965 "Iowan of the Year" by radio and television broadcasters, civic leader in West Branch, since 1969 Director of the United States Veterans Administration as the youngest man ever appointed to the post with administrative responsibility for the nation's largest medical program of 166 hospitals, Iowa Wesleyan College welcomes you into its alumni ranks as it begins its task of the education of nurses for the country's health services.

CHIEF JUDGE PAUL P. RAO, LL.D.

### HON. JOHN J. ROONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 1971

Mr. ROONEY of New York. Mr. Speaker, it was indeed a pleasure to learn that the Honorable Paul P. Rao, Chief Judge of the United States Customs Court, has been awarded the honorary degree of Doctor of Laws by Manhattan College. It has been my good fortune to be a friend of and to be able to work with Judge Rao over a period of many years. Dedicated public service has been the hallmark of his life, and I can think of no one more deserving of such an honor from such a distinguished institution in New York.

Under the permission heretofore unambiguously granted me, I include with these remarks the citation delivered by Dr. Francis B. Taylor of the faculty of Manhattan College preceding the presentation of the Degree.

JUDGE PAUL PETER RAO

"Sub Deo et Lege", the keystone of Anglo-American constitutionalism, characterizes fittingly the distinguished career of Paul Peter Rao. For thirty years, first as Assistant United States Attorney General and later as Judge and Chief Judge of the United States Customs Court, Judge Rao has served his Creator and the Law.

Protecting against the unjust assessment of taxes in any form has been a most precious right in our nation's heritage. Impassioned defender of judicial review, Paul Rao is mindful of this heritage in deciding controversies arising out of the administration of the tariff laws. From Rouses Point, New York to San Juan, Puerto Rico, the nation's ports of entry have comprised his judicial circuit. He has literally covered the waterfront and maintained the last remaining itinerant court in the national judiciary. Rhubarb and frogs' legs, comic books and literary anthologies, plastics and binding twine, are but a few of the unique commodities about which he has rendered decisions with the judgment of a Solomon. Motivated by a fascination transcending the drudgery of detail, he has enhanced that essential principle of ordered liberty and freedom,—equal justice under the law.

Edmund Burke once said: "A disposition to preserve and an ability to improve, taken together, would be my standard of a statesman." With reverence for precedent, Judge Rao has displayed as well the statesman like qualities of innovator and reformer. Humorous but telling was his producing in court early in his career a thirty-five piece drum and bugle corps to establish to the satisfaction of the presiding City Magistrate the primary distinction between music and noise. More significantly, he has revitalized the administration of customs law and has been the architect of a new structure and procedure. His single vision: a new and separate courthouse for the United States Customs Court became reality in 1970 when Chief Justice of the United States Warren E. Burger dedicated an elegant building in our downtown Civic Center. Rao's wise folly is today the focus of Foley Square. Reformer of the law, he revised the Customs Court procedures by public law of the 91st Congress. Judge Rao has won the esteem of his fellow New Yorkers through untiring efforts on behalf of myriad social welfare and religious organizations. Service has been the hallmark of Judge Rao's noble life: service in the

United States Navy in World War I, service to veterans of foreign wars, and service to his community. In recognition of his dedication to the Church, he was invested as Knight of Malta at St. Patrick's Cathedral in 1962.

Brother President, with deep sense of pride, I present, Paul Peter Rao, distinguished jurist respected for his impartiality; Christian gentleman admired for his humaneness; inspiring reflection of excellence in deed as in ideal, for the honorary degree of Doctor of Laws.

#### HEW REPLY TO AMERICAN CONSERVATIVE UNION PAMPHLET "FACTS ON THE NIXON WELFARE PROGRAM"

### HON. JOHN W. BYRNES

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 1971

Mr. BYRNES of Wisconsin. Mr. Speaker, the comprehensive welfare reform legislation reported by the Ways and Means Committee provides for a systematic administration of our welfare programs that will move people from the welfare rolls to the employment rolls. It does this by requiring that able-bodied individuals avail themselves of the greatly increased work and training opportunities provided to become self-sufficient and by providing incentives for individuals to be gainfully employed rather than on welfare.

The American Conservative Union has circulated a question and answer pamphlet entitled "Facts on the Nixon Welfare Program." In view of the wide circulation of this pamphlet and the misleading statements it contains, I thought it would be helpful to ask the Department of Health, Education, and Welfare to prepare a response to this pamphlet and an inserting their response at this point in the RECORD so that it may be available to all Members:

#### HEW REPLY TO AMERICAN CONSERVATIVE UNION PAMPHLET, "FACTS ON THE NIXON WELFARE PROGRAM"

##### 1. Q. What is the Nixon welfare plan?

ACU Response: The program is a socio-economic plan designed to turn over the major burden of welfare to the Federal Government. The most controversial provision of the welfare program is the "family assistance plan," better known as a guaranteed annual income.

Administration Response: It is incorrect to refer to the Family Assistance Plan as a guaranteed annual income. There are critical differences in concept and in program operation between Family Assistance and such plans. Under guaranteed income plans, the Government would allow people to abdicate their responsibilities for self-support by assuring a basic income regardless of whether they are willing to work or not.

Under Family Assistance, however, income is not provided regardless of personal efforts or attitudes. Those who are able to work or to be trained are required to register for and accept training or employment, or lose benefits. We are not creating a situation wherein the Government assumes the financial responsibility for people who choose not to work. As the President stated in his Message to the Congress: "It would not be fair to those who willingly work, or to all taxpayers, to allow others to choose idleness when



opportunity is available . . . No able-bodied person will have a 'free ride' in a nation that provides opportunity for training and work."

Moreover, a guaranteed income probably implies to most people the assurance of a flat amount of income and universal availability. Family Assistance is neither of these: the amount of the benefit varies in order to encourage work, and the plan is not universal but is restricted to families with children. Of course, Family Assistance does establish a nationwide minimum floor under welfare benefits, but there are now separate income floors in each of the fifty States and establishing a common minimum does not make the President's proposal a guaranteed income.

2. Q. How will the guaranteed annual income work?

ACU Response: A potential recipient will simply sign up at the local welfare or social security office. There would be no check to determine the needs of the applicant.

Administration Response: As just explained, it is not a guaranteed income. Although the proposed legislation nowhere states that Family Assistance would be operated using only a "declaration of need," some people have assumed this would be the case. In fact, verification will be required. This will include verification of family composition as well as verification of income. The national network of offices, with telecommunications systems and national computer storage, will enable the administration to check routinely social security earnings records as well as other types of records including Internal Revenue, Veterans Administration, etc. In addition, there will be routine and thorough auditing on a scientific sampling basis. Every single beneficiary, including children, will be identified through social security numbers. All of these factors will substantially increase the integrity of the system over the present system.

3. Q. How much would each welfare family receive?

ACU Response: As presently designed \$1600 for a family of four from the Federal Government. Professional welfare organizations are already calling for a minimum of \$5500.

Administration Response: The Ways and Means Committee has carefully considered the benefit level. A Federal floor of \$2,400 for a family of four is set as the Federal base in order to furnish cash in place of food stamps. This is in accord with the President's desire to enable poor families to move from dependence to independence, as well as in recognition that the food stamp programs have experienced substantial criticism.

Neither the Congress nor the Administration favors a basic Federal floor as high as \$5,500. The cost would be prohibitive. Also, such a level would seem to be entirely out of line in many States and in many rural areas of all States.

Under the present system, incidentally, some States provide benefits substantially above the national average. This obligates the Federal treasury to open-ended expenditures to maintain welfare rolls in such States. The control of welfare expenditures would be returned to the Congress under the President's welfare reform plan.

4. Q. As a taxpayer what will the Nixon welfare program cost me?

ACU Response: As much as \$275.00. Noted economist, Henry Hazlitt, says the welfare plan will cost \$10 billion the first year. This money will have to come from the average taxpayer through still more taxes (\$275.00) or through still more inflation.

Administration Response: The total additional cost of the welfare reform plan currently before the Ways and Means Committee would be \$3.9 billion. The State would save \$1.6 billion in fiscal year 1973 or a net

additional Federal cost of 5.5 billion dollars. Of this 5.5 billion, 2.4 would go toward training, child-care programs, public job projects, and employability services which we expect will result in more welfare recipients leaving the rolls.

If the present system continues, costs to the taxpayer will be higher in the long run than the costs of reform. It is the present system which may create a need for higher taxes, not the reformed system. The startup costs of reform will be provided for by a reallocation of priorities, not by increased taxes, or by inflation.

5. Q. How many people will be added to the welfare rolls?

ACU Response: The program will add 12 million to the already 10 million on the welfare rolls. In total, some 22 million people would be receiving checks from the Federal Government, or 11% of the U.S. population.

Administration Response: The answer is wrong and the question is misleading. There are presently about 10,000,000 recipients in the family categories and about 3,000,000 in the aged, blind, and disabled group. Of the 10,000,000 in the rapidly growing program, some 70% are children and the remainder are predominantly women in female-headed families.

By July 1, 1972, the effective date of the program, approximately 11½ million individuals in AFDC families would be on the rolls. On 1/1/73 7 million individuals in working poor families would be eligible. Many of the latter, working full time, would draw very small benefits, and we can probably expect no more than 5 million to be in families which apply for and receive benefits.

Thus, we would be in the area of 16½ million individuals (still some 70% of whom are children) before the training, day care and services begin to move families onto pay-rolls.

It is worth pointing out that AFDC caseload without reform is projected to reach 17 million by 1976, by which time FAP will have the caseload considerably below that level.

It is also misleading to confuse the supplementation of the working poor with the "welfare rolls", since these family heads are working full-time in order to support their families.

We find it particularly ironic that the ACU does not recognize that the only way to end idleness is to require and reward work. The only way to achieve structural reform of this inefficient welfare system is to cover the so-called "working poor," so that families are not penalized for work effort. Only with this coverage can we construct a program in which it always pays to work.

6. Q. Would a welfare recipient be expected to work to qualify for the guaranteed annual income?

ACU Response: Government officials say yes, but there has been a "must work" requirement in the Aid to Families of Dependent Children (AFDC) since 1967 and it has never been enforced.

Administration Response: The weakness of the present work requirement in WIN is a major reason for the need for welfare reform legislation. Under WIN, it is left to the State welfare agencies to decide who is "appropriate" for referral to the manpower agency for training or employment.

The welfare reform bill specifically states who is subject to the work requirements and every family with an employable (or trainable) member will be registered with the Department of Labor. These recipients will be given maximum possible access to job opportunities and to training. There are 225,000 training opportunities and 200,000 public service jobs available during the first full year of the program to move recipients into jobs. Furthermore, the lack of child care was a major cause of WIN ineffectiveness; the

new bill provides 450,000 child care slots for the first full year, and an increased level of vocational rehabilitation and other employment services to make the work requirement effective.

The increased financial incentives to work (including coverage of the working poor), the strong penalties for refusal, and the massive increase in employability services can and will establish a work-fare program.

President Nixon in emphasizing the work aspects of welfare reform has pointed out, and this is confirmed by those with experience in the welfare area, that there is a strong will and desire to work among welfare recipients, the vast majority of whom want nothing more than to move their families from a state of dependence to one of independence from the Federal dole.

7. Q. How much of the taxpayers money does the government now spend on welfare?

ACU Response: Approximately \$72 billion. The Senate Republican Policy Committee estimated that government expenditures on all levels for social programs already exceeds \$72 billion a year.

Administration Response: We assume the reference is to all "Human Resource" programs. The projected budget for fiscal year 1972 for all Human Resources programs is \$96.1 billion. That is not a "welfare" expenditure. It includes all Federal expenditures for education, health, manpower training, income maintenance and veterans benefits, including all of Social Security which as a program of social insurance is in no way a "welfare program". The "Public Assistance"—welfare—expenditures are projected at \$9.8 billion (Federal portion) for 1972, up from \$4.3 billion in 1969 when the President proposed welfare reform. Expenditures will continue to grow until the whole program is reformed.

8. Q. Would there be any check to determine if the recipient was spending the money wisely?

ACU Response: No. Each person would be completely free to spend the money at his own pleasure—for televisions, automobiles or whatever.

Administrative Response: We cannot foster financial independence if we treat families like they were dependent. As long as families look to government to tell them how to spend their money, dependency is encouraged. A paternalistic approach on the part of government would be a disservice to poor families and to the Nation.

In the case of a family which has problems of money management, the bill provides for responsible third parties, or public or private agencies to be paid as a representative payee. This provision will help protect the children of parents who might abuse the purpose of their benefit payments.

9. Q. Would the welfare recipient receive other services besides the direct cash gift?

ACU Response: Yes. Although President Nixon said other welfare programs would be eliminated the facts are that there would be no cutback in programs such as food stamps. The food stamp program already has been doubled by the Nixon Administration.

Administration Response: Calling a basic sustenance payment a "cash gift" is misleading: able-bodied recipients will be required to accept manpower and rehabilitation, child care, and other services designed to make them self-supporting.

Under the proposal now before the Ways and Means Committee, persons receiving assistance under the Family Assistance Act would not receive food stamps. That proposal has the endorsement of the Administration. We do not, in any event, consider Food Stamps a service since they are, in effect cash assistance.

10. Q. Would welfare mothers be expected to work in order to qualify for the guaranteed annual income?

ACU Response: No. Government designers

of this legislation say welfare mothers should be home with their children. ACU has pointed out that tax-paying families often need both parents working in order to meet the high costs of living caused in large part by excessing government spending.

**Administration Response:** This answer is incorrect. Mothers with school age children are required to work or take training. Under the provisions of the current bill, only mothers with children under six years of age (reduced to three years of age in two years when additional child care capacity is created) would be exempt. In any event, we expect a large number of such mothers to volunteer for employment. In the present WIN program, 7 out of 10 have pre-school age children.

11. Q. Should the government spend more on social programs and less on military and space programs?

**ACU Response:** In the last 10 years the government has spent 25 times more money on welfare than on our lunar landing program. We got to the moon but welfare rolls keep growing.

**Administration Response:** An enormous and growing amount of money is being wasted on an inefficient, ineffective, and inhumane welfare system. This is the reason that we must move immediately to a complete structural reform of this system.

It is well to remember the vast investment in education and technological resources which began in 1958 for our space program. This is the kind of investment in child care, training, and employability services which is desperately needed to break the welfare dependency cycle. Furthermore, the kind of careful planning, systems design, structural integrity, and management control which got us to the moon is exactly what welfare reform will bring to the current state of confusion and disorganization.

12. Q. Would the Nixon welfare plan eventually reduce the number on welfare?

**ACU Response:** No. In fact, the welfare rolls will continue to grow as long as it is profitable to stay on welfare.

**Administration Response:** We estimate that by 1976 there will be fewer people on family assistance than would be on an unchanged AFDC program. The welfare reform plan will enable recipients to earn enough to get off welfare instead of remaining on welfare. (See Question 5)

13. Q. Is the Nixon program similar to the negative income tax advocated by conservative economist Milton Friedman?

**ACU Response:** Absolutely not. The Friedman plan calls for the elimination of all other forms of welfare services with incentives to get off the welfare rolls. The Nixon program is an "add on" measure.

**Administration Response:** It is correct that the Family Assistance Act is not a "Negative Income Tax." It does, as previously explained, have strong work incentives. It is not an "add-on" measure, but a replacement for the present system. As Mr. Friedman himself has pointed out, a disadvantage of his plan is that it does not include a work incentive.

14. Q. Didn't Mr. Nixon say in his presidential campaign of 1968 that he was opposed to the guaranteed annual income?

**ACU Response:** Yes. On many occasions President Nixon stressed his opposition to such a plan. Apparently he is failing to carry out his campaign promises.

**Administration Response:** It is correct that the President is opposed to guaranteed annual income. What he is proposing is welfare reform, not a guaranteed income. As indicated previously in the response to Question 1, the work requirements of the bill place responsibilities on the recipients before they are eligible for any payment. There is no guarantee of income.

15. Q. Who in the Nixon Administration is mainly responsible for this welfare program?

**ACU Response:** Presidential aide, Patrick Moynihan, an advisor to the Kennedy and Johnson Administrations, was the principal architect. When presented to the President's Cabinet this welfare plan was opposed by all but three Cabinet members.

**Administration Response:** The President.

16. Q. What political consequences are involved should the guaranteed annual income become law?

**ACU Response:** It would create a permanent class of people on the Federal payroll who would undoubtedly offer their votes to the politicians promising the highest annual income.

**Administration Response:** As explained in the answers to the previous questions in this series, there is no guaranteed annual income. Welfare Reform will move people from the welfare rolls to payrolls, reducing the growing tax burden to support welfare payments.

### ALBERT RAINS SPEECH CONTEST WINNERS

#### HON. TOM BEVILL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 1971

Mr. BEVILL. Mr. Speaker, each year since becoming a Member of Congress, it has been my privilege to have placed in the CONGRESSIONAL RECORD the three winning speeches in the Annual Albert Rains Speech Contest held at Snead State Junior College in my congressional district.

This contest, which is sponsored by former Congressman Albert Rains, gives these students the opportunity to express their thoughts on important topics. These speeches are always interesting and reflect the intense concern our young people have for the problems facing our Nation.

At this time, Mr. Speaker, under unanimous consent I would like to have placed in the RECORD copies of the three winning speeches and offer my congratulations to the winners.

This year's winners are: First place, Jack Garrett, Guntersville, Ala.; Second place, Bruce Johnson, Guntersville, Ala.; Third place, Etha Rice, Scottsboro, Ala. The speeches follow:

CITIZENS, LEND ME YOUR EARS—"THE 18-YEAR-OLD VOTE"

(By Jack R. Garrett)

Are you ready, young America? Will you be ready to go to the polls and vote in 1972? Have you registered for this privilege? Many young Americans of today believe that the only way is the militant way, but this belief is far from the truth.

Citizens, lend me your ears. On May 21, 1971, I had occasion to speak with the Marshall County registrar, Mrs. Sue Horsley. Of the 2,513 eligible 18-to-20-year-old voters, only 93 men and 74 women have registered. This number is just a little over 15% of this age group. If these figures are a preview of the future, then the outlook seems grim. The 18-year-old is as fit today, by interests and education, as were the 21-year-olds of yesterday to help elect the governing officials of our city, state, and country. According to the "U.S. News and World Report" of January 4, 1971, there will be 21 million more persons eligible to vote in the 1972 elections. Of these, 11.4 million will be 18 to 21, and 7 million will have reached their twenty-first birthday. All of these people will be eligible to vote for the first time. The apathy being

shown at the present time in the Marshall County registrations bodes ill for our county and eventually our country.

This nation has seen 153 congressional resolutions, including the Mansfield-Aiken direct-vote proposal, since 1943 to allow the 18-year-old vote. The final resolution was passed. One in eight Americans of voting age in 1972 will be old enough to vote for the first time. The political impact this situation will have is still unclear.

In this country it is a fact that the younger the voter, the less likely he is to vote. The U.S. Bureau of the Census showed that in the 1968 elections, only 51% of the 21-to-24-year-old voters took advantage of their right to vote. At the same time 63% of the people from 25-to-34-years-old voted; and 75% of the people 45-to-64-years-old voted. Will the youth of today carry on this trend, or will they carry this country on to greater heights through democratic processes?

On March 10, 1971, the Senate approved the drafting of the Twenty-sixth Amendment to the Constitution. This amendment passed the Senate by 94 to 0, and passed the House of Representatives by 400 to 19. Only 38 states need to ratify this amendment for it to become law. As of April 26, 1971, thirteen states had ratified, and nineteen more, including Alabama, seem ready to ratify this amendment. There were also five additional states debating ratification. This amendment will allow 18-year-olds and up to vote in all elections, and give them many adult rights and responsibilities.

Will these new voters accept these rights and responsibilities?

Many of the eligible voters of today are disillusioned by the militant actions of today's teenagers. Many of these youths have been preaching anarchy, destruction, and violence day in and day out. Many others have been following these preachings with zeal. The riots and bombings that have taken place in our great land have further alienated the older generation from the youth of today. It is up to the young people of today to show their elders that they are wrong. We have always considered a youth of 16 and over responsible enough to be judged by their peers in a court of law. We considered a youth of 18, 19, or 20 mature enough to hold a job, pay taxes, marry and raise a family, operate a vehicle, be sued, make wills, and die for their country. Now we consider 18, 19, and 20-year-olds mature enough to help put into office the leaders of their choice, and to aid in making changes in the laws of this great land. They will now be able to help make these changes through democratic processes.

I ask you young people here in the audience today, do not destroy our faith in you. Do not take advantage of these rights. Go among your friends and urge them to visit the registrar of their county, and place their name on the roll of fame. Let it be said by future generations that all of you were ready to aid in the operation of our democratic country, and to help peace and democracy to survive past the thousand-year mark. This is your chance to have what you want, without destroying what you have.

#### THE EFFECTS OF "THE" VOTE

(By Bruce S. Johnson)

Youth of America! Stand up for America! Vote for and elect Abbie Hoffman, president! Could this ever happen? Or, better yet, will it happen? Is it real? Is it with us?

In the fall of 1970, Congress passed a bill. A bill that has the scope and the depth of women's suffrage and of the Civil Rights Act. It gave those people between the ages of eighteen and twenty-one the power, the duty, and benefit to vote in all Federal elections.

Now, I know you have all heard arguments both pro and con. And I am sure that you have all heard people say . . .



"They are too immature" . . . "They are still just kids" . . .

"They do not know responsibility" . . .  
And you have heard in reply . . .  
"If I am old enough to fight, I am old enough to vote."

But let's not consider whether it is right or whether it is wrong. Because it is real; it has happened; and it is with us!

It is real for Federal elections and it will soon be with us in state elections . . . if but for no other reason than simplicity.

Could you imagine the confusion at the polls one election day if there were two separate ballots? There would be a ballot for the 18 to 21 years olds for Federal offices, and a ballot for the older people for all offices (federal, state, local, etc.).

If you could imagine this, try to imagine the pains, toils, confusion, and time involved in the counting and recounting of these votes.

So let's not consider rightness or wrongness for it is here and very much alive. Let's consider something far more reaching and far more important. Let's look at the effects which these votes can have and probably will have upon the rest of our lives.

First, let's go back to Abbie Hoffman and take a look at what could very well happen.

The year is 1980 and we are in Chicago. We are in Abbie Hoffman's campaign headquarters across from the site of the 1968 Democratic Convention. We have just witnessed a gruelling campaign by a somewhat self-proclaimed politician (a shrewd man in many respects). Now it is over and Mr. Hoffman is our President, so let us take a look at his platform and see how he got elected.

Utmost, we notice that he was for legalization of marijuana.

He was for bringing the boys home from war and imposing isolation upon our country. He was also for breaking down the establishment.

He was also for selling the TVA to private enterprise and for cutting old age pension and federal funds for the needy.

But Abbie was elected today mostly by the help of those 18-21 years old voters who saw just two main issues.

Now, let us swing south and consider the state and local elections.

We pass a girl on a street in downtown Birmingham who had just voted. We ask her who she voted for as governor of Alabama. She says, "Why, Joe Namath, of course", and we ask her why. She replies, "Oh! He is so-oo good looking!"

Next we meet two young men who have just voted for Pat Sullivan as Senator from Alabama. When asked why one replies:

"Well, he led Auburn to the national championship back in '71, so why shouldn't he lead the state to better goals and higher standings."

The other one adds:

"I have watched Pat through his college days, and I have watched him play pro-ball. He has always been my idol, so why should I give up on him now."

As you can tell, we all know that these are hypothetical examples . . . but are they?

We would like to think that we would use our votes to elect a man that would stand for the good of all mankind, for higher education, for anti-pollution, for peace, and for that which was good for our country. . . . but will we?

If any of you answer "yes," then take a look around you!

Take a look on our college campuses; look at our own campus! how are elections won on campus . . . by intellectuality or by popularity . . . by awareness or by more hellos . . . by cuteness or by principles?

Let's all take a long hard look at the effects which these votes could have and will have. We all know that we cannot stand still.

We are all getting older, and that includes those kids down in elementary school, those in junior high, and those in high school. If we are defiant . . . what will they be?

Once a great man said something along these lines:

"Don't look back, for something might be catching up with you."

Could Satchel Paige have meant. . . .

"Don't look back, for those votes we cast may be catching up with us!"

#### YOU CAN DO IT

(By Etha Rice)

Eighteen, nineteen, and twenty-year-olds, you've finally got the right to vote. Maybe you think there is really nothing that great about being able to vote, but many young people feel differently. A few years ago, CALVA was organized. CALVA, which means the Consolidated Association to Lower the Voting Age, is composed of young people who worked very hard to get Americans informed on the true competence of the younger generation. The young people belonging to this organization didn't try to go about lowering the voting age by rioting and bombing as some people are inclined to believe most kids do. Instead, they went straight to the top. They wrote and visited their Congressmen and Senators and got the movement revived in the Senate and House of Representatives.

Just why twenty-one has always been considered the magic number that says young people are automatically adults was handed down to us more than 750 years ago. At that time, the English felt that knights didn't have enough muscles to handle their armor and swords until they had reached twenty-one. Ever since this time, most people have substituted lack of maturity and judgment in young people for lack of muscles in knights and retained the same idea.

Now, people's ideas seem to be changing. The big change has taken place within the past few years. Two important political figures in Washington who have expressed a change of opinion are Representative Emanuel Celler and Senator Birch Bayh.

In 1968, 80-year-old Celler said, "When we consider how easily the adolescent is inflamed, how passionately he attaches himself to 'causes' how imperative it is for him at that age to see in patterns of black or white without shadings lest he falter in his commitments, we can readily understand why the demagogue, the dictator, and the hypnotic orator have been able, historically, to capture the youth of the land." Celler was speaking of all the followers of Mussolini and Hitler.

In April of this year, Representative Celler had changed his mind. He said, "I do not feel youth will fall us if we offer it the responsibility of the ballot."

Senator Birch Bayh of Indiana also opposed the lowering of the voting age in 1968. However, since that time, he expressed his opinion to the eighteen, nineteen, and twenty-year-old vote in the following quote: "These young people don't get their kicks the way older people used to. Instead, they work actively for both political parties; they work for civil rights and equal opportunity for all; they are in the Peace Corps, the Teacher Corps, VISTA, and a host of other constructive and meaningful causes that have added a new strength of purpose to our nation."

Young people, older people aren't trying to widen the gap, they're trying to narrow it. They heard your cry for wanting a voice in the wars you fight in, the courts you are judged in, and the taxes you must pay. They answered this cry by giving you the right to vote in national elections, and probably very soon, the right to vote in state and local elections as well.

You were probably told when you were graduated from high school that you were

"the smartest, best-educated, and most idealistic generation ever." Now you're finally getting a chance to prove you are all these things. Maybe you think your vote couldn't possibly matter that much, but it could. If all eighteen, nineteen, and twenty-year-olds vote in 1972, 10 million more votes will be added to the previous total. That number is big enough to really matter. Let's not let the people down who've put all that trust in us by giving us the right to vote. Let's show them that the eighteen, nineteen, and twenty-year-olds are just as competent and just as aware of political issues as the twenty-one-year-old and older.

#### DON'T BUY DANISH!

HON. HAMILTON FISH, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 1971

Mr. FISH. Mr. Speaker, with the list of endangered species growing each day, many of us have been viewing with deep concern the plight of the Atlantic salmon. This concern I believe is well expressed in an editorial carried in the Chatham Courier, a Columbia County newspaper in my congressional district in New York, which I include in its entirety.

#### DON'T BUY DANISH

It's a crime that anything on this earth should be expedited toward the exodus of its extinction.

But that is just what's happening to the greatest of all game fish, the gleaming Atlantic salmon, whose incomparable strength, agility and beauty have delighted man for centuries.

The species is rapidly disappearing because of high seas fishing, principally by the Danes. In 1965 the Danes moved in on the newly discovered major feeding grounds in the Davis Strait off West Greenland. Each year they have steeply escalated nettings, so that by 1970 they were taking an estimated 400,000 salmon, with thousands more so damaged or lost in the nets that they would perish.

The high seas fishing is unjustified and cannot be condoned, why cannot Denmark, and others, be brought before the bar of world opinion? Simply because there is no Law of the Sea as regards Atlantic salmon.

What can the individual sportsman and conservationist do about this? Plenty!

Each of us interested in this possible tragedy must boycott all Danish goods. The principal imports are meat products, including hams, bacon, also smoked salmon, contemporary furniture, beer and hair curlers.

We must ask the ladies who do the shopping to look at the labels in the marketplace and then pass the word along. Don't Buy Danish, Save Our Salmon!

We were delighted to note that the Hudson Fish and Game Club has urged its members to boycott Danish goods and we urge the Columbia County Federation of Sportsmen to take similar action.

A long time ago, William Shakespeare wrote, "Something is rotten in the State of Denmark". This allegation is as apt today as it was at that time.

Although this editorial spells out the problem of possible extinction of the Atlantic salmon, and calls for pressure to be placed upon the Government of Denmark to end or limit this danger through private boycott of Danish prod-

ucts, it does not deal with another possibility for control; that of legislative action by this Congress.

The possible need for such legislation has become increasingly apparent. The best efforts of our Department of State, along with Canada and the United Kingdom, have failed through the 15 member International West Atlantic Fishing Convention to bring any meaningful halt to the unrestricted catching of these great fish during their 2- to 3-year ocean life cycle.

At the present time the House Committee on Merchant Marine and Fisheries is considering two bills aimed at bringing pressure to bear on Denmark to limit the size of the catch. Although I completely agree with the intent of this proposed legislation, I would be surprised if either of these bills will be reported from committee in its present form. But the introduction of this legislation and the holding of these hearings I believe is a necessary first step in serving notice on the Government of Denmark that such disregard of international conservation practices cannot be undertaken without the possibility of severe economic reprisals by this Government.

Our marine scientists report that the proportion of 2- and 3-year-old salmon returning to spawn is dropping in relation to the number of 1-year salmon which return. It is clear the heavy Atlantic fishing is having a marked effect on the sea fish. This is an effect which must be of importance to us all.

**A BILL TO DISCOURAGE CRUEL EXPERIMENTATION ON ANIMALS BY ELEMENTARY AND SECONDARY SCHOOLCHILDREN**

**HON. JEROME R. WALDIE**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 1971

Mr. WALDIE. Mr. Speaker, today I wish to introduce, for appropriate reference, a revised version of a piece of legislation which I have introduced and supported in the past, et criteria, a bill to discourage cruel experimentation on animals by elementary and secondary schoolchildren.

This new version has been drafted by a relatively new humane organization, the Committee for Humane Legislation, which is attempting to coordinate the legislative efforts of a number of our finer old-line humane societies behind a broad scale program of realistic and effective humane legislation.

The purpose of the proposed legislation is an old one and a worthy one, the discouragement of needless suffering by live animals at the hands of elementary and secondary schoolchildren who might otherwise perform surgery or other medical or quasimedical experimentation on live animals in the name of science.

I understand that a companion bill will be introduced in the Senate and I am hopeful that the legislation will be adopted without delay.

H.R. 9075

A bill to discourage cruel experimentation on animals by elementary and secondary school children

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. Declaration of Policy.**

It is hereby declared to be the public policy of the United States to discourage needless suffering by live animals at the hands of elementary and secondary school children who might otherwise perform surgery and other medical or quasi-medical experimentation on live animals in the name of science.

**SEC. 2. Withholding of funds by the National Science Foundation.**

Section 1875 of Title 42 of the United States Code is amended by adding a new subsection (c) at the end thereof as follows:

"No funds appropriated under the authorization contained in subsection (a) of this section shall go to any school district in the United States for any purpose if within the district (1) live animals are permitted to be used for classroom surgery or other scientific or quasi-scientific experimentation which involves any cruelty toward or needless suffering of live animals, or (2) school children are encouraged to do surgery or other scientific or quasi-scientific experimentation at home which involves any cruelty toward or needless suffering of live animals.

**THE U.S. MERCHANT MARINE TODAY**

**HON. THOMAS N. DOWNING**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 1971

Mr. DOWNING. Mr. Speaker, the fall and hopeful rise of the American Merchant Marine has been a subject of much discussion in recent years. I think most of us realize the absolute necessity for our country to have a vibrant and effective Merchant Marine in order to maintain our place in the commerce of the world and to insure our national defense needs in time of crisis. The Merchant Marine Act of 1970 was a step in the right direction. And if this legislation is properly implemented, we will regain our rightful place in the high seas in the 1980's.

Sometime ago a speech was brought to my attention concerning this matter, which was delivered at San Juan, P.R., last year by Mr. Earl W. Clark, a co-director of the Labor-Management Maritime Committee. I think it is an excellent compilation of the woes which led to the downfall of our merchant marine and the hopes for a better future. I think my colleagues interested in such matters will find Mr. Clark's speech interesting reading.

The speech follows:

**THE U.S. MERCHANT MARINE TODAY**

Ladies and gentlemen: I count myself most fortunate to have the privilege of visiting this beautiful gem of the Caribbean. It is our first visit and the answer to a lifetime of anticipation. I was particularly pleased to have been invited through my good friend, Gay Brunelle, whose reputation is widely known not only in Puerto Rico but on the continent as well. I want to thank one and all for

being such gracious hosts to Mrs. Clark and to me.

I want to address you this evening on the same subject as the title to my recent book called *The U.S. Merchant Marine Today*, copies of which your propeller club requested and received in quantity of recent date. But I think I would like to amend the title for this occasion to read *The U.S. Merchant Marine Today With Special Emphasis on Puerto Rico*.

From an overall point of view, let us first turn to certain facets of our past maritime history. At the end of World War II the United States was the most powerful maritime nation in the world. Today in commercial shipping we have sunk to fifth place, some say sixth place, in deadweight tonnage. When World War II ended, we were carrying some 57 percent of all our foreign waterborne commerce. Today we carry something less than 5 percent. No other nation can equal or even approach this decline.

Now what was the blueprint that helped bring about this downward trend? I believe the following elements summarize it in essence:

1. The sale of 1,113 U.S. war-built vessels to foreign nations—an altruistic and gracious act but somewhat deleterious in its competitive impact.

2. The lax policies of transfer to foreign registry, creating an additional mass exodus of some 740 large oceangoing merchant ships of over 7 million dwt from 1946 through 1968.

3. Acceptance of the runaway flag philosophy and its copartner, the flags of convenience—which have built up huge fleets of American-owned foreign flag shipping.

4. Full latitude on the part of the United States-based corporations to engage simultaneously in dual U.S.-foreign flag operation. By using cheaper foreign labor and avoiding U.S. taxes these corporations have built up a strong foreign competitive merchant fleet owned by U.S. citizen corporations.

5. Reliance for over two decades upon old World War II vessels bought at bargain prices under the Ship Sales Act of 1946, with little or no provision for new ship replacement on the part of numerous steamship lines.

6. The past failure of any real positive government implementation of our national maritime policy.

These are some of the major ingredients in a decidedly negative maritime program principally responsible for our maritime decline. Let us examine the extent to which these processes have facilitated the growth of foreign flag shipping owned by foreign affiliates of the United States parent companies. As of December 31, 1968, there were 436 foreign flag ships in this category amounting to over 18 million dwt. As of the same date, other U.S. citizen entities owned and/or controlled 115 additional foreign flag vessels of some 4,172,000 dwt.

The adverse effects of this trend upon our domestic economy have been numerous. Every ship transferred was a ship lost to U.S. flag. Each transfer meant a crew lost, diminished income from shipping and reduced U.S. tax income. The general economy was correspondingly affected.

Foreign ships owned by U.S. parent companies have thus accentuated foreign shipping competition and helped reduce U.S. flag participation in our foreign commerce to an all-time low.

Aside from the massive build-up of foreign merchant fleet, through sale and transfer of U.S. flag ships, new foreign construction has further sharpened the competitive edge. In fact, with the progress of time many of the old transferred ships have been replaced by new foreign tonnage.

A large segment of American-owned foreign flag shipping operates under the so-



called flags of convenience. The name is normally applied to denote a convenient escape from American wages, U.S. standards of living, U.S. taxes and operating rules and regulations.

The flight of American capital to such flags has aptly begotten the designation of "runway" flags. A national policy calling for the return of so-called "runaway" ships to U.S. availability in time of national emergency is termed "effective control" by the military establishment. Its effectiveness is considered exceedingly tenuous in many circles within the maritime community.

Such concepts and practices have impaired our merchant fleet strength. Its current status is aptly described by the capable chairman of the Federal Maritime Commission, Mrs. Helen D. Bentley, in a recent address at Pensacola, Florida. She pointed out that as of July 31, 1970, there were only 792 active privately owned U.S.-flag ships—the lowest since the end of World War II. Only 27 government merchant ships were active on that date. Of the 792 ships, only 333 were built since 1950. Of these, some 50 to 60 are from 17 to 20 years old. She further pointed out that even our expected program of some 300 new ships approximating 10 million deadweight tons is dwarfed by the Japanese who on December 31, 1969, had 1,989 ships of over 34 million deadweight tons—all 15 years of age or less—and who expect by 1974, to increase this to 60 million deadweight tons. The director of the Boiler-makers and Iron Shipbuilding Marine Council estimates that without a positive maritime program the United States would decline to some 272 active private merchant ships by the same date (1974).

With the Soviet Union adding some 1,000,000 DWT a year to a fleet already consisting of 1,717 ships of well over 12 million DWT, the comparative status of our overall U.S. merchant marine stands out in bold outline. Neither our commercial well being nor our national defense can countenance an increased disparity in merchant seapower.

One may well ask what new and positive changes, if any, are on the horizon. Fortunately, there are some. President Nixon has proposed a new maritime program for building some 300 of the newest, fastest and most capable ships in the world. He is the only President to advocate and support a real positive maritime program in the last two decades and for this he deserves the highest respect and admiration of the maritime community. Legislation to effectuate this program is now moving through the Congress of the United States. We have in Maritime Administrator Andrew Gibson not only a man of wide marine experience, but a capable and sagacious judgment as well. He has unrelentingly pursued a course of maritime advancement for the country and, hopefully, he will win his program and bring it through to reality. The nation is thus moving in the right direction—that of developing a strong American merchant marine. If vigorously pursued, the flight of American capital to foreign steamship operations may be stemmed and even reversed.

One of the specific provisions of the new maritime legislation is that all shipping which receives any government support must divest itself of foreign-flag interests within a 20-year period or lose government subsidy for its U.S. flag vessels. In the liner trade, this divestiture must be rather immediate. Thus the nation is moving toward foreign flag divestiture even in the foreign commerce wherever government support is involved.

This is good, for it is high time that we stop building up foreign flag shipping at the expense of the U.S. merchant marine. Now let me make it clear that I am not against foreign flag shipping as such. We need foreign shipping in international waterborne commerce. But when we surrender some 95 per-

cent of all our own foreign commerce to foreign shipping, it is time to start changing things. It is time to start in the direction so vigorously pursued by other maritime nations.

For example, England transports 37 percent of her foreign commerce in her own ships; France 48 percent; Norway 43 percent; the Soviet Union 50 percent; Japan 50 percent; Sweden 30 percent; Germany 30 percent, and Greece 39 percent, to mention a few.

Now it must be clear that if we are to move toward greater U.S. flag participation in our foreign commerce—and especially under the new administration program—then we cannot afford to take a converse position with respect to our domestic commerce.

In the domestic field, there are also some good signs on the horizon. The Journal of Commerce in its issue of August 27, 1970, announced that Sea-Land Service, Inc. is "negotiating on arrangements which will enable it to provide a direct link, by full-fledged container ships, between gulf ports and the sub of its domestic and overseas transshipment network in Puerto Rico." Such an event would offer shippers in the expansive Mississippi Valley region, greatly increased container carrying capacity with lower inland transportation cost to reach a port with direct sailings to sea-land's Puerto Rican hub. Sea-Land is to be complimented for this move. However, I understand that presently only some few conventional break-bulk ships with limited container capacity now ply this trade. More break-bulk shipping appears to be the immediate pressing need.

In my view, we are on the threshold of a myriad of innovations in U.S. merchant shipping which will render it more competitive than at any time in its history. At such a time our sabotage laws as provided in the Jones Act must not be weakened. Let us look at some of the adverse results if we open our domestic commerce floodgates to foreign shipping.

Such an introduction of foreign shipping would render many Puerto Rican seamen jobless with a direct adverse effect upon the economy of the Commonwealth and upon the employment status of its citizens. The taxes paid by U.S. flag operators, which are quite substantial, would be seriously diminished. Puerto Rican reliance on foreign shipping would prove precarious at best. As has been historically true, many of these foreign flag fleets would disappear whenever and wherever homeland needs for shipping elsewhere demanded.

During World Wars I and II, we saw what an exodus of foreign shipping did to the United States. This was never portrayed more clearly than by the distinguished chairman of the Merchant Marine and Fisheries Committee of the House of Representatives when on August 27 of this year he pointed out and I quote:

"Prior to World War I, this country let its merchant marine decline to a low ebb. No Federal assistance was provided. We relied almost completely for the carriage of our foreign trade upon the vessels of supposedly friendly countries.

"When World War I broke out in Europe in 1914, the vessels of those friendly foreign countries suddenly deserted the United States foreign trade to serve the pressing needs of their own countries abroad and the cargo for export piled up on our docks. The few ships that did come here raised their rates to astronomical levels. Indeed, freight rates rose over 1,000 percent. At that time we frantically engaged in a shipbuilding program—but too late."

Mr. Garmatz indicated this country had learned a bitter lesson and "that we should never again find ourselves completely reliant upon foreign ships."

He concluded that "an American merchant marine capable of serving as a military or naval auxiliary in time of war is a basic ingredient of our defense establishment and necessary to our national security."

Economic change can modify the course of shipping as well as world conflagrations. Actually, even in peace time, the decrease of U.S. shipping and reliance on foreign shipping has rarely meant lower rates and shipping costs. Once U.S. shipping is out of the way, costs on given trade routes have actually increased in many cases. The abandonment or modification of the Jones Act to bring in foreign shipping does not necessarily mean lower rates as conference rates, for the most part, would then apply, which means that rates on particular items of cargo are the same, whether U.S. or foreign.

If present trends continue, transportation costs will most certainly be driven downward with the passage of time. New investments in containerization; new ship construction; the roll on/roll off vessels; the Lash type ships; the Sea Bees and expansion of trailer areas and modernized terminals—these all show signs of rendering greater service at lower cost. Many of these improved innovations are being brought into the Puerto Rican trade by Sea-land; Seatrain; TTI, Lykes and others, thus ever increasing the quality of service. Certainly, this is no time to surrender such possibilities and potentialities in our domestic commerce to foreign shipping.

In the new Nixon legislation now before the Congress, construction fund privileges with tax deferral are for the first time extended to carriers engaged in the domestic commerce. This should provide financial incentive to domestic carriers to accelerate new ship construction and provide even better means of domestic transportation. Furthermore, with new marine technology, containerization, and constantly improved shipping service, the price-transportation-cost ratio should correspondingly improve. Certainly in all these specific areas, foreign shipping can do no better. America's lead in marine technological advancement and new shipping methods may even narrow the gap between domestic and foreign operating costs to a point where, in some areas, the American cost potentials will be at no appreciable disadvantage.

The argument has been advanced that ocean freight is a major cause of higher prices for the things Puerto Rico must import. On April 1, 1970, the Federal Maritime Commission staff, after long and exhaustive study and research, found little support in fact for such a contention. To quote from a principal finding, the Commission staff study indicated and I quote, "Examination demonstrated that the effect of ocean freight charges on the wholesale selling price is relatively small compared to the impact of Puerto Rico's marketing system."

An extended research into some of the basic consumer food items, including rice, meats, eggs and vegetables showed retailer markups outrunning transportation cost increases by several times.

In the so-called intermediate class of imports, including cast iron pipe, fittings, enamels, paint, lacquer, lubricants, etc., the impact is somewhat greater, and comparison with retailer markup is more difficult since much of it moves directly between the mainland supplier and the manufacturer in Puerto Rico.

However, where retailer markups do exist, the percentage is greater. The commission found that of some 41 articles examined, "the price-transportation-cost was from 5 to 19 percent on some commodities, most of which were foodstuffs, and of the remaining items studied—also mainly foods—the ocean freight charge was 4 percent or less."

Actually, Puerto Rican retail prices have

increased from a 100 base index in 1958 to 116 by 1967, the latest figures of the FMC report. During the same period Puerto Rican ocean freight rates declined from 100 to 98 by 1960, increased back to 100 in the indices in 1962 and declined somewhat steadily through to 1967, the year the study terminated. Taking foods alone, the rates south-bound, compared to total food imports, showed total traffic increasing from a base index of 100 to 234, while ocean freight on foods remained rather constant with periodic declines. Using a different base year, shipping costs to Puerto Rico declined from an index rating of 100 in 1958 to a low of 88.4 in 1969.

Let us take into consideration the cost increase as related to locally produced foods. The commission staff study found that "between November 1966 and November 1967 alone, the overall cost of living increased 4 percent and that during this period the price of locally produced foods increased almost three times as much as that of imported foods. The cost of living index on locally produced food climbed 9.7 percent while the index on imported foods rose 3.5 percent." The cost of the other Puerto Rican produced products rose during the same index period from a par 100 in 1958 to 163 in 1969.

It must be noted that while freight rates do not appear to be the major cause of increased prices in Puerto Rico, the industry must, nevertheless, strive to drive them downward in the interest of contributing to a stronger economy. Puerto Rico transports 99 percent of her total imports by water. Eighty-one percent of the total value of Puerto Rico's imports are from the continental United States. Domestic production of food and certain other consumer articles is not sufficient for the demand. Under this circumstance, it is highly important that the rate structure in the Puerto Rican-U.S. domestic trade be frequently examined. Meanwhile, the fact that ocean freight rates have a relatively smaller effect on the wholesale selling price, as compared to other facts of the marketing system, is important, and it certainly argues against any hasty condemnation of the Jones act in such matters.

#### LET US LOOK AT A SUMMARIZATION OF THE PROS AND CONS UNDER THE JONES ACT AS IT RELATES TO PUERTO RICO

1. Foreign-flag lines provision their ships in their homelands—U.S.-flag ships purchase here and on the continent.
2. Foreign-flag companies pay no taxes—U.S.-flag lines do.
3. Foreign crews spend less in Puerto Rico—U.S. seamen spend more—both of time and money.
4. Many foreign-flag ships operate with lower standards of safety—U.S.-flag ships must be built to ABS standards and meet U.S. Coast Guard inspections, therefore, normally safer ships.
5. Foreign-flag ships subtract from our balance of payments position—U.S.-flag shipping overall adds almost one billion dollars a year to our balance of payments on the favorable side of the ledger.
6. Foreign-flag shipping employs foreign seamen—Reportedly, some 47,000 Puerto Ricans are employed in the maritime industry. They are principally related to American-flag operation. On ships plying the U.S.-Puerto Rican trade, 60 percent are Puerto Rican crewmen.
7. Foreign ships give no assurance of continuity of service when international emergencies demand their return to their homeland—U.S.-flag ships seek to provide continuity of service at all times and in all circumstances.
8. Foreign shipping makes little or no improvement in Puerto Rican local port facilities—U.S. shipping has helped in innovative investments in such improvements estimated at some \$100 million.

9. Foreign shipping gives no assurance of stability of rates—The presence of U.S.-flag ships assures rate stability as found by the Federal Maritime Commission.

10. Foreign shipping is not fundamentally motivated by any specific purpose of strengthening the economy of Puerto Rico. Its interests are directly related to the needs of the respective homelands—U.S.-flag shipping must devote itself to promoting the economic welfare of Puerto Rico as a part of the national economy.

To amend or weaken the Jones Act to the point where substantial tax income and the employment of U.S. citizens, including those of the Commonwealth of Puerto Rico, are traded off for foreign flag entry into our domestic commerce would be penny wise and pound foolish.

If there are legitimate and reasonable adjustments necessary for the promotion of our domestic commerce, let us make them. However, this does not mean a weakening of our basic maritime laws. Even temporary suspension of coastwise laws by legislative enactment does not appear too satisfactory. The suspension on Puerto Rico's behalf for the transport of lumber from the northwest under Public Law 87-877 in 1962 resulted in the approximate equivalent of one full shipload of lumber being transported in a year's time. Because of this experience the suspension was never extended.

Placing reliance on domestic ships for domestic commerce has greater potential and in so doing, we do not abandon our cabotage laws. To my knowledge, none of the other maritime nations in the world have so abandoned their domestic shipping, nor can they afford to do so.

So much for the Jones Act. What about the more basic needs of the commonwealth?

It seems to me the more pressing need in Puerto Rico is for more industrialization to meet three major problems—rising population; unemployment and inadequate family income. Puerto Rico is to be commended for its foresight and initiative in this regard. First with its *Pridco* activities and later under the more successful *EDA* program.

Puerto Rico is moving rapidly to attract business and industrialization to the commonwealth. The common market which exists between the mainland and the commonwealth is a valuable asset to be employed in this direction. With *EDA* offices in New York, Philadelphia, St. Louis, Chicago and Los Angeles, the advantages of Puerto Rican investment and development are being fully disseminated with ever increasing results. Both light and heavy industry are on the upswing in Puerto Rico, bringing benefits to the people of the commonwealth. Shipping must play its part for efficient shipping services at reasonable cost. This is a must and a vital part of the whole process. I intend to do all I can to make this amply clear in Washington and elsewhere. His excellency, the honorable Luis A. Ferré, governor of Puerto Rico, and the honorable Jorge L. Córdova, your resident commissioner in Congress who speaks before our national vigorously pursuing such desired goals.

Shipping can help in such efforts under the new maritime program now before the Congress. It will call for a ten year U.S. merchant shipbuilding program of some 30 new fast ships per year for a total of 300 ships. Over the ten year period, these 300 ships will be built at an estimated cost to the Government of some \$2.5 billion dollars. When private funds, which will be considerably in excess of Federal expenditures, are added, this shipbuilding program will call for some \$6 billion dollars in total cost. The *New York Journal of Commerce* on September 4, 1970, listed a number of companies that had already advised the Maritime Administration of their desire to build ships. The total has now reached some 84 vessels. These ships will be of the most

modern design, incorporating all the innovations of advanced technology. In some cases, one ship could well replace as many as four or five and even more of the old conventional vessels now in operation and be competitive with anything afloat. Bulk carriers will, under this bill, be eligible for Federal construction financial support, including not only subsidy-differential costs but tax-deferred privileges on construction funds as well. This latter privilege, under the new legislation, will now be granted in the domestic commerce also. The proposed legislation of the administration provides support and incentives in both the ship construction and operating fields. Reductions in costs in both areas are envisaged through greater efficiency and increased productivity. New maritime dawnings are on the horizons. New hopes are being engendered. New avenues of service are being opened. Internal divisions within the maritime community are lessening as the industry closes its ranks in the face of this new legislative program and the opportunities it engenders. This is no time to sell the maritime industry short. This is no time to surrender to foreign shipping. This is a time to build a strong U.S. merchant marine to improve our economy and the economic health and welfare of our people and especially those of the commonwealth of Puerto Rico.

America's major problems of eliminating unemployment, providing better housing, insuring better care for the needy, improving medical care for the sick and aged—all call for positive action. None of these desirable goals can be attained by destroying any vital segment of our economy, including merchant shipping. When we destroy vital producers of American wealth, we at the same time destroy our sources of revenue.

There is much that needs to be done in America and as soon as we can reasonably detach our troops from the Vietnam conflict and devote more of our attention to the needs of our people at home, the better off we shall be and, by God's grace, I believe we shall achieve both these ends.

It has been such a real pleasure for Mrs. Clark and I to visit your beautiful island Commonwealth. Your gracious welcome and hospitality have created in us an appreciation beyond our ability to express, but let us say it as best we can with a heartfelt *muchas gracias*.

#### REVELLI CONDUCTS MICHIGAN U. BAND

HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 1971

Mr. HUNGATE. Mr. Speaker, the *New York Times* of Sunday, May 30, 1971, carried a brief resumé on the career and retirement of one of America's greatest musical conductors, William D. Revelli of the University of Michigan. Mr. Revelli was more than a great director, he was also a great teacher. It was my privilege to study with him in 1942 and many of the lessons he taught have helped me throughout life.

The article follows:

REVELLI CONDUCTS MICHIGAN U. BAND  
(By Allen Hughes)

A significant era in American band music came to an end in Carnegie Hall on Friday night when William D. Revelli led the University of Michigan Symphony Band in his last concert with it prior to his retirement from the University after an illustrious 36-year career there.



Mr. Revelli's reputation is international. The Symphony Band of more than 100 members has just concluded a three-week tour of Europe, and in the past it has played as far afield as the Soviet Union, Greece and Egypt.

Over the years, the bands led by Mr. Revelli have set standards of excellence not alone for the precision and brilliance of their playing, which have been phenomenal, but, more important for their musicality.

The conductor has helped encourage the enrichment of the band repertory, and it was characteristic that this final program here was devoted almost entirely to contemporary works of quality.

#### MUSICAL MEMORABILIA

The major items were Ross Lee Finney's "Summer in Valley City," Karel Husa's "Music for Prague, 1968," Norman Dello Joio's Variants on a Medieval Tune and Gunther Schuller's "Meditation." To these were added Franck's "Psyche and Eros," Shostakovich's Festive Overture, a group of "Michigan" marches by Sousa, Goldman and King and, for the alumni in the packed hall, a bit of university musical memorabilia.

Everything was played superbly, and to a listener not partial to the conventional band as a musical medium, the finest thing about the concert was that the sounds were seldom those that produce ennui in a nonbandman's ears.

Since Mr. Revelli is still an energetic man, it is unlikely that his retirement will be an idle one, but no matter what he does, his place in American band history will be prominent and permanent. He is a man who has made things happen.

U.S.S. "GLENARD P. LIPSCOMB"—  
SSN685

### HON. JOHN ROUSSELOT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 1971

Mr. ROUSSELOT. Mr. Speaker, on Saturday, June 5, 1971, I was especially privileged to be a guest of General Dynamics, Electric Boat Division, at the keel laying of the U.S.S. *Glenard P. Lipscomb*—SSN685. This ship, which is named for the Honorable Glenard P. Lipscomb who served as Congressman from the 24th District of California from 1953 until his untimely death on February 1, 1970, will be one of the quietest nuclear powered electric submarines yet built. The quiet, powerful force of this ship is symbolic of the character of the man for which it is named. Glen Lipscomb, who served on the House Appropriations Committee and was ranking Republican member of its defense subcommittee, understood the importance of modern nuclear submarines and believed that—

A superior defense posture is required as a bulwark against the forces of aggression for the protection and security of our citizens and the free world.

Inscribed on a plaque attached to the keel of the U.S.S. *Glenard Lipscomb* was a quotation from a statement he made on the House floor in September 1968, when the Department of Defense was considering cancellation of the turbine electric submarines which reads:

We must push ahead vigorously with the design and construction of the most advanced nuclear attack submarines our technology can provide.

I am grateful for this opportunity to participate in paying tribute to Glen Lip-

scomb who was an example of manhood, a dedicated leader, a humble servant, and my Congressman.

#### CONFIDENCE IN THE SYSTEM

### HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 1971

Mr. PICKLE. Mr. Speaker, as we are constantly called upon to deal with problems, crises, and at times even dangerous world situations here in Congress, it is often tempting, and in fact easy, to become rather cynical about our world situation. Our youth, being confronted with some of the wrongs of society and with obstacles to our national goals indeed share this cynicism over our national plight and, more seriously, over our ability to cope with these problems.

Mr. Speaker, to me this is a rather tragic attitude and which I think we should try to avoid. We are, of course, always reminded of the ills of our society, as well we should be; for they demand our attention and prompt correction. But occasionally, we need to have our morale reinforced—not in a flippant, complacent manner, but from a constructive and realistic outlook. We need to be reminded that our problems are actually no greater than our ability to solve them if we will continue in our faith in ourselves and in constantly striving to attain our goals. If I may borrow the modern idiom, we need to be reminded to maintain confidence in our system.

Mr. Speaker, the Honorable Charles Heering, State senator from my district, has very aptly and articulately spoken this reminder. He did so in a commencement address to the Southwest Texas State University graduating class of 1971. His words are fitting, not only for this body of our fine youth, but warrants, I think, the attention and consideration of us all. I would therefore like to ask that the coverage and judgment such as printed in the *Austin American* be insert here:

SOLON TELLS GRADS FUTURE NOT SO GRIM

SAN MARCOS.—Sen. Charles Herring of Austin Wednesday told graduating seniors at Southwest Texas State University that the future is not so grim because mankind has always been able to solve its major problems.

Herring spoke at commencement exercises of the university's College of Professional Schools Wednesday morning.

"My generation," said Herring, "has seen more of the past than you have, and while your vision may be sharply focused on the imperfections and injustices of our times, our vision is broader with the knowledge that the world has improved with age."

The senator urged graduates not to downgrade the future. "Things have been worse than they are now," he said, citing the depression and the two World Wars.

"Don't sell our society short," he urged. "Before you let someone attack it, ask him to show you something better."

Pointing to the rising crime rate, Herring said he still has reason to be optimistic, "because we've had problems every bit as serious . . . and we have found we were capable of controlling them."

He said today "we must decide whether we will channel change through our present system of government or look for a new one. I, for one, have confidence in our present system."

Herring said he disagreed with those who say violence is the only way to achieve social change.

"What they are really saying," Herring continued, "is that according to their theory of human nature, violence is necessary . . . To my mind, our political process is vastly superior to any which espouses violence . . . We have demonstrated that in recent years even the most sweeping social reforms can be brought about without major civil upheaval."

Herring said, "governments are not like buildings which can be torn down and built up again overnight."

#### THE CRIMES OF THE FATHERS

### HON. JAMES H. SCHEUER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 1971

Mr. SCHEUER. Mr. Speaker, the Soviet Union continues to deny its Jewish minority the full rights enjoyed by citizens in all freedom-loving nations.

Three million Soviet Jews are denied the freedom to worship as they choose, to enjoy and preserve their cultural heritage and to freely emigrate to the country of their choice.

A recent article in the *New York Times* by Viktor Fedoseyev, a Russian Jew recently permitted to emigrate to Israel, bears eloquent testimony to this denial of freedom. I urge my colleagues to read it with care.

The article, entitled "The Crimes of the Fathers," follows:

#### THE CRIMES OF THE FATHERS

(By Viktor Fedoseyev)

JERUSALEM.—On my desk before me there are the faces of seven children: serious, smiling, contemplative and one who as yet understands nothing.

I was given these photographs in Moscow, before my departure to Israel: "Show them to everyone!" So I hid them among my family photographs and, thank God, managed to take them out of Russia.

On the back of each photograph there are names: "Naomi Chernoglaz, 20.XII.1970," "Ilya Mogilever," "Marina Kaminskaya," "Lily Buman," "Davidka Dreizner 6½ months, 18.X.1970" and "The children of Lev Yagman" (I do not even know their names).

I am looking at their faces.

Davidka has begun to toddle. Ilya can write his name in Hebrew. The children of Yagman no longer brawl. Lily has lost her two front teeth. Naomi sings "Yerushalaim shel Zahav" sweetly. And Marina writes to a boy in kibbutz Afkim.

However, I do not know these children. I know just one thing; they are growing up without their fathers.

#### CRIME NO. 1

I am looking at little Naomi and thinking: "Does she know what father's hands mean?" Most probably she does not remember her father. He was arrested eleven months ago, and for a 2-year-old child it is half a life ago.

David Chernoglaz (31, agriculturalist), together with a group of Leningrad Jews, had written a letter to Pravda: "We are deeply aware of the unbreakable ties which link us to the whole Jewish people wherever they are—in the U.S.S.R. or in Israel, in America or in Australia. We are proud of the rich

culture of our people, of their democratic tradition, of their modern achievements."

## CRIME NO. 2

Ilyusha is teased in the playground: "Your father is in jail!" At home Ilyusha asks: "Do you know when my father will return?"

Vladimir Mogilever (30, engineer), had appealed to the United Nations Committee on Human Rights: "We are firm in our intention to emigrate to the historical motherland of the Jewish people—to Israel, where our relatives live . . . We want only one thing—to utilize the natural right of every free man to live where he wishes."

## CRIME NO. 3

Marina has become silent. She stands for many hours by the window—will her father appear? Often she listens to the footsteps on the staircase.

Lassal Kaminsky (41, engineer), at the beginning of last year, wrote a letter to Pravda: "Where, may I ask, can a Jew in the U.S.S.R. teach his children their mother tongue? Where can his children learn the long-suffering history of their people?"

## CRIME NO. 4

Lily is almost 5 years old. She cannot forget what she saw last June 15 at the Sever-skaya railroad station near Leningrad. Her father was arrested in front of her eyes.

Hillel Buman (38, a lawyer), is fluent in Hebrew and also knows a great deal about Jewish history. He used to correspond with some people from kibbutz Ruhama in Israel. In Leningrad he taught Hebrew and the history of the Jewish people to those who had the desire to learn. He had intended to apply for a visa to Israel in September, but was arrested.

## CRIME NO. 5

On March 13, Davidka was 1 year old. His mother was not with him. Lila Dreizner, while giving birth to Davidka, had undergone a nervous breakdown and was taken to the Bekhterev Neuropsychiatric Institute. At first, Davidka was cared for by his father. Then his father was also taken away directly from his work to jail.

Solomon Dreizner (38, engineer), had also appealed with his friends to Pravda: "Immeasurably dear to us is our Jewish State, reborn and developing, gathering under its roof our scattered people. We want to live there."

## CRIME NO. 6

The children of Lev Yagman (I'm sorry I don't know their first names) try hard not to touch father's belongings. Everything has to remain exactly as father left it: the open book by his bedside, the slippers under the bed.

Lev Yagman (30, engineer), together with others wrote: "We want to live in the revived land of our ancient people, for their future, for the future of our children."

On the next day he was arrested with the other five and three who have no children: Lev Korenblit (48, Doctor of Physical and Mathematical Sciences), Victor Shtilbans (34, doctor) and Victor Boguslavsky (30, engineer).

On May 25, all nine, accused of anti-Soviet activities, were sentenced by the Leningrad City Court (Judge Nina Isakova) to a total of 41 years in "strict regime" labor colonies.

## MAN'S INHUMANITY TO MAN—HOW LONG?

### HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 1971

Mr. SCHERLE. Mr. Speaker, a child asks: "Where is daddy?" A mother asks:

"How is my son?" A wife asks: "Is my husband alive or dead?"

Communist North Vietnam is sadistically practicing spiritual and mental genocide on over 1,600 American prisoners of war and their families.

How long?

## BIG CHANGES AT SMALL BUSINESS

### HON. WILLIAM B. WIDNALL

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 1971

Mr. WIDNALL. Mr. Speaker, I wish to call attention to an article in the June 1971 issue of Dun's Review, which outlines new developments at the Small Business Administration under the very capable leadership of our former colleague, Tom Kleppe. I think that it is important to point out some of the innovative techniques the administration is employing, such as simplified loan applications and default handling and some of the overall progress of the SBA program, such as the level of loan activity and the solid footing of the Small Business Investment Corporations.

The SBA, under Administrator Kleppe's dynamic leadership, deserves a fresh appraisal from anyone who may have been skeptical of it in the past. "A New Day at SBA" can provide a start for understanding the new course of this agency.

The article follows:

#### A NEW DAY AT THE SBA

"This agency has been a sleeping giant for eighteen years," says boyish-looking Anthony Chase, the Small Business Administration's 33-year-old Deputy Administrator, "but it's finally beginning to stir. And it's about time, because the SBA has the potential to solve every problem a small business might have."

Chase is surely right on both counts. Despite the fact that the SBA guarantees loans (up to \$350,000) to fledgling entrepreneurs, helps them to land government contracts, provides technical expertise if needed, and acts as a catalyst for venture capital, it has never quite lived up to its potential. "How could it?" asks Chase. "The top jobs here have simply been way stations for people on their way to something else. The average tenure of the Administrators has been fourteen months, and even lower if you take out the guy who stayed five years back in the Fifties."

But 51-year old Thomas Kleppe, who was tapped by President Nixon early this year for the SBA's top job, is determined to stop the revolving door and breathe new life into the agency. A former North Dakota Congressman, self-made-millionaire Kleppe brings to the job a missionary zeal that was never exhibited by his multitude of predecessors. A small businessman himself, Kleppe became president of the Gold Seal Co., a North Dakota bleach and wax manufacturer, at the age of 38. By the time he left to go to Congress, he had, in his own words, "made an awful lot of money."

The restless, energetic Kleppe is determined that the nation's 5 million small businessmen, who account for some 37% of the GNP, shall have the same opportunity to strike it rich that he had. The key, as Kleppe sees it, often is access to sufficient working

capital. "Small businesses," says Kleppe, "are generally not prime candidates for bank loans. That's where we come in. We don't make the loan, but we guarantee 90% of it. It's all handled through the local bank," he explains.

If these loans are 90 percent guaranteed by Uncle Sam, why have so many banks heretofore been reluctant to make them? "The red tape has been simply horrendous," says Tony Chase. "It often took as long as six months to get a loan approved, and no less than 42 forms had to be processed to do the job. And if there was a default," he adds, "the SBA first conducted an investigation to find out why before it made good."

With that kind of legendary bureaucracy, it is not surprising that many banks were gun-shy about getting involved in these "guaranteed" loans. "But we have changed the whole system," says Chase proudly. "Now if a bank submits a loan application, we have just three days to say no. If they don't hear from us in that time, it's approved. The 42 forms are now two forms, and we pay off the defaults first and investigate later. Now our problem," adds Chase, "is that many banks do not realize things have changed."

The job of convincing the nation's 14,000 banks that "things have changed" belongs to Jack Eachon, SBA's Associate Administrator for Financial Assistance. A former president of the First National Bank of Englewood, Colorado, the personable Eachon spent twenty years in the banking business before joining the SBA last year. "I traveled 200,000 miles last year telling bankers how they can benefit themselves and their communities by making SBA loans," says Eachon. "After all, when a community grows, nobody stands to benefit more than the local banker."

#### MORE MONEY IS NEEDED

A good indicator that Eachon's efforts are bearing fruit is the fact that his till is practically empty. "We'll only have about \$60 million left by June 1," he says. "And since our loans have been running at about that rate each month, the cupboard is going to be pretty bare by July."

But Eachon is fully confident that Congress will raise SBA's loan ceiling from the present \$2.2 billion to \$3.1 billion for the fiscal year beginning July 1. And having former Congressman Kleppe at the helm will not exactly hurt the agency on Capitol Hill. "With the economy turning up," says Eachon, "our loan demand next year should be at an all-time high." And there are still other reasons, he adds, why small businessmen will require additional working capital. "The rash of environmental and plant safety laws coming from every level of government," he notes, "are going to cut down on many a small businessman's profits, and he is going to need a loan to get him over the hump."

What kinds of business are kept afloat by these SBA loans? The lion's share of the loans, which have numbered some 145,000, totaling \$2.5 billion, since the agency's inception, go to typical Mom and Pop enterprises like barbershops, butchers and boutiques. In recent years, in fact, an increasing proportion of these loans have gone to budding entrepreneurs who want to purchase franchises of one kind or another. "Franchising," says Eachon, "is an excellent way for an inexperienced guy to get into business. The franchisers generally have a prescribed formula for a novice to follow. Sure," he admits, "there have been some fly-by-night operators in franchising. But we have had excellent experience with such outfits as McDonald's, Burger King and Western Auto."

The SBA, however, is not only involved in staking Mom and Pop. It is constantly lending money to more sophisticated companies. Among its recent loans are \$330,000 to Photo Magnetic Systems, Inc. of Greenbelt, Maryland, which makes a device for programming a computer over the telephone, and a loan



of \$350,000 to Continental Conveyor Co., which is building a highly automated materials handling plant in Jasper, Alabama.

In fact, under recently passed legislation, the SBA can go over the \$350,000 loan ceiling to assist companies damaged by foreign competition. Under this law, the agency has loaned \$2 million to Chicago's Emil J. Paidar Co., whose sole business of manufacturing barber chairs has been severely damaged by Japanese imports, and it has loaned \$1.4 million to Massachusetts' Benson Shoe Co., which is in a similar bind.

All of these loans are, of course, risks that the banks were unwilling to assume without a government guarantee. But given the fact that the loans are generally "unbankable," the loss of the taxpayer's money has been relatively small. The SBA's loan loss record since its inception has been 3.8%. The typical commercial bank's loss record runs somewhere between 1.5% and 2%. "But our losses are bound to go up in the future," warns Tom Kleppe. "Both the President and Congress want us to make an all-out effort to increase business ownership among the nation's black and Spanish-speaking minorities. I believe deeply in this program. But since so many of these people have had little business experience, the risks are naturally much greater. Right now, 37% of our loans and 21% of the dollars involved are going into minority business," adds Kleppe.

The man carrying the ball in the SBA's drive to increase the number of minority businesses is, on the face of it, a very unlikely candidate for such a task. Marshall J. Parker is a well-tailored businessman-farmer and former state senator from the country town of Seneca, South Carolina. And he is quite sensitive to the skepticism among some blacks that a man from the South, who happens to be a close associate of Senator Strom Thurmond (R.-S.C.), could be dedicated to creating more black businesses. But the highly articulate Parker is determined to dispel any existing skepticism. "If 17% of the population [the black and Spanish-speaking minority] continues to own less than 2.5% of the businesses and 0.5% of the nation's manufacturing assets," says Parker, "the whole free-enterprise system will be in jeopardy."

#### GARNERING GOVERNMENT CONTRACTS

One of Parker's key vehicles for increasing minority enterprises is the SBA's set-aside program. Under it, the government not only sets aside a number of direct federal contracts for small business, but puts pressure on big contractors to subcontract to smaller enterprises. Only recently, in fact, SBA landed a \$5-million Defense Department contract for Garland Foods, a minority-owned Dallas, Texas processor of canned hams. "But we don't want to make them dependent on Uncle Sam," says Parker. "This year, they have \$5 million in government business and \$6 million in commercial business. Next year, the government contract will be \$3 million and the year after it will go down to \$1 million. This should give them time to find other business to take up the slack."

This year, Parker's people have managed to garner some \$11 billion in government contracts—\$7 billion in prime and the rest in subcontracts—for small business. "Those subcontracts can be an awful tough nut," says Parker. "The big contractor always resists giving the subcontract work to small companies because it's naturally easier to give the job out to one big concern. What we try to do is to get him to break it down so the little companies can handle it. One of the toughest companies to move on this is Pratt & Whitney; they simply won't budge."

Parker particularly resents any allegation that small companies do not perform as well for the taxpayers as big ones. "Small companies often bid lower than big companies

because they need the work. Therefore they are willing to take less profit. And smaller enterprises are often more efficient than larger ones," he adds.

An integral part of the SBA's program to aid small business are the Small Business Investment Companies—more familiarly known as SBICs—which were created amid great fanfare some thirteen years ago. An SBIC is a government-licensed private corporation that provides equity capital and long-term loans for small business. The minimum requirement of the SBIC is \$150,000 in private money, which the government will match with \$300,000.

Not surprisingly, the lure of government money matching private funds on a two-for-one basis stimulated a boom in SBICs in the early years of the program. Inevitably, there was a big shakeout because, as Arthur Singer, SBA's Associate Administrator for Investment put it, "a lot of people got into the SBIC business who had no business being in it."

But Singer, formerly president of El Paso, Texas' Alemite Co., believes that the shakeout was a good thing for the entire program. Although there are now only about half the SBICs there were five years ago, they are, in the main, much stronger enterprises. Says Singer, "While 645 SBICs invested \$220 million in small business in 1965, last year 331 SBICs invested \$187 million. I think that this puts the entire program on a much more solid footing."

Of the 331 SBICs now in existence, 37 are publicly owned. Among the most successful are Narragansett Capitol of Rhode Island, headed by retired Textron Chairman Royal Little; the First Connecticut SBIC, which specializes in real-estate development companies; and Midland Capital, whose largest stockholder is New York's Marine Midland Bank.

The lure of the SBIC has proven so attractive, in fact, that some of the nation's top corporations—including General Motors—have gotten into the act. And applications are currently being processed for ITT and Union Camp.

Without a doubt, however, the SBIC is an ideal vehicle for the banks, which are already in the business of evaluating the prospects of small companies through their loan departments. Thus it is not surprising that some of the nation's largest and most successful SBICs are owned by such major banks as First National City, The Bank of America, Continental Illinois and Chase Manhattan. Says President Louis L. Allen of Chase Manhattan Capital Corp., whom Anthony Chase calls "the greatest venture capitalist of them all": "We are now in sixty different investments, from the \$5,500 we have in a dry-cleaning store in Brooklyn to the \$2 million we have in a computer firm in Boston. We had 1,000 small companies come to us last year," continues Allen, "and after extensive investigation, we decided to invest in eleven of them."

In an effort to pump more money into the SBICs—and thus into small business—the SBA has come up with a plan to market some \$30 million in the debt obligations of various SBICs. The entire issue, much like a federally insured mortgage, will be backed by Uncle Sam. The issue is being floated this month by a blue-ribbon underwriting syndicate headed by Solomon Brothers and Goldman, Sachs. To head off criticism that they are giving this business to the giants of the investment world, SBA has shrewdly insisted that the syndicate include four small regional underwriters. "It will be kind of a baby Fanny Mae offering," says Arthur Singer.

But even if the offering is successful and SBA also gets the money it hopes for from Congress, the agency can never hope to have the \$14 billion the Federal Reserve esti-

mates as the capital requirements of small business. This huge need which often means life or death to a small enterprise, can only come from using the SBA's funds to tap private resources, or "leverage," as Tom Kleppe puts it. "We must get maximum leverage for every dollar that we have by tapping private capital both through the banks and the SBICs," says Kleppe, puffing on a cigar.

But as the once sleeping giant on Washington's L Street begins to stir under Tom Kleppe's firm leadership, both bankers and venture capitalists should soon be convinced that small business is where the action is.

## WHAT RURAL ELECTRIFICATION MEANS TO ME AND MY COUNTRY

HON. DAVE MARTIN

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 1971

Mr. MARTIN. Mr. Speaker, it gives me great pleasure to place in the RECORD three REA winning essays. The Nebraska Rural Electric Association cosponsors this annual contest as well as the local REA districts. The subject of all of the essays is "What Rural Electrification Means to Me and My Community."

Miss Barbara Maseberg, a junior in the Thomas County High School of Theford, Nebr., was a winner in the Custer Public Power District and wrote the following essay:

#### THE VALUE OF RURAL ELECTRIFICATION IN MY HOME AND COMMUNITY

Webster's New World Dictionary defines electric current as a stream of moving electrons which set up a magnetic field of force through which it produces kinetic energy. Does this sound a bit complicated? The things electricity does are not simple—it is a never-ending parade toward a higher standard of living.

Did you know that 98 percent of all rural Americans have electricity today? And more than one-half of these get their power from REA-financed systems? This country parade started when the Rural Electrification Administration was established May 11, 1935, by the Executive Order of the President. Nebraska's own senator, George Norris, was largely responsible for this, helping to authorize loans. Today Nebraska is the only state parading this publicly-owned utility.

Twin parades have moved across our sparsely populated electric power lines to increase from productivity and bring a higher standard of living. New businesses and industries have come to rural areas. New jobs have been created for the otherwise unemployed. An intangible benefit is that people are working together to do what would be impossible alone; bettering their lives around the hub of the electric light poles.

The REA parade arrived at my home the year I was born. I think REA caused more changes in family living on our ranch than my twin brother and I did. It meant hot water for those endless wash days and baths and a night light with the flick of a switch. It meant a vaporizer to put moisture in the air in time of sickness. It meant having a more energetic mother, and to keep her energetic, more "mother's helpers" are added each year. Stereos, radios, and television bring information and entertainment to us with the twist of a knob.

The menfolk would certainly be at a loss without electricity to run their irrigation systems, power tools, and other "gadgets" which use less manpower and get the jobs

done faster. On the farm alone, over 400 uses are known, and 250 make farming more profitable.

Rural consumers are doubling their demand for electricity every seven to ten years. Despite this fact, the cost of KWH is lower. This, is an age when everything else is going up, especially the cost of other types of heat, is remarkable.

This procession is going underground with the burial of new lines, which will reduce storm damage, and also increase the dependability of service. Electronic ovens are on the latest hit parade. Also promenading my Sandhills community is the mobile phone which uses REA to recharge batteries.

I think of my neighbors today as living down the road a few miles. But one of the biggest and most pompous parades underway is the NRECA international program. Foreign countries come to the United States to find out how electricity is actually put to use to irrigate once barren soil, how to power machines for small industries, and how to product light in a home. REA is helping increase the area of my neighborhood—to the rural youth around the world!

Surely REA is a parade in living color, as far back as we can go, and stretching as far into the future as the imagination can phantom.

Lawrence Adams, a senior in the Broken Bow High School of Broken Bow, Nebr., was a winner in the Custer Public Power District and wrote the following essay:

#### THE VALUE OF RURAL ELECTRIFICATION IN OUR HOME AND COMMUNITY

"The Light of the World," means more to me and my family than simply a quotation from the Bible. It means REA with its flood of power and all of the conveniences made possible by it. Not only do we have light, but wonderful machines and gadgets to lighten our work load and increase the pleasures of our leisure time.

REA began thirty six years ago under President Franklin D. Roosevelt, who established the Rural Electrification Administration in 1935. It was made a permanent agency when U.S. Senator George W. Norris of Nebraska, introduced the Rural Electrification Act the following year, 1936, which was passed by Congress. At the time the act was passed, only ten per cent of America's rural areas had central station electric power. Today that figure is ninety eight per cent.

The REA has divided the United States into locally owned and operated districts. The directors of our local REA are voted on in a free election of the REA patrons. These directors promote business to raise the standards of living in our rural area. This locally operated REA with its flood of light and power makes it possible for our rural community to live better and grow financially.

Electric power supplied by REA has greatly increased the profits obtained on our farm. Well-lighted feed yards with automatic mixer-grinding machines, and electrically heated water account for better and faster gains, making the back breaking labor of carrying feed or chopping ice unnecessary on our farm. REA power also provides a very efficient fencing set-up. It takes very little effort to install or remove an electric fence and even less effort for us to control it. A well equipped electric shop saves costly repair bills. Grain dryers enable the crops to be harvested earlier and stored safely. Electric pumps and irrigation systems save crops during drought and the hot summer days, giving the farmer added income.

In our home, the silent servant electricity not only lights, but heats and cools the house, washes and dries clothes, cooks meals, washes dishes and cleans floors. These conveniences help us to have a happier home

life, because the time-saving devices provide for more leisure time together.

In the coming years computers will become more familiar to our rural community. We will see total feeding of hundreds of cattle done by a central computer, which is run by electrical power supplied by the REA. Computers will also tell the electric irrigation wells when to turn on, how much water to be applied and how it should be distributed. This intricate machine will also tell us how to balance rations for our livestock and feed crops, which are grown and cared for by another computer. These and other space age techniques, which I will be using in the future are all brought within the reach of the rural people through the REA.

Today electricity means progress, the same as it meant back in 1935. It is easy to see how anything that benefits the farmer benefits his community, his state, and his nation. Because the REA means so much for my community, my family, and me it is easy to see why we refer to the REA as "The Light of the World!"

Miss Janis Hinkle, a junior in the Pope John Central Catholic School of Elgin, Nebr., was a winner in the Cornhusker Public Power District and wrote the following essay:

#### WHAT RURAL ELECTRIFICATION MEANS TO ME AND MY COMMUNITY

Electricity is truly a "blessing" of my generation. After tours of museums and listening to tales of the GOOD OLD DAYS, I realize all the hardships and manual labor, my ancestors endured. But rural electrification has moved America out of the steam-engine and horse-and-buggy era into an age of mechanization and automation with a brighter future in store. It is the core around which today's life is built.

Farm electricity is no longer a luxury—it is a number one necessity. Since farmers are a minority group, every farm MUST be operated at top efficiency to produce crops and livestock to the fullest extent. This is true in my community for electricity is surely put to an economical test on the farm. Dairying on a large scale becomes possible through the use of milking machines and bulk tank coolers. The expansion of cattle-feeding becomes time saving and profitable by use of augers. Electric wells provide water for livestock and irrigation. All of this has helped to preserve Nebraska's proud title "The Beef State."

In the future, electricity will even take some of the thinking out of farming. Electric computers will be used to calculate such things as: income tax, pounds of fertilizer per acre, crop rotations, pounds fed per pounds gained, rations, etc.

The homemaker enjoys the conveniences of lighting, heating, cooling, and all the many appliances that free her from household drudgery. Now she may devote more time to her family. Almost everything a housewife does during the day, from the time she shuts off the electric alarm clock in the morning until she flips the last light switch at night, is dependent in some way on electricity.

We must be thankful for men like Thomas Edison, who gave us an unprecedented miracle; Franklin D. Roosevelt, who initiated the Rural Electrification Act in the United States; and former Senator George W. Norris, who was so instrumental in bringing Nebraska out of the darkness.

As one looks over the community at night and sees the landscape twinkling with bright lights; one cannot help but feel thankful to live in a country where it is possible to have all these modern conveniences and a chance to advance and improve our way of life.

Rural electrification also provides my community with innumerable benefits. Electric sirens tell the inhabitants of the time of day and warn them of tornadoes and fires. Businesses and industries also work more effectively with the help of electric power.

I am glad to be living in this all-electric age. New industries are coming to Nebraska. We know that Nebraska is "number one" in football and we are proud of it, but I believe we are "number one" in other things, too. It is becoming more and more a state of great opportunities as each day new uses are being found for this most vital commodity—Electricity.

Rural electrification—how could we live without it!

#### MYTHS SURROUNDING THE PUBLIC LAND LAW REVIEW COMMISSION'S WORK

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 1971

Mr. DINGELL. Mr. Speaker, pursuant to permission granted, I insert in the RECORD an excellent speech by a great conservationist, our friend and colleague, the Honorable JOHN P. SAYLOR of Pennsylvania, entitled "Myths Surrounding the Public Land Law Review Commission's Work."

This fine speech given before the 66th annual convention of the National Audubon Society merits careful consideration of all citizens concerned with the future of their Nation and with the protection of the public lands, now much jeopardized:

#### MYTHS SURROUNDING THE PUBLIC LAND LAW REVIEW COMMISSION'S WORK (By Hon. JOHN P. SAYLOR)

One mythological day, Zeus, King of the Gods, suffered a headache so excruciating as not to be borne. And Zeus took into his powerful hand a mighty sword and clove his head. And lo! From the cleavage sprang the Goddess Athena, full grown and clad in armor.

In the not-so-mythical Year of our Lord 1964, the great United States of America suffered a headache caused by chronic confusion of public land laws. And lo! People throughout the land rose up and beat the Congress of the United States over the head. And thenceforth sprang the Public Land Law Re-Commission, full grown and clad in armor.

Six years and seven million dollars later, unto the Commission a child was born. The sacred offspring was officially christened—"One Third of the Nation's Land", and with pomp and ceremony was presented unto the President of the United States upon the lawn of the White House. After resting from its labor, the Commission looked upon its work and called it "good".

Ladies and gentlemen, we all know that much of my story is pure myth. In the first place, the Public Land Law Review Commission did not spring into being "fully grown and clad in armor". It was born naked, weak, and without a head. It was almost a year and a half before it really came to life. From the moment of conception, it was plagued with internal strife, bitterness and jealousy—mostly concerned around the choice of a chairman. Finally, Congressman Wayne Aspinall was selected as Chairman and the work of the Commission began to creep slowly forward.



But the Commission had a built-in weakness. Its membership. That membership was stacked, weighted and otherwise loaded to represent western interests.

Of the six Senators appointed, not one was from east of the Mississippi. The states represented were—Colorado, New Mexico, Nevada, Arizona, Washington and Idaho—all western states oriented toward mining, grazing and timber production.

Balance on the House side was slightly better. The Chairman represented Colorado. Other Members represented Nevada, Utah and Arizona—all in the west. One was from Iowa in the midwest, and two were from the east—Pennsylvania and North Carolina.

That is how the deck was stacked from the beginning. There was hardly an all-out conservationist in the whole lot. On important environmental and conservation issues, I often felt that I was standing entirely alone. My feeling then, as now, is this: on issues as vital as those dealing with the total environment, Members of Congress should represent the people, not acres of land.

At least I have not had to stand alone in criticism of the Commission's work. Representing the whole gamut of critical comment in the news media was the editorial comment in the New York Times. That Eastern Establishment house organ succinctly remarked, "western politics have long been imbued with the concept that natural resources are to be used, and used profitably".

Outclassed, outnumbered and outgunned, the national conservation and environmental problems inherent in the issues under study by the Commission were neatly smothered, ignored or shunted below the dominating used philosophy which characterized the approach of the Commission's membership.

One example of the result of the Commission's built-in geographical bias is shown in its determination of what areas were to be studied. The P.L.L.R.C. completely ignored one of the most valuable tracts of public lands in the United States.

In the far west, there is a tract administered by the Bureau of Land Management of the Department of the Interior referred to as "O&C" lands. This refers to some two million acres of reworked Oregon and California railroad grant lands in Western Oregon. The area contains some of the finest Douglas Fir timber anywhere in the world. Since I have been a Member of Congress, these lands have been subjected to special consideration in law and administration and area the most controversial areas under the jurisdiction of the Bureau of Land Management.

Yet, in considering "One Third of the Nation's Land", these two million acres were completely omitted from any mention by the Public Land Law Review Commission.

It was not an oversight. Rather, it was a political agreement with Oregon Congressmen struck at the time the P.L.L.R.C. was authorized. The purpose of the bargain was simply to prevent the raising of questions over the extremely favorable treatment given local governments and timber operators on "O&C" lands.

It should have been imperative that the Commission investigate the situation regarding these lands. Considering the constant heavy pressure to increase the allowable cut of timber and to control the method of bidding, and the allocation of revenues from these lands, it is obvious that here is a question of deep concern to the whole population. Nevertheless, the Commission, by omission, strengthened the position of the organized timber lobby with regard to the "O&C" lands.

As you know, on normal Forest Service timber sales the payments to counties in lieu of taxes is 25%. However, the "O&C" lands provide a payment of 75% from timber sales to counties in lieu of taxes. This makes

the "O&C" lands a very special case indeed. Could it be that this is the reason the Commission chose to look the other way—or not to look at all?

How did the miner fare in the P.L.L.R.C. report? Extremely well. But rather than give you my own opinion, I will quote from the industry itself.

In the June 25, 1970, issue of "Iron Age" a special feature entitled "Mining's Public Land Prospects Soar", the following statement was made:

"How close did the mining industry come to getting what it wanted in the Public Land Report? Generally, the report could not have been more favorable to mining interests if they had written it themselves".

Just for emphasis, I want to repeat that last sentence: The report could not have been more favorable to mining interests if they had written it themselves. Yes, my friends, that just about sums it up in a nutshell.

An article in "Metals Week" on June 29, 1970, also expressed optimism about the P.L.L.R.C. report. Here is what that publication said:

"The chapter of the report on mineral exploitation will be well received in mining circles. The philosophy of the Commission is clearly put forth in its first two statements of policy. 'Public land mineral policy should encourage exploration, development, and production of minerals on public lands', and, 'mineral exploration and development should have a preference over some or all other uses on much of our public land'. A decision to exclude mineral activity from any public land area should never be made casually or without adequate information concerning the mineral potential".

No wonder the mining interests are rejoicing. Why shouldn't they be? They never had it so good—not even in 1872.

The Constitution of the United States is nearly two hundred years old and it is still a sound, workable document. The Mining Law is nearly one hundred years old and it is an abomination, an insult to the people of the United States.

The difference in the two documents lies in the fact that the Constitution is basically flexible while the Mining Law is rigid. Now I think that the people of this country have been shortchanged a few times because of the elastic interpretations of the Constitution—but they have been robbed by adherence to the Mining Law of 1872.

Human Nature has not changed much since the Constitution was written, so there is little need to change that document. The technology and economics of the mineral industry today are unbelievably different from those prevailing when the Mining Law was adopted.

The single prospector who grubstaked for a six-month stay in the wilderness with his burro and his pick has been replaced. Now we have a multimillion dollar corporate entity employing geologists, engineers and lawyers, and the prospecting is not done on the ground but by airplane or helicopter flying overhead dangling a magnetometer to detect the presence of ore. But the same law applies to both cases! It is about time for a change!

Back in 1955, which itself is getting to be a while back, the Congress made a valiant effort to revise the 1872 law. I remarked then:

"In view of the fact that from 1872 until 1955 the manner of prospecting for minerals has changed materially, I sincerely believe that the Congress should take the necessary steps to recognize in full the severance theory. One of the reasons this bill (of 1955) does not go far enough is that it still gives to a man who files a mining claim the right to cut the timber on his claim. Heretofore, the men would go in and file spurious mining claims, principally to get at the timber.

"I have absolutely no complaint against a

man who has a legitimate mining claim being entitled to use the timber necessary for his mining operation. However, for him to have the right to use not only the timber which is necessary, but whatever merchantable timber is found upon the tract, is a travesty on the law and on Nature."

That same glaring defect still exists—and it is exploited. It is small wonder that the mining industry can say of the Commission's report that they could not have done better by writing it themselves.

Another myth that needs to be examined is the "dominant use" policy advocated by the Commission as it relates to the management of our timber resources.

The timber section of the report is, I believe, the most disappointing part of the entire document. The proposal that Federal timber be managed "primarily on the basis of economic factors so as to maximize net dollars return" sounds exactly like the kind of statement one would expect from any leading member of the antienvironmental group.

That statement, combined with the recurring attempts by the timber lobby to have the Congress enact their infamous National Timber Supply Bill, is part and parcel of the nature-killing program envisioned by some for the 97 million acres of the National Forests.

Now, add to that the Administration's directive of June 1970, to the Interior and Agriculture Departments to intensify and increase softwood timber harvest to meet the so-called housing needs of the Nation. Here you have the basis for "the three-pronged tragedy for timber".

On the directive, the President was surely led down the garden path by his advisors. If the concern for the Nation's housing is so great as to contemplate the destruction of the National Forests, why did he not block the timber industry from its uncontrolled export of logs to Japan and, further, expose firms holding purchases of 27 billion board feet of National Forest timber—a backlog equal to twice the annual cut—which they refuse to harvest. Cutting away the high-flown verbiage, the Presidential directive says—we surrender the people's rights for private profiteers.

The dominant use principle, which stands out as a basic objective of the Commission's report, is hopelessly weighted against the public and totally irreconcilable with the goals of environmental protection and natural conservation.

We now turn for just a moment to examine how the P.L.L.R.C. regarded the Nation's range resources. The western livestock operators fared almost as well as the miners. Economic efficiency was again the guiding philosophy for the Commission.

In general, the Report comes very close to recommending private rights in public lands which is an issue we conservationists have been fighting for decades. The Commission did, surprisingly, recommend fair market value for grazing fees. However, you will remember that since 1964, the battle to raise the grazing fees was stoutly resisted by some Members of the Public Land Law Review Commission.

It is fairly obvious that I have touched only the highlights of the Commission's report. People who know of my feeling about the Commission's work have frequently asked, "if you think it is so bad, why did you not file a minority report?"

That is a fair question, and you deserve a good and fair answer.

Such a report takes time, people and money, and in sufficient quantities of each—a lot more of all three than I have at my personal disposal.

Consider for example the expenditures that went into the report itself: Seven million dollars of the taxpayers' money; five years of study and research; all backed up by 19

Commission Members, 48 staff members, 25 Advisory Council Members, 50 Governors' representatives, 60 well-paid consultants, and 900 public witnesses.

This is not like political television. We cannot demand equal time for the opposition. In the final report, "One Third of the Nation's Land", separate views were entered on only two issues—the location-patent system and noncompetitive leasing.

Conservationists did, however, issue what might be called a "minority report" but with practically no funds nor staff. I am referring of course to the book, "What's Ahead for our Public Lands", published in 1970 by the Natural Resources Council of America.

It is a good book as far as it goes. I recommend your reading it. It is not an exhaustive, point-by-point rebuttal of the Commission's report. It is, unfortunately, only a review of the review.

I doubt that any funds are going to be made available to any group, individual or organization to conduct a truly independent study of our public land laws, but I would like to make this one suggestion.

Perhaps the semblance of an independent study of our Public Land Laws could come into existence if each and every one of the Nation's major conservation organizations undertook a study of a particular aspect of the total problem.

Granted, this piecemeal, catch-as-catch-can approach is not going to have nearly the public relations impact as did the Commission's study. However, I believe those of us here are more concerned with substance than with gloss, and to those in the Congress dedicated to the problem of finding rational, environmentally-sound and long-lasting solutions to the problems caused by our existing patchwork of public land laws—those people will appreciate, use and benefit from the efforts and comments of the conservation organizations in reviewing our public land laws.

You will ask, "what about timing?" My answer to that is simply that there is time for more study. The recommendations of the Public Land Law Review Commission will not be dropped into the congressional legislative hopper in one fell swoop, in spite of the fact that a number of bills have already been introduced in both Houses of Congress.

As a Member of one of the two primary committees which will deal with these matters, I can assure you that—under the present committee set-up—little if anything is going to be accomplished during the 92nd Congress in revising our public land laws.

In conclusion, I should like to quote the Eleventh Commandment as conceived by Dr. W. C. Lowdermilk, one of our great men in the soil conservation movement. Dr. Lowdermilk explained how he came to write the now-famous commandment. He said:

"I wondered if Moses, when he was inspired to deliver the Ten Commandments to the Israelites in the desert to establish man's relationship to his Creator and his fellow men—if Moses had foreseen what was to become of the promised land after three thousand years and what was to become of hundreds of millions of acres of once good lands in China, Korea, North Africa, the Near East and in our own fair land of America—

"If Moses had foreseen what suicidal agriculture would do to the land of the Holy Earth—might not he have been inspired to deliver another commandment to establish man's relation to the Earth and to complete man's trinity of responsibilities to his Creator, to his fellow men, and to the Holy Earth.

"The Commandment might go as follows:

"Thou shalt inherit the Holy Earth as a faithful steward, conserving its resources and productivity from generation to generation. Thou shalt safeguard thy fields from soil erosion, thy living waters from drying up, thy forests from desolation, and protect thy hills from over-grazing by thy herds, that thy descendants may have abundance for-

ever. If any shall fail in this stewardship of the land thy fruitful fields shall become sterile stony ground and wasting gullies, and thy descendants shall decrease and live in poverty or perish from off the face of the Earth".

#### LOWERING A FLAG

### HON. DAWSON MATHIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 1971

Mr. MATHIS of Georgia. Mr. Speaker, following the recent demonstrations in Washington, I introduced a bill to make it a Federal crime to manufacture, sell, or publicly display the Vietcong flag.

I introduced this bill for the basic reason that I am tired of seeing so-called revolutionaries walking the streets of our Nation behind the flag of an enemy that is killing and maiming American fighting men in Southeast Asia. The flag of the National Liberation Front—or Vietcong—is a symbol of the oppression that tens of thousands of Americans have died fighting, and for it to be displayed in this country is a vile insult to the memory of those Americans who have made the supreme sacrifice.

I do not disagree with those who are sincere in their desire for peace in Vietnam. I, too, want peace. I will not be satisfied until every American is home from Vietnam. I will continue to work for peace in every way that I can.

But until that peace comes—I am sick and tired of seeing the flag of the enemy waving in our streets.

Loyal Americans are fed up with acts of disloyalty, and I am fed up with those who apologize for the anarchists. I believe in freedom of speech, and the right to peaceably assemble; but I do not believe in giving aid and comfort to the enemy in time of conflict.

The letters, telegrams, and comments I have received indicate that an overwhelming majority of our fellow Americans share these views and strongly support the bill H.R. 8362.

I am especially pleased with an editorial expression of support which appeared in the Daily Tifton, Ga., Gazette. This newspaper is published under the guiding hand of Mr. Homer Rankin, a highly respected publisher whose ability to write and think clearly as well as independently is widely recognized in Georgia.

It is my pleasure to share this editorial with my colleagues and all of those who read the CONGRESSIONAL RECORD:

#### LOWERING A FLAG

All reasonable Americans can stand behind a legislative proposal made by Rep. Dawson Mathis of the Second District of Georgia which would outlaw the flaunting of the Viet Cong flag by demonstrators in this country.

The only surprise to the legislation is that other Congressmen have not already taken such action. Rep. Mathis' proposal would make it a federal crime to manufacture, sell or publicly display a Viet Cong flag.

The Congressman said he introduced the bill because he is "tired of seeing so-called revolutionaries walking the streets of our nation behind the flag of an enemy that is killing and maiming American fighting men in Southeast Asia."

Most Americans, we are certain, feel the same. One does not have to be a jingoist to become disgusted at the sight of seeing rabble-rousers boldly displaying a flag before the eyes of Americans who have had loved ones killed or injured fighting against that very flag.

"Loyal Americans are fed up with acts of disloyalty and I am fed up with those who apologize for the anarchists," Mathis said in announcing his legislation.

Add our voice to that. The right of dissent in a free society does not include the right to betray that society and to forcibly impose a minute minority's seditious views on the majority.

And that is a point that has been too long overlooked.

#### PARENTS OF MUSCULAR DYSTROPHY CHILDREN SHOULD NOT LOSE HEART

### HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 1971

Mr. MATSUNAGA. Mr. Speaker, muscular dystrophy is a severely crippling disease, all the more tragic because it chooses for most of its victims our young people. There is no known cure.

But there is hope for those stricken with muscular dystrophy, and for their parents.

First, there is hope because research into the prevention and cure of MD is beginning to show some progress. In a recent address to the Hawaii Chapter of the Muscular Dystrophy Association of America, Dr. Carl Pearson, leading specialist in muscle diseases, pointed out that MD can now be predicted in some cases. The predictions result from chemical tests developed through research sponsored by the association.

There is hope also for MD victims and their families for another, and more human reason. The often heavy needs of the victims of the disease many times expose in other persons a heartwarming kindness and thoughtfulness that we are told does not exist in the world today. Such a reason for hope is well described in a recent article in the Honolulu Star-Bulletin about one young man stricken with MD who was "adopted" by a school classmate.

As the father of five children, and as one who has been privileged to serve for the past 4 years as honorary chairman of the Hawaii Chapter of the Muscular Dystrophy Association of America, I commend to my colleagues and to all readers of the RECORD the Star-Bulletin article, along with one describing Dr. Pearson's speech:

#### ERIC, A YOUNGSTER WITH MUCH HEART

(By Phil Mayer)

Mrs. Albert Chun and her son Kyle will never forget Eric Shimabukuro.

Kyle, 20 and a sophomore honor student at Hawaii Loa College, has muscular dystrophy.

He has been confined to a wheelchair since he was a sixth grader.

Eric was one of Kyle's classmates at Iolani School.

Eric "adopted" Kyle and his wheelchair. He was always there, Mrs. Chun said, when Kyle and his chair had to be carried up flights of stairs to his next class.

Eric lived in Kahaluu.



"One night," Mrs. Chun said, there was a terrible storm out there. And Eric's father heard Eric get up, and found him getting ready to leave the house.

His father realized that Eric was walking in his sleep . . . and very worried."

The father asked, "Where are you going?" and Eric replied, "It's raining too hard. I have to find some of the boys and get Kyle. We have to bring him inside."

Tears glistened in Mrs. Chun's eyes as she told Eric's story in her luncheon speech to the annual meeting of the Hawaii Muscular Dystrophy Association yesterday.

Then she said, "Eric helped Kyle when I couldn't. He helped Kyle learn not to hate the wheelchair."

She recalled, "I was at the school the first few times the boys tried to carry Kyle in his chair up those stairs."

"But each time I had to leave before the move was completed—it hurt too much to watch."

"And I had to let Kyle learn to accept help."

Partly because there was an Eric, Kyle went on to graduate 57th in his class of 113 at Iolani.

And then he went to Hawaii Loa, which Mrs. Chun said is "the only college in Hawaii where every nook and cranny is accessible to a person in a wheelchair."

Kyle's illness was diagnosed when he was 7. It is incurable.

But his doctors insisted that his parents not surrender him to life in institutions for the handicapped.

Mrs. Chun continued softly:

"The only reason I am making this speech is that I want other parents of children who have muscular dystrophy to know that there are Erics who can help and learn to care almost as much as they do . . ."

"And," she said, "there is a question I want to answer publicly:

"We have been asked why we spend so much on education when the probable life span is so short.

"I say it is worth every cent and every effort it takes to see Kyle alert, interested, knowledgeable and with a healthy mind, not half the burden that I believe he would be had we sheltered him."

#### DISEASE CAN BE PREDICTED

Dr. Carl Pearson, a member of the scientific advisory committee of the Muscular Dystrophy Association of America, said yesterday that muscular dystrophy can be predicted in some cases.

He spoke at a banquet of the Hawaii chapter of the Muscular Dystrophy Association yesterday.

Pearson said chemical tests in women whose families have a history of the muscular disorder can tell if the women will transmit the illness to their children.

Pearson said this technique has come about in the last 10 years, through research sponsored by the Muscular Dystrophy Association.

The following officers of the Hawaii chapter were also elected at the banquet:

Harvey DeMello, president; Joseph Ornelas, vice president; Jerrold Bell, second vice president; William Costa, patient service chairman; William Bigelow, public health education committee; Jonet Long, treasurer; and Mrs. Jack F. Burford, secretary.

#### CIVILITY IS THE ESSENCE

### HON. JOHN J. DUNCAN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 1971

Mr. DUNCAN. Mr. Speaker, in recent times we seem to forget that our goal

in the courtroom is truth. We forget because of the misbehavior of lawyers who try to produce dramatic shows for the jury and public.

Chief Justice Burger's recent call for order in the courtroom is well taken, and a statement in the May 28, 1971, Knoxville, Tenn., News-Sentinel pays tribute to his stand:

#### CIVILITY IS THE ESSENCE

Speaking recently to the American Law Institute, Chief Justice Warren E. Burger made a fervent plea for order and decorum in the courtroom.

While he said only a few lawyers were guilty of misbehavior, his plea was well-aimed. Too many trials recently have been made a shambles by ranting, insulting, impertinent lawyers.

"At the drop of a hat," the Chief Justice said, "we find adrenal-fueled lawyers cry out that theirs is a 'political trial.'"

"This seems to mean in today's context—at least to some—that rules of evidence, canons of ethics and codes of professional conduct—the necessity for civility—all becomes irrelevant."

Insolence and arrogance, as Burger said, are confused with zealous advocacy.

Civility in the courtroom is the essence of the search for the truth. Disorder and distraction are obstacles to impartiality. The courts are there to determine justice, not as arenas for vaudeville acts.

And unless, as the Chief Justice warned, lawyers and judges insist on civility as an indispensable part of the system, the system will founder and collapse.

#### L. MENDEL RIVERS

### HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 1971

Mr. BOB WILSON. Mr. Speaker, words cannot express the great loss we all feel at the untimely passing of our beloved colleague, Congressman L. Mendel Rivers. I want to take this opportunity to share with my House colleagues the beautiful eulogy delivered by the president of the Baptist College at Charleston, John A. Hamrick, at a memorial service in Charleston on January 31, 1971. I know all the Members of the House will be deeply moved.

L. MENDEL RIVERS: SEPTEMBER 28, 1905;  
DECEMBER 28, 1970

We have not come here today to mourn the dead. *L. Mendel Rivers is not dead.* Jesus, on countless occasions, repeated the truth of His words to Martha, at the death of her brother, Lazarus, as recorded in John 11:25, "He that believeth in me, though he were dead, yet shall he live; and he that liveth and believeth in me shall never die." All of us many times publicly, some of us at other times privately, heard Mendel profess his faith in his "Maker," as he most often referred to his Lord. I join Billy Graham in saying, "I look forward to seeing him in heaven." Myrtle Romilu, in her poem, "If To Die," has wonderfully expressed this thought.

#### IF TO DIE

If to die is to rise in power  
From the husk of the earth-sown wheat;  
If to die is to rise in glory  
From the dust of the incomplete;  
If death fills the hand with fresh cunning  
And fits it with perfect tool;  
And grants to the mind full power  
For the tasks of its greatest school;

If death gives new breath to the runner  
And wings to the prisoned soul  
To mount with a song of the morning  
T'wards the limitless reach of its goal:

If to die is to throb with the surges  
Of life that eternal abides,  
And to thrill with the inflowing currents  
Of infinite love's great tides;

If to die is to see with clear vision  
All mysteries revealed,  
All beauty to sense unfolded  
And the essence of joy unsealed;

If death is the end of all sorrow  
And crying and anxious care;  
If death gives fullness for longing  
And the answer to every prayer;

If to die is to greet all the martyrs  
And prophets and sages of old  
And to walk with them by still waters,  
By the Shepherd kept safe in His fold;

If to die is to join in Hosannas  
To a risen and reigning Lord,  
And to feast with Him at His table  
On the bread and wine of His board;

If to die is to enter the City  
And be hailed as a child of its King—  
O grave, where soundeth thy triumph?  
O death, where hideth thy sting?

MYRTLE ROMILU.

Mendel Rivers is not dead, *nor is he dead to us.* Revelations 14:13 says, "Blessed are the dead which die in the Lord—that they may rest from their labors, and their works do follow them." Although certainly the memory of his works can never replace the one we loved in person, there is comfort and inspiration in reviewing those characteristics which endeared him to us, and his many great works which will indeed follow him forever.

I feel I need not speak of those great outward works which are so evident—the military installations, the industrial complexes, the hospitals, schools, buildings of every description and purpose, streets, etc., which dot our entire nation; and whether they bear his name or not, they bear indelibly the stamp of his wisdom and toll.

We choose rather to speak today of *Mendel Rivers, the man.* This is a colossal, even impossible task, for very few times on earth's horizon appears a man with so many strong characteristics. Obviously, we can mention only a few.

When I think of L. Mendel Rivers, I think of *strength.* There is no question about the fact that he was a strong man. When a man never loses a Bill in Congress, it is not done by the near strong, but by the strong. When he applied his full strength to a cause, something had to give.

His strength was born of a *courage* such as few men ever possess. "Think Big," might have been the motto of his life.

I think of his *intelligence.* He was brilliant. Because it was dangerous to the security of our country to carry classified documents, he carried in his brain an unbelievable catalogue of facts. As an indication of the breadth of his intellect, he carried in that same brain, among countless other things, some of the most beautiful poetry of the English language. Not only did he possess this great variety of facts, but he was endowed with *God-given wisdom* and *common sense* which kept him from being deceived by high sounding philosophies which had left reality.

I think of his *curiosity.* His insatiable intellectual curiosity led him into many fields—from the intricacies of the giant C-5 for the defense of the country to the smallest new kitchen gadget which lightened the burden of the housewife.

I think of his *eloquence.* He had the rare ability to move an audience to tears, to laughter, to reverence, to commitment to a cause, whether that audience be comprised of common laborers, college students or professors, men of all walks of life, even the Congress of the United States.

When I think of the man, Mendel Rivers, I think of his *love*. His eloquence was genuine, because he had a great heart of love. He recognized the truth of Paul's words to the Corinthians in I Corinthians 13:1, "Though I speak with the tongues of men and of angels, and have not love, I am become as sounding brass or a tinkling cymbal."

Mendel Rivers *loved his God*. He had a deep love for God engrained into him in his childhood. This love of God shaped his concepts of truth and justice, and out of this love grew all of the other loves of his life.

Mendel Rivers was utterly consumed with *love for his country*. To say that L. Mendel Rivers loved America, her flag, her freedom, her military men and women and their families, would be a gross understatement. The kind of love he had for his country could never have been described by a Tennyson or a Kipling.

Mendel Rivers had a beautiful *love for his family*. His voice automatically softened when he said, "Marguerite," as he affectionately nicknamed her. He was visibly filled with justifiable pride when I commented on his son's Phi Beta Kappa certificate on the wall of his office. His entire countenance changed at the mere mention of his two lovely daughters. Perhaps the only way he could be called "the usual person" would be to say that he was "the usual dotting grandfather!" One could not even observe him with his faithful dog without sensing the warmth of his affection.

Mendel Rivers had an unswerving *love for his friends*. His friendship crossed all lines of race, class, wealth, politics, etc. He counted among his countless friends not only powerful political figures all over the world, but his beloved gardener as well. His staff were special objects of his love and appreciation. Mendel Rivers knew not only how to be a friend, but to accept friendship with grace as well. There was no "generation gap" in his friendships. Our students at Baptist College at Charleston revered him, as did the Administration, Faculty, and Staff.

Mendel Rivers had a unique *love for individuals*. He never grew too great or too busy to be concerned about the problem of one individual. On a day of great personal triumph and recognition, he remembered one small need expressed by one individual, and met that problem about a month later, unasked and unreminded. All of this was at a time when his illness, unknown as yet to the public, and the prospect of his operation, as well as great affairs of state were weighing heavily on his mind. On another occasion, while working on a very important piece of legislation, he instructed his office staff not to disturb him for anyone. A lone G.I. came, and was told that Mr. Rivers could not be disturbed, that he would not be able to see anyone all day. But the forlorn G.I. just sat there. At that moment, Mendel Rivers opened the door, invited him in, laid aside all the affairs of state to deal with one man's problems. These incidents might well have been multiplied thousands of times over. Some have said Mendel Rivers loved the little people. With this I must disagree. To Mendel Rivers, there were no "little" people.

One of Mendel's characteristic expressions was, "With the help of my Maker." The following prayer, by Grenville Kleiser, might well have been his prayer:

#### MY DAILY PRAYER

If I can do some good today,  
If I can serve along life's way,  
If I can something helpful say,  
Lord, show me how.

If I can right a human wrong,  
If I can help to make one strong,  
If I can cheer with smile or song,  
Lord, show me how.

If I can aid one in distress,  
If I can make a burden less,  
If I can spread more happiness,  
Lord, show me how.

If I can do a kindly deed,  
If I can help someone in need,  
If I can sow a fruitful seed,  
Lord, show me how.

If I can feed a hungry heart,  
If I can give a better start,  
If I can fill a nobler part,  
Lord, show me how.

It would be incomplete to leave out another characteristic. Mendel Rivers was capable of great *anger*. He was known on occasion to emit a veritable thunderclap of anger, especially when he was confronted with something that he considered an injustice, or wrong, or inefficiency. His scathing *sarcasm* could wither the offender. He received on one occasion some calls that complained about the noise made by military jets. He said, "Are you sure they're American jets?" And the irate citizen on the other end of the line said, "Yes, I'm sure they're American jets; I know because I've seen them and they're keeping me awake, and they're disturbing our neighborhood, and it's got to stop!" "Well," he said, "if you are absolutely positive that they are American jets, all I have to say is, 'Thank God.'" He added under his breath, "If it weren't for them, they could be Russian."

Mendel Rivers possessed a quick *sense of humor*. When the Polaris missile base, which he considered to be essential to our defense and a strength to our economy, was being established here, he received a number of calls. Some were saying, "You are putting that missile base out there and you're making Charleston a target. The Russians may drop a bomb on us." After about the fifteenth call, he said, "You know, after having all these calls, I don't know that it would be too bad for Russia to drop a few bombs, if they could just let me tell them where to drop them." I think he'd want you to chuckle over that because he did when he told me about it.

Mendel Rivers was a man of complete *dedication*. His dedication was not just talk—he was *industrious*. It was a well-known fact that he "opened and closed the Capitol." His work was his avocation as well as his vocation.

His dedication evidenced itself in his *enthusiasm*. I assure you he was never guilty of any form of lukewarmness, which our Lord said He hated. Mendel's enthusiasm was so genuine that it was contagious. His dedication was proven by his *persistence*. I remember that on one occasion we had applied for a loan for the Baptist College. We were entitled to it by law, by guidelines, and by priorities, since at that time we had had a more rapid increase on a percentage basis than any college in the State. We had been assured that we were being given the loan, but had been repeatedly delayed in getting the final papers. Mendel was speaking in our chapel one morning. Arriving early, he questioned me as to whether we might be able to announce the receipt of the loan in chapel. Upon learning the situation, he said, "I'll find out something now." Whereupon he called the proper official and said, "Do you have that Baptist College loan application?" Being assured that they did, he said, "Have you acted upon it yet?" Being told that the committee had just not met yet, he said, "While I hold on to this line, you get your committee together on your other line, and I'll hang on until I get your answer." He hung on; he got the answer; he made the announcement that morning.

Mendel Rivers was a man of *integrity*. They say that every man has his price, but he was a man who could neither be bought nor sold. Not even his enemies, some of whom

were sometimes careless with the truth, could ever question his integrity. He could have been a multi-millionaire, but he never owned a share of stock in a defense industry, nor bought a piece of property where he knew beforehand that vital industries would be located.

His integrity evidenced itself in his uncommonly strong *will power*. Some years ago, (many more than some of his critics would like to admit) he realized that he had some problem with alcoholic beverage. He decided he would stop this, and he did. It takes *humility, genuine humility*, another quality of integrity, to admit that you have a problem. It takes faith and strength to do something about it. Because he was in fact humble, there was absolutely *no pretense or hypocrisy* about him, two of the greatest proofs of integrity.

He had a great *pride*, justifiable pride, not in the flippant, transient things of life, but in the satisfaction of a job well done to the very best of his ability, and in the love and respect of his family and friends. His pride was not confined to self, but was just as evident upon the accomplishments of others whom he respected. He so deeply appreciated the sacrificial service of his capable staff, the work of his colleagues in Congress, as well as worthwhile endeavors of others everywhere who earned his respect.

When in Athens last November, just a few weeks before his hospitalization, I heard again the story of how Athens got its name. It was named for Athena, who supposedly caused a three-branched olive tree to come up. Now we think of the olive branch as being the symbol of peace, but Athena's tree had three branches; one symbolizing wisdom, the second, victory, and the third, peace. I thought to myself, "Our friend, Mendel Rivers, is the embodiment of these three great essentials to civilization." He greatly desired for his beloved America peace, but his unusual wisdom led him to see that such a peace must be guarded, at times fought for, and won through true victory. I intended to have a plaque done to express this fitting thought—will still have it done for Mrs. Rivers. He has no need for such earthly trophies now.

The final characteristics which I want to mention describes our dear friend in such an all-inclusive way. This characteristic is generosity. His generosity grew out of his love, and from no lesser motive. I mention only a few of the countless things he gave:

He gave of his *wisdom* to the safeguarding of his beloved America and the free world.

He gave of his many *talents and labor* for all of the things he held dear.

He gave of his *time*, although it meant long hours, and left few for private pleasure.

He gave his *attention* to people, in groups, or as individuals. He loved to give small, unexpected gifts—a bottle of perfume, flowers placed in a friend's hotel room in a foreign country, an unexpected phone call in an assuring voice just when it was needed to let you know that he was with you.

He gave his *influence* where it was needed, to causes and individuals whom he considered worthy.

He gave *encouragement* by spreading his own optimistically indomitable will to others.

He gave *himself*. In a figurative, and in a literal sense as well, he gave that great heart to and for his fellowman.

It was these characteristics which inspired confidence, respect, and love on the part of "his people," (as he so proudly and affectionately called us of the First Congressional District) and which in turn caused "his people" to send him to Congress as their Representative as long as he lived.

"Our Congressman" has received that greatest promotion of all. Let us dry our tears as we hear his Maker say, "Well done, good and faithful servant; thou hast been



faithful over a few things; I will make thee ruler over many things, enter thou into the joy of thy Lord." "For inasmuch as ye have done it unto one of the least of these, ye have done it unto me."

GOD WANTS A MAN

God wants a man—honest and true and brave;

A man who hates the wrong and loves the right;

A man who scorns all compromise with sin,  
Who for the truth courageously will fight.

God wants a man—in lowly walk or high,  
Who to the world by daily life will prove  
That Christ abides within the yielded heart,  
Fitting that heart for service and for love.

God wants a man who dares to tell the truth,  
Who in the marketplace will stand fore-square;

Whose word men trust—a man who never stoops  
To motive selfish or to act unfair.

God wants a man of action and of faith,  
Whose life is something more than cant and talk,

Who lives each day as though it were his last,  
And proves his creed by a consistent walk.

God wants a man who serves his fellowman,  
His country, and his age, in selfless love;  
Who, when his special task on earth is done,  
Will serve his Master better still above.

God found that man in our friend, L. Mendel Rivers.

**RARICK REPORTS TO HIS PEOPLE  
ON H.R. 1, THE SOCIAL SECURITY  
AMENDMENTS AND THE FAMILY  
ASSISTANCE PLAN**

**HON. JOHN R. RARICK**

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 1971

Mr. RARICK. Mr. Speaker, I recently reported to my people on H.R. 1, the social security amendments and the family assistance plan.

I insert my report in the RECORD at this point:

**RARICK REPORTS TO HIS PEOPLE ON H.R. 1,  
THE SOCIAL SECURITY AMENDMENTS AND  
THE FAMILY ASSISTANCE PLAN**

The trend in this country since 1932, away from limited constitutional government toward welfare state socialism with power concentrated in the central government in Washington, is of much concern to most thinking Americans.

Most understand that if we do not stop and reverse the trend, an all-powerful federal government will be so entrenched that the States and the people thereof will become powerless to dislodge it peaceably or by legal means.

It was encouraging to hear President Nixon in his State of the Union Message on Jan. 21st indicate his desire to reverse the flow of power to Washington and to return power to the people at the local level where the people are most familiar with and understand their needs from government. At least the President recognizes the threat of federal tyranny exists.

But as I heard or read subsequent Presidential messages urging legislation which would place the people and the state under more and more control by the federal government, I realized that the President's rhetoric of returning power to the people was as empty and meaningless as some of his campaign promises when he was a candidate for the Presidency.

The concentration of powers in the federal government began in the 1930's when some in Congress and the federal judges interpreted the "general welfare clause" to mean that Congress could appropriate tax money if it was for some project or purposes considered to be for the general welfare of the country.

Thomas Jefferson expressed the intent of the Founding Fathers regarding the general welfare when he said:

"Congress had not unlimited powers to provide for the general welfare, but were restrained to those specifically enumerated; and that, it was never meant they should provide for that welfare but by the exercise of the enumerated powers, so it could not have been meant they should raise money for purposes which the enumeration did not place under their action; consequently, that the specification of powers is a limitation of the purposes for which they may raise money."

In the early days of our Republic when a proposal was offered for Congress to take action on powers not delegated to Congress by the Constitution, even though it was for the general welfare, James Madison—the fourth President of our country—stated:

"If Congress can employ money indefinitely for the general welfare, and are the sole and supreme judge of the general welfare, they may take the care of religion into their own hands; they may appoint teachers in every state, county and parish and pay them out of the public treasury, they may take into their own hands the education of children, establishing in like manner schools throughout the union; they may assume the provision of the poor . . . were the power of Congress to be established the latitude contended for, it would subvert the very foundations and transmit the very nature of the limited government established by the people of America."

Prior to the 1930's, responsibility for taking care of the poor and disabled who had nowhere to turn for assistance was shared by relatives, neighbors, friends, churches, as well as benevolent aid societies, and other charitable groups, as well as state and local governments. This manner of aiding those in need—charity—is in accord with the Holy Bible and with the 9th and 10th amendments to the U.S. Constitution.

The federal government began its illegal intrusion into the welfare field with the establishment in 1935 of a federal-state partnership whereby federal matching grants taken from the general revenue funds of the treasury were made available to states on a matching basis for cash payments in specified categories for the needy. The seed money was used to prime the pump. The more programs the state and local governments participated in, the more federal funds forthcoming. The original legislation authorized grants for three categories—old age assistance, aid to dependent children, and aid to the blind. It also established a related program of federal monies for maternal and child health and welfare services. During subsequent years these programs were expanded and new programs added until today we find tax dollars being appropriated for food stamps, child nutrition, OEO emergency assistance, removal of surplus commodities, medicare for the elderly, medicaid for the indigent, public housing, rent supplements, home ownership, rental housing assistance, rat control, and other programs.

The Food Stamp program, which was begun in 1964 on a meager scale, has grown into a crutch to soften inflation. In 1971, its estimated cost is about \$1.42 billion and will likely cost the taxpayers around \$2.5 billion during the coming fiscal year. Food stamps are now available not only for the needy, but workers on strike, military men, college students, and young people living in "hippie communes." A friend told me of his personal

observation of a woman ahead of him in a super market check out line, who upon paying for her order with food stamps, left the store and got into a late model Cadillac. Another told me that while he had to budget and buy hamburger, a young couple ahead of him were using food stamps to buy choice sirloin steaks.

Not long ago, it was announced that welfare bureaucrats in New York City had housed 5,000 welfare families in hotels at rentals averaging \$650 a month. One woman housed in the Waldorf-Astoria complained that the maid didn't make up beds until about noon. She wanted to be transferred to a cheaper hotel with earlier maid service. Another revelation of abuse of welfare is the announcement that a federal model cities program paid expenses for a New England ski weekend for 34 youths and 6 chaperones at \$60 each. These are but a few examples throughout the country that have come to public attention.

Our tax dollars are being diverted by other federal agencies, especially OEO, HEW, AND HUD, to finance sensitivity training of our people, riots, demonstrations, race hatred, homosexuality, sex education and anti-Americanism. Yes, subversion of our country is being promoted under the guise of helping the needy. The poor should soon get angry at being used as a ploy to destroy our country.

Welfare has literally become a way of life for millions of Americans. The federal government recently announced there were about 10 million last year receiving Federal welfare assistance. In California, one out of every nine citizens is on welfare. And Aid to Families with Dependent Children Program went up 39% in caseload last year while the cost increased 142%. In New York City alone, 1,140,000 people are now receiving government relief checks—that's one out of every seven residents.

A similar story is repeated across the land in every state and city. Unless action is taken to curtail and reform the abuses of welfare, bankruptcy of state and local governments is threatened as well as the future of welfare aid to those truly in need.

Despite this record, Congress is presently considering two of the most costly welfare measures in the history of this country. The most expensive single proposal is Senate Bill 3, the so-called Health Security Act, which has been conservatively estimated by the Secretary of HEW to cost \$77 billion when fully implemented.

Another legislative proposal which I thought we'd discuss today, since I have been receiving letters from constituents about it, is H.R. 1, the Social Security Act amendments and Family Assistance Plan legislation, which is under consideration by the House. This take-away, give-away bill is estimated to cost approximately \$10 billion dollars for fiscal year 1971 for both Social Security and FAP, with an extra \$3.8 billion estimated for fiscal year 1972 for FAP alone.

The idea of a Family Assistance Program, the main feature of which is a guaranteed annual income, was first unveiled to the American people in the summer of 1969. Promoted by President Nixon—who had vowed as a candidate a year earlier that he opposed such a scheme—as a welfare reform measure, which would force deadheads to work and would simplify welfare paper work, the measure was passed by the House of Representatives last year. The Senate failed to pass it.

H.R. 1 now before the House contains, in addition to the guaranteed annual income feature of the earlier bill, numerous changes to the Medicare and Medicaid programs, and establishes federal programs of aid to the aged, blind, and disabled, thereby repealing existing Federal-State programs. Also, additional Social Security benefit increases as well as taxes are tied to the so-called "Wel-

fare Reform" measure, making it one big package for Congress to satisfy the poor, the old, the disabled, and the disadvantaged, as well as those who want to take advantage. By including Social Security benefit increases in H.R. 1, it is calculated by the backers that few lawmakers will have the courage to oppose any bill with a social security benefit.

The Family Assistance plan, or guaranteed annual income feature, is the most controversial part of H.R. 1. The federal government would guarantee an income of \$2400 to a family of 4 and \$3600 to a family of eight which would qualify. To be eligible, a family must not have countable resources in excess of \$1500. There are several exclusions from the \$1500. For example, the home, household goods, and personal effects to the extent that their value does not exceed a reasonable amount, other property essential to the family's self support, and the first \$720 per year of other earned income plus 1/2 of the remainder. It has been estimated that not counting income that does not have to be declared, some families will be permitted to earn as much as \$6000 a year and still receive welfare.

The Family Assistance Plan is not likely to keep families together nor prevent illegitimacy. For example, if an unemployed father and mother with six children agree to separate, they become two families eligible for welfare and could then receive \$5200 instead of \$3600 as a one family unit. This is in addition to \$3000 they might earn at part-time jobs.

A main argument of proponents of FAP is that great numbers of families can be removed from welfare rolls through job training and work incentives. Work incentive programs already exist, yet welfare rolls increase instead of decreasing.

In an evaluation program in New York City involving 200,000 families, only 235 actually worked themselves off welfare. Yet welfare was interpreted as a temporary plan to rehabilitate the poor and assist temporarily.

It has been estimated that the numbers on welfare roll will double or triple if H.R. 1 is passed. It is incredible that President Nixon and leaders of both political parties are pushing for the Family Assistance Plan. The FAP would not only be costly in dollars, but more so in terms of lost work incentive and initiative. It is completely alien to the American way of doing things. It would guarantee a man—whether he works or not—an annual income equal to the amount the federal government thinks he should receive. There is no equal opportunity under such a program.

The American and Christian way has been that an able-bodied man work to earn his pay and for responsible citizens and private charities as well as local and State governments to voluntarily help those unable to help themselves. Now the Nixon Administration promises money without work. And they call it reform!—progress. The Romans before their fall gave bread to the masses.

The FAP if passed would make the idle, low-achievers, and irresponsible into a special privileged group. For this reason, H.R. 1 is a milestone in the continued backward trend of our country.

The experiences of other countries with national welfare should serve as a warning to the U.S. of the dangers of such a course. Sweden, Great Britain, and Uruguay are but 3 nations that are either bankrupt or are flirting with bankruptcy as a result of state welfare system. Sales taxes today in Britain range from 30% on glassware, shoes, and furniture, and 38% on cars to 55% on cameras and other photo equipment.

Over 40% of the total population of Uruguay is supported by the government. 30% of the potential work force is unemployed. Inflation has increased at a rate in excess

of 100% per year for the past five years. This is mainly caused by deficit spending. The government simply spends more than it takes in. The routine sounds familiar, printing press—flat—money. Those who favor deficit spending—the we-owe-it-to-ourselves advocates in our country—would do well to heed the experience of Uruguay and demand rejection of H.R. 1 and other similar unconstitutional legislation. 40% of the workers of Uruguay work for the central government. More than 50% of the total population is over 50 years of age. Young Uruguayans who work must pay such high taxes that they simply move to other countries.

The solution to the welfare mess is to return to the Holy Bible and to the Constitution. By practicing Christian virtues—especially charity—responsible individuals at the grass roots level can take care of many welfare cases. But moreover, borderline welfare users should not be encouraged to quit work and become a taxpayers' burden.

Parents, churches, and schools should return again to teaching people to make provision for their future. Instead of "buy now and pay later," the all-but-forgotten virtue of thrift should be emphasized.

Government assistance to unfortunate citizens who have no place to turn for help should be provided for by State and local governments in accordance with the wishes of their people.

If the Nixon Administration really wants to return power to the people, it must return revenues to the people or lessen the tax burden. What better and more efficient revenue sharing plan than not taking money from the people in the first place. Allow the states to keep 20%, 30% or more of the income taxes paid by their citizens to Washington. Think of the money that would be saved—the 35c that the bureaucrats hold out of every dollar on its round trip to and from Washington—like taking a blood transfusion from the right arm to the left and losing 1/3 in the transfer.

Henry Hazlitt writes in his recent book *Man Versus the Welfare State*, "the only real cure for poverty is production."

A popular bumper sticker says it this way: "I fight poverty—I work."

The Holy Bible in St. Paul's letter to the Ephesians, 5:28, provides us with the Christian answer to the welfare problem:

"Let him that stole steal no more, but rather let him labor, working with his hands the thing which is good, that he may have to give to him that needeth."

My dipping into my pocket to give my money earned by my toil to another is an act of love—the government's taking it from me to give to another is legalized theft.

#### THE PENNSYLVANIA FEDERATION OF HISTORICAL SOCIETIES

### HON. JOHN WARE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 1971

Mr. WARE. Mr. Speaker, the Pennsylvania Federation of Historical Societies at its annual meeting on May 8, 1971, has adopted a resolution testifying to the high regard which historical societies in the Commonwealth of Pennsylvania have for the National Historical Publications Commission and its excellent program in aid of documentary publications and microfilms. The Federation represents 135 historical societies with more than 60,000 members, and because of its extreme appreciation of the Federal pro-

gram and because the hope that this aid to historical research may be continued and expanded, I am including the resolution below:

#### RESOLUTION

Resolved, That the Pennsylvania Federation of Historical Societies hereby expresses high appreciation for the great contribution of the National Historical Publications Commission to historical research in Pennsylvania through its aid to documentary publications and microfilms which have made a rich store of important sources readily available to historians and students; and be it further

Resolved, That it would be highly desirable to continue and expand this aid to publication and microfilming of sources with emphasis on the period of the American Revolution and the founding of the Republic.

#### HOW TO FIND OUT WHAT IS IN THE COSMETICS YOU USE—ARTICLE BY PETER WEAVER

### HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 1971

Mrs. SULLIVAN. Mr. Speaker, elsewhere in the CONGRESSIONAL RECORD today I have discussed the provisions of H.R. 1235, my omnibus bill to rewrite the Food, Drug, and Cosmetic Act of 1968, particularly in relation to the need for pretesting of cosmetics for safety, and also the importance of requiring the listing on the labels of the ingredients of cosmetics products so that individuals who are allergic to certain chemicals can avoid purchasing and using products containing ingredients they know will harm them.

In this connection, the syndicated consumer columnist, Peter Weaver, whose column is distributed by the Los Angeles Times, has performed a valuable public service by digging into the scientific literature on cosmetics and the work of dermatologists and allergists to report on the contents of some popular cosmetics products and to guide consumers on where they can obtain more information.

Personally, I think it is reprehensible that a consumer with sensitive skin should have to purchase a \$24.50 book, "Clinical Toxicology of Commercial Products," in order to learn how to avoid itching, burning, rashes or other injuries from the use of popular products sold in the stores. If she knows she cannot tolerate certain chemicals on her skin or lips or hair, she should be enabled to learn of their presence in a product before she buys it—by reading the label.

DANGER IN A JAR

Truth in labeling of cosmetics, as proposed in H.R. 1235, would save millions of Americans untold agonies in the use of cosmetic products. Even more important, of course, is the need to prevent the marketing in the first place of products which are not generally safe, which is also an objective of H.R. 1235. Most cosmetics are safe to use, but there is nothing to prevent any fly-by-night outfit, or a legitimate firm either, from mar-



keting a cosmetic without adequate testing of its safety, and the public then becomes the test guinea pig.

For the millions of women—and men, and children, too—who have developed sensitivities to certain ingredients frequently used in cosmetics, Mr. Weaver's advice, as contained in his article last Sunday, should be very useful, and I include herewith his column, "How to Find Out What's in the Cosmetics You Use," as it appeared in the Washington Post of June 6, 1971, as follows:

**HOW TO FIND OUT WHAT'S IN THE COSMETICS YOU USE**

(By Peter Weaver)

Many readers have written in asking what chemicals are in specific brands of eye makeup, face powder or body lotion. They're worried about skin and eye irritations.

It's little wonder. Some allergists and dermatologists have estimated that as many as 20 million Americans are sensitive to products that touch their skin.

When the cosmetics companies are asked what's in their products, the standard line is: "We can't give out the ingredients because they're trade secrets."

This "trade secrets" line is just so much hair wash. I learned that, with a little sleuthing and a lot of patience, you can uncover the ingredients in many products of lipsticks to lotions.

A massive listing of common household products and their ingredients (including hundreds of cosmetics) can be found in the book "Clinical Toxicology of Commercial Products." Poison control centers, some hospitals, medical schools and public libraries have it.

If the local library doesn't have this key book, your librarian can order it from: William & Wilkins Co., Baltimore, Md. 21202. The price is \$24.50. Here are just a couple of the many cosmetics it lists:

Intimate hand and body lotion by Revlon—contains triethanolamine, stearic acid, lanolin, glycerin and preservatives. Dermatologists and allergists I interviewed found nothing particularly startling in this concoction. A very small percentage of the population might be sensitive to certain lanolin derivatives. A greater number of others are sensitive to certain preservatives.

The "Handbook of Non-Prescription Drugs," published by the American Pharmaceutical Assn., says: "The use of glycerin as a moisturizing agent is doubtful. . . . When the humidity is low, it will extract moisture from the skin. (Moisturizers aren't needed when humidity is high)."

Abano bath oil, by Chesebrough Ponds (Matchabell Division)—contains essential oils, volatile terpenes, aromatics, esters, citrus oils, perfume oils. The doctors say that it's interesting to note "what's not in there," so a patient who is sensitive to, say, antibacterial agents such as hexachlorophene, can use the product with confidence.

One of the drawbacks with this toxicology book is the fact that not all cosmetics products are listed, especially the more recent market entries. Some of the unlisted products, however, can be found in the card files in the 600 poison control centers around the country. The detailed product information comes from the National Clearinghouse for Poison Control Centers (Washington, D.C.).

Cosmetics companies belonging to the Cosmetic, Toilet and Fragrance Assn. have recently agreed to submit product ingredients to the Food and Drug Administration on a "top secret" basis. The reason given for the secrecy? You guessed it: to "protect trade secrets."

Rep. Leonor K. Sullivan (D-Mo.) has introduced many bills aimed at requiring cosmetics companies to list ingredients and to

have their products tested and cleared by the FDA before they're sold to the public. "As it stands now," Mrs. Sullivan says, "the public serves as the guinea pig." Normally, the FDA will only consider recalling cosmetics from the market after complaints come in.

By the way, you can get a listing of all the recent cosmetics products recalled by writing: Food and Drug Administration; Office of Consumer Affairs; Rockville, Md. 20852. You can get lists of cosmetics brand names and their ingredients for deodorants, antiperspirants and suntan products by sending in for the pamphlets: "Sun & Your Skin" (20 cents) and "Deodorants & Antiperspirants" (25 cents). The address: American Medical Assn.: 535 N. Dearborn St.; Chicago, Ill. 60610. AMA's Committee on Cutaneous Health and Cosmetics provided the technical information.

**SALT**

**HON. JOHN G. SCHMITZ**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 1971

Mr. SCHMITZ. Mr. Speaker, the supplemental report of the Blue Ribbon Defense Panel says:

The Soviet Union has been making a massive effort, out of all proportion to its own resources or any external threat, to acquire and extend strategic nuclear superiority over the U.S. Its record of feverish military preparation is unequalled since Hitler.

This description of Soviet efforts, contained in the supplemental report of the presidentially appointed Blue Ribbon Defense Panel—a report, incidentally, which the Joint Committee on Atomic Energy recently characterized as having "particular significance," see Newsletters 71-18, 71-19, and 71-20—constitutes half the framework from which to objectively view the current strategic arms limitation talks—SALT. The other half of the negotiating picture is the lack of U.S. activity in the area of strategic weapons deployment. To use Secretary of Defense Laird's words, we are in a state of "almost moratorium" and have been since 1967.

The SALT talks began with a preliminary meeting between the United States and Soviet delegations at Helsinki, Finland, in November 1969, and have continued intermittently for the last 18 months. The stated objective of the talks is to reach an enforceable agreement providing for a mutual limitation of United States and Soviet strategic weapons deployment; to repeat a cliché, to "end the arms race."

The fact is that there is no "arms race." Since 1967 the Soviet Union has more than tripled its ICBM forces and increased its submarine-launched ballistic missile force threefold, while the United States has not increased its force levels in these categories one iota. This fact seems to have been lost in the semantic shuffle.

Some people have confused the modernization of our forces—for example, the installation of multiple, independently targetable reentry vehicles—MIRV—warheads on our Minuteman land-based and Poseidon submarine-

launched missiles—with the "action-reaction, where will it all end, arms race spiral." As a study prepared by the Pepperdine Research Institute pointed out several years ago:

Force modernization is not an arms race. Failure to engage in force modernization is destabilizing. The major incentive to engage in a nuclear arms race is the possibility of winning it. In a world of technological secrecy, failure to engage in force modernization is clearly destabilizing.

MIRVing—adding more warheads to existing missiles—of a limited low megatonnage missile force such as ours, is simply an attempt to offset the growth of Soviet counterforce weapons so that our forces remaining after a Soviet first strike will hopefully have enough warheads remaining to assure penetration of an expanding Soviet antiballistic missile system. It is an attempt to deny the Soviets a first-strike capability—defined as the capability of lowering the U.S. retaliatory forces below some acceptable threshold through the use of counterforce and ballistic missile defense.

MIRV, coupled with antiballistic missile defense, is aimed at nothing more than maintaining a second-strike capability. That these procedures, although absolutely necessary, are by themselves of limited efficacy in coping with the growing threat, was confirmed recently by Secretary of Defense Laird when he alluded to "the possibility of added Minuteman and other items that we may have to face up to in view of Soviet momentum."

The SALT talks are not interfering with this Soviet momentum and in fact are increasing relative Soviet momentum as we restrain ourselves in hopes of an agreement. The only substantial Soviet offer emanating so far from the talks has been a proposal to mutually limit antiballistic missile systems to the Washington, D.C., and Moscow areas, respectively. Acceptance of this offer would mean that the U.S. would stop building the Safeguard ABM system—designed to protect our Minuteman forces—which the Soviets are rapidly acquiring the capability to destroy, while at the same time allowing the Soviets to continue deploying their ABM around the Moscow area. The Soviets are not building an ABM system to protect their hardened missile fields for the perfectly sensible reason that the U.S. missile force does not have the combined yield-accuracy ratio necessary to destroy hardened silos.

The latest shouts of triumph in the last several weeks, about progress at SALT, concerned nothing more than a Soviet agreement to talk about possibly slowing their crash construction of strategic offensive missiles. They did not agree to stop building these weapons nor even slow down, but simply to talk about the possibility of limiting the deployment of new offensive missile forces.

Unfortunately, this Soviet gesture will probably be used as an excuse to delay necessary U.S. strategic force construction programs. We will have 1 more year of "almost moratorium" on our side while the Soviets will continue their feverish military preparation—unequaled since Hitler.

FINANCIAL PROBLEMS FACING THE  
NATION'S EDUCATIONAL SYSTEM

HON. WILBUR D. MILLS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 1971

Mr. MILLS of Arkansas. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following letters written by Gov. Milton J. Shapp to the President concerning the financial problem facing the Nation's educational system:

COMMONWEALTH OF PENNSYLVANIA,  
Harrisburg, Pa., June 8, 1971.

The President,  
The White House,  
Washington, D.C.

MR. PRESIDENT: On June 2, 1971, I wrote to you about the financial problems facing the nation's educational system. I stressed the need for greater federal participation in this area.

Attached is a memorandum describing a way to make this increased participation feasible and beneficial: by establishing a National Educational Trust Fund. I wish to respectfully call this memorandum to your attention in hopes that you may find merit in it.

Sincerely,

MILTON J. SHAPP,  
Governor.

## MEMORANDUM

Subject: Proposal for National Education Trust Fund.

To: The President.

From: Milton J. Shapp, Governor of Pennsylvania.

Date: June 9, 1971.

This memorandum deals with the need to adopt an entirely new concept to support the financial needs of the American Educational System.

At no time in the history of our nation has the need for financial innovation been greater.

The ever mounting cost of education is a principal factor in the fiscal crisis which faces government on every level. If we do not seek and find new ways of financing our educational system, then many of our local boards of education and the cities themselves will soon face bankruptcy.

It can no longer be argued that we can continue with present methods to raise taxes at the State and local levels to meet the ever mounting cost of education. State and local taxes have reached such heights that the taxpayers have reached the limit of tolerance.

Yet we cannot abdicate our responsibility, cut back on funds for education and sit by while our educational system and our entire society erodes.

Already we are seeing the results of much present neglect. Crime and welfare are direct outgrowths of our inability to meet the human needs of our population. For every dollar we fail to put into education, we pay many times over in increased funds for protection and public assistance.

Therefore, I am proposing a new concept and a new method of financing the educational needs of our people.

The method is the creation of a National Education Trust Fund.

The concept is that education is not a cost item but an investment in the future growth of this nation.

As applied to the entire field of education this concept is extremely sound for there is no other investment that can be made in

the public sector of our economy that will yield a direct and measurably higher yield. More and higher quality education leads to greater productivity. Greater productivity leads to higher personal and corporate earning power. Higher earning power, in turn, produces more tax revenues. As a result, the initial investment in education pays off handsomely in future yield to the community and to the nation.

There is more than ample evidence to prove this contention. It has been estimated by some economists that the future tax yield that would be generated by a continuing policy of maximizing investment in education would be at least 10 times the investment.

The World War II G. I. Bill of Rights is a clear example of the economic returns that can be expected from Federal investment in education.

The increased tax yield expected from the higher lifetime earnings of the direct beneficiaries of the G.I. Bill will, alone, repay many times over the cost of the program.

It is not possible to calculate the additional economic gain to the nation that resulted from a whole new cycle of technological and economic development made possible by this massive educational breakthrough.

Yet, we continue to consider education as just another operating cost of government and we do so because we have become captives of a tradition.

If we are to break out of the financial chains that throttle educational progress, we can pattern a new mechanism along the lines of the Federal Highway Investment Fund originated during the Eisenhower-Nixon Administration.

The mechanism for handling our investment in education—and for guaranteed repayment of this investment by those who benefit from it—is at hand.

There is ample evidence that the Federal Highway Trust Fund, created in 1956 was not only financially wise, but supplied the major impetus for the modern highway system in America today.

I propose that we utilize this experience to create a National Education Trust Fund (NETF) which would invest in people just as the Highway Trust Fund invests in roads.

We can create a large-scale revolving NETF fund by requiring those who would benefit most through increased educational opportunities to repay the fund with a small continuing surtax when they leave the educational system and become wage earners. This parallels the plan whereby relatively low Federal taxes on gasoline and some auto supplies replenish the Highway Trust Fund and pay for the construction of new highways.

It is obvious we would not have our modern, interstate highway system today if we had left the task of financing and building new roads to our states, cities and townships. Yet this is precisely what we are doing with our present, fragmented system for financing education throughout the country.

The self-supporting National Education Trust Fund would call for:

1. An initial investment by the Federal government of \$5 to \$10 billion.

2. An annual surcharge on federal income taxes according to a formula based on earning power and years of schooling. That formula would be based upon a number of factors including:

a. The level of education achieved by the individual taxpayer.

b. The number of years he has been out of school and earning his livelihood.

c. The amount of income he receives. (Thus, a Ph.D. in Physics, out of school for 20 years, might pay a higher surcharge on his federal income tax into the fund while a nurse out of school five years would pay

considerably less. A person satisfied not to seek a college education might pay an even lower surtax.)

Normally, as long as a person was pursuing his education, he would pay no surcharge. He would not become liable until he had been out of school for several years, or until his income reached some selected minimum level.

I want to emphasize at this point that details of this program could be worked out in legislative committee and executive policy sessions. I am not wedded to specific figures or formulas, but the above proposals indicate that such formulations are certainly possible.

I do not envision such a program as an attempt at federal control of education. I firmly believe that educational programs and policies should be decided at the local level as they are today. But I see no conflict between the proposed NETF and traditional local control.

At present, for example, the states pour vast amounts of money into local school districts. Yet those districts retain their own School Boards and their autonomy. There is no reason why local autonomy cannot be retained while the Federal government establishes a fund and works with the states to assure survival and improvement of the present system.

Financing a self-supporting National Education Trust Fund would permit this Nation to guarantee our future by the best business deal ever made—investing in education for all of our citizens, pre-schoolers, school children, college students, trade school and professional school enrollees. It could even supply the necessary funds for the increasingly critical area of on-going retraining and continuing adult education.

For example, the NETF might decide to finance the crucial pre-school years on a 90 percent federal—10 percent state and local fund basis—as we do for the principal interstate highways. The NETF might finance elementary and secondary school years on a 50-50 ratio and college and professional training on a 60-40 basis, or some other arrangement based upon more detailed economic studies. The percentages could be flexible, but the principle is clear. We can use this fund to give emphasis where needed in the national interest and the interest of society in general.

Philadelphia, along with many other major cities, now faces a severe crisis. We cannot afford to delay creation of the self-supporting National Education Trust Fund. The current method of financing education not only falls short of providing adequate funds, but actually leads to considerable financial waste.

Right now, the Federal Government is pouring millions of dollars into the highly successful Get Set pre-school preparatory program. Get Set has proven that it does help disadvantaged children do better when they get into kindergarten and elementary school.

But, because of the virtual bankruptcy of the Philadelphia School System, kindergarten may be eliminated next year . . . wiping out any beneficial effects of Get Set. In addition, the Philadelphia School Board is considering dropping all varsity and intramural sports next year, a situation which cannot help but worsen an already difficult teenage gang problem in Philadelphia.

Without increased funding from the Federal Government the dollars now supplied by state and local governments will continue to be inadequate and city school systems will turn out a new "Lost Generation," ill-educated and unprepared to cope with the growing demands of a technological society.

At present, it costs the State and Federal Governments in Pennsylvania about \$3,433 to support a welfare family of four for one year. Many families spend ten, twenty or even more years on welfare. In fact, there are



some third generation families now on welfare and the cost of their support is bound to rise.

The alternative I propose is an appealing one. It calls for investment now, and a continuing investment in a constructive policy of education that will create jobs. It will pay dividends to our society for many years to come and reduce the need for additional welfare funds in the future as we provide the opportunity to make a greater percentage of our population self-reliant.

This investment program must be accomplished on the national level because only the Federal government has the power to insure uniformity of taxation, and only the Federal government can absorb the initial cost of priming the self-supporting trust fund. Also, because of the increasing mobility of our society, investments by individual states and cities might never be repaid to those governments.

Our citizens have wide mobility, and it is wrong to penalize a city or a state by forcing it to finance a major educational system for people who then move to other communities or states.

People ask: "Can we afford a National Education Trust Fund?" This answer is that we cannot afford not to invest in education.

#### COMMONWEALTH OF PENNSYLVANIA,

June 2, 1971.

Governor Milton J. Shapp today sent the following letter on the Philadelphia school situation to President Nixon:

"DEAR MR. PRESIDENT: Yesterday, two thousand Philadelphians traveled to Harrisburg to plead for funds to save their schools and protect the future of their children.

Simultaneously, the president and members of the Philadelphia School Board, president and members of Philadelphia City Council and legislative leaders discussed with me the legal steps that might follow a declaration of their insolvency.

Mr. President, our cities are time-bombs which can be defused only by action in Washington. We, in Pennsylvania, are not shirking our obligations. We have raised taxes by over thirty percent in the past two months but we still lack sufficient revenue to provide all the aid to meet the real needs of our people. The emergency facing our rural and city school systems is only one facet of multiple problems.

Nor is Pennsylvania alone. In recent weeks I have discussed the worsening financial situation with many mayors and governors from other states. The United States is in serious trouble.

Revenue sharing is not a cure, nor even a palliative. It begs the issue.

An entirely new approach to financing the operation of all levels of government is essential in America if we are to prevent the complete collapse of our cities. The underlying problem, is that for too long, in government operations, we have been violating a basic principle of business economics. State and local governments have been financing major long-term investment programs out of current operating revenues. No private corporation, not even A.T.&T., could follow this practice for any period of time, without going broke. And the day of reckoning is here for state and local governments.

Today in Pennsylvania, and in most cities and states, over half of current tax revenue goes to support education. But education is a long-term investment program, that cannot, and should not, be financed from current revenue. It takes thirteen to twenty years of intensive investment before a growing child develops the skills and knowledge required to participate meaningfully in the modern industrial world; and then, as an adolescent or adult, becomes a wage earner and a taxpayer.

The longer and more intensive the investment in education, the greater the eventual pay-back.

A skimpy educational investment program results in an untrained, low income, labor force. Government must then meet rising costs of welfare and of crime control.

Only a major infusion of funds from Washington can solve the problems of our cities and states in time to prevent collapse. Only Washington has sufficient funds and budget flexibility to continue to make long-term investments to develop our people.

Only Washington, through its universal taxing powers, has the ability to make these investments with the assurance that wherever in the nation the educated person lives in the future, his tax dollars will flow back to the source repaying the investment that has been made in his development.

Our cities and states cannot continue to provide the enormous long-term investment required for quality education and, at the same time, meet other essential needs of people.

Mr. President, time is running out. Unless massive financial aid is furnished this year to keep our educational system intact, the end will come quickly. School districts and cities all over the Nation will go into bankruptcy. A host of other vital services will be curtailed sharply.

Mr. President, the situation in Philadelphia, particularly, and throughout Pennsylvania generally, is so critical that I urgently request the opportunity to meet you personally, within the next few days, to discuss specific programs that are required to save our cities."

Sincerely yours,

MILTON J. SHAPP.

#### NATIONAL FLAG WEEK—OBSERVANCE IN AURORA, ILL.

HON. CHARLOTTE T. REID

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 1971

Mrs. REID of Illinois. Mr. Speaker, June 14 is a very special day for it is when, traditionally, all Americans observe Flag Day. In response to joint resolutions passed by Congress in 1949 and 1966, President Nixon has issued a proclamation designating Monday, June 14 as Flag Day and the week beginning June 13 as National Flag Week. I want to join the President in urging all citizens to participate in appropriate ceremonies and to display the flag at their homes and other suitable places during Flag Week.

This is a particularly significant occasion in my hometown of Aurora, Ill., because the nationally recognized father of this observance is Dr. Bernard J. Cigrand who was practicing dentistry in Aurora at the time he persuaded President Woodrow Wilson in 1916 to proclaim the first official nationwide Flag Day. Dr. Cigrand, a great patriot, first observed Flag Day himself on June 14, 1885, as a young 19-year-old schoolteacher in Wisconsin. It is said that he placed a small flag on his wooden desk and told his handful of pupils the story of the flag of the United States. He chose that particular day—June 14—because it marked the anniversary of the adoption by the

Continental Congress in 1777 of the Stars and Stripes as the flag of the United States of America.

On June 13, I shall be joining fellow citizens in my hometown in a Flag Day program sponsored by the Aurora Cosmopolitan club. One of the purposes of this occasion will be to dramatize the proper rules governing display and respect of our flag.

This is particularly fitting now when the basic principles and ideals of Americanism are being challenged; it becomes imperative that all Americans be made more aware of the symbolism of our flag.

The power of our flag—the grandeur of our flag—the force of its very appearance, will have been demonstrated, repeatedly, throughout our national history. The spirit of the stars and stripes has, in fact, buoyed our hopes and improved our national fortunes so frequently that we have every reason to know the value of its great symbolic beauty. For the flag—our flag—is indeed a symbol of all that we, as Americans, should admire and love in this grand country of ours—and for that reason we should not behold its appearance with anything less than the greatest honor and respect. It is my hope that this year's observance in Aurora will serve as a model for other communities in Illinois and throughout our Nation.

#### BUDGET CUT FOR PSYCHIATRIC EDUCATION

HON. RICHARD H. FULTON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 1971

Mr. FULTON of Tennessee. Mr. Speaker, a budgetary decision has been made by the present administration which will imperil psychiatric residency training. This decision calls for a \$6.7 million cut in fiscal year 1972 for psychiatric residency support funds which are being provided through the National Institute of Mental Health. Furthermore, this is the first step of the plan to phase out within 3 years the entire psychiatric training support program which now stands at around \$34 million.

The President has affirmed the need to expand physician training and indeed recommended an increase in the amount of health manpower training funds by \$89 million for the coming fiscal year. These are funds which go directly to the medical schools of which precious little goes into psychiatric training. Also, medical schools only provide about 25 percent of the psychiatric residency programs in our country today. These other programs have depended exclusively for their training funds from the NIMH support program which is being decimated.

Psychiatric training support was initially established in 1946 by the National Mental Health Act in order to cope with the vast neuropsychiatric problems which came to light during the war years. Instituted because of dire national need, training funds provided by

this Act of Congress became and continue to be the fountainhead of psychiatric training in the United States.

The accomplishments of psychiatry have been great since that time, but the great need continues. Expanded programs for alcoholism, drug abuse, childhood, adolescence, and others, all desired by Congress must be carried out. There is also no evidence that the incidence of mental or emotional disorder has lessened in the United States as our population continues to grow.

To cut off funds for the training of psychiatrists at this time would inexorably place our citizens in a tragic predicament within a very short time.

It has been brought to my attention that this action by the administration has taken place as a result of the misconceptions which it may have concerning the training of psychiatric manpower in this country. It is in the public interest that these misconceptions be put straight.

**A BILL TO AUTHORIZE THE ADMINISTRATOR OF GENERAL SERVICES TO CONTRACT FOR CONSTRUCTION OF PARKING FACILITIES ON FEDERALLY OWNED PROPERTY**

**HON. JOEL T. BROYHILL**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 1971

Mr. BROYHILL of Virginia. Mr. Speaker, today I am reintroducing legislation which I have sponsored in various forms for the past several years, and which I believe is urgently needed based on at least one case which has recently come to my attention wherein Federal employees are being denied the right to parking by restrictive regulations on Federal payment for parking on the one hand and restrictive zoning regulations in the suburbs which prevent employee organizations from contracting independently for employee parking on the other.

My bill, titled the "Federal Parking Facilities Act of 1971," acknowledges the sense of Congress that a shortage of off-street parking spaces exists in cities in the immediate vicinity of Federal public buildings and installations, creating a serious problem for Federal authorities and the public to conduct official business. It further finds that the shortage is especially acute in the District of Columbia in the vicinity of the Capitol, the Senate and House Office Buildings, national shrines and in the areas visited by millions of citizens from all States of the Union who visit the Nation's Capital annually, and that such shortage creates a parking and transportation problem for employees of the Federal Government and members of the public visiting Federal buildings and their elected Members of Congress. Therefore in order to facilitate the business of the United States throughout the country, the bill acknowledges the necessity to

provide for construction, operation and maintenance of parking facilities for the Government, its officers and employees, and for members of the public transacting business with and visiting with the Government.

Under provisions of the bill, the Administrator would be authorized to contract for construction, alteration, maintenance and operation with local qualified, free enterprise parking operators, for construction of parking facilities on, above, or below property owned by the Government. The Administrator would be authorized to fix fees for use of the facilities, taking into consideration proximity of the facility to their place of employment. All proceeds from leases, fees and other charges would be deposited in the Treasury. He would also make rules concerning hours of operation, general administration, management, allocation of parking spaces and criteria for assignment of parking spaces. He would also be authorized to lease parking facilities and contract with local, experienced parking operators for the operation of parking facilities.

With respect to the District of Columbia the Administrator would be authorized to commence immediate studies for construction of multilevel parking facilities under the Mall, the Ellipse, and any other federally owned locations he deemed proper to substantially relieve the off-street parking congestion in the downtown retail area of the city, with a view to establishment of approximately 2 to 3 thousand parking spaces at each federally owned location devoted primarily to the needs of the visiting public. If no federally owned property is available, he may lease suitable premises for construction of parking facilities. He may also take similar action in any locality in the United States where he determines he must resort to remedies similar to the ones in the Capital itself. This authority would permit him to relieve the employees of the Naval Air Systems Command Headquarters who are presently denied free parking under terms of their lease with GSA and denied the right to contract to pay for parking under zoning regulations governing the building in which they are employed.

Also created under the bill would be a "Federal Parking Facilities Advisory Board," composed of five members, acting under the chairmanship of the Administrator and consisting of the Commissioner of Public Buildings of General Services or his designee, a designee of the Department of the Interior, a designee of the National Park Service, a designee of the Department of Defense and a designee of the Administrator of Veterans' Affairs. For the District of Columbia, there would be created a "District of Columbia Federal Parking Facilities Advisory Council" consisting of 13 members, five designees from the Federal agencies listed above, one the designee of the Commissioner of the District of Columbia; two designees of the two largest Federal employee unions having members working in the District of Columbia; one a designee of the largest union of employees of the District of Columbia; two

designees of the private enterprise parking industry of the District of Columbia and two designees of federations of citizens and civic associations in the District of Columbia.

Similar advisory groups are authorized in other localities which would enable the Administrator to create them in Northern Virginia and suburban Maryland to relieve the severe parking shortage near Federal installations there, as well as in other jurisdictions throughout the Nation.

Mr. Speaker, I believe this legislation is urgently needed, and I urge its speedy consideration and passage.

So that our colleagues may be made fully aware of the urgent need, I request permission to insert at this point the full text of a letter I recently received from Mr. Harold S. Trimmer, Jr., assistant administrator of General Services, which details the reasons the GSA is, under existing law, unable to relieve the severe parking problems faced by the employees of the Naval Air Systems Command Headquarters I referred to earlier.

The letter follows:

GENERAL SERVICES ADMINISTRATION,  
Washington, D.C., May 24, 1971.

HON. JOEL T. BROYHILL,  
House of Representatives,  
Washington, D.C.

DEAR MR. BROYHILL: Thank you for your letter of April 28, 1971, to Mr. John F. Galuardi, Regional Administrator, Region 3, General Services Administration (GSA), regarding parking at 5600 Columbia Pike, Arlington, Virginia.

The GSA leased approximately 91,500 square feet of space in this building effective June 30, 1966, for a ten-year period. No parking was included in the rental of \$4.10 per square foot. The Lessor's offer to the Government specifically stated that the rental rate was to be exclusive of parking.

GSA, in accordance with decisions of the Comptroller General, took the position in 1966 that it was the responsibility of the individual Federal employee to provide his own transportation arrangements, and the Government was under no obligation to provide parking spaces for automobiles as appropriated funds are not available for that purpose.

Arrangements made by the employees located in the building were not uncommon or unusual. The use of Employee Association Groups for parking arrangements is practiced throughout the entire Metropolitan area.

The Lessor of the building, upon receipt of a "Cease and Desist" notice from Fairfax County regarding the fee parking, approached the General Accounting Office (GAO) regarding a reformation of the lease to include parking. The GSA is opposed to the proposed lease reformation based on the fact that the Real Estate Industry, including Weaver Brothers, agent for the owner, was fully aware of the Government's policy regarding employee parking as well as the fact that no requirement for employee parking has ever been requested by the Department of Defense (DOD).

The owner has appealed the decision of the Fairfax County Board of Zoning Appeals to the Fairfax County Court and trial is scheduled for the latter part of May. No decision will be made by the GAO until after completion of the trial.

We trust this answers any questions you may have in this regard.

Sincerely,

HAROLD S. TRIMMER, JR.,  
Assistant Administrator.

Enclosure.



ADDRESS OF HON. JOHN KYL BEFORE THE 50TH ANNUAL CONFERENCE OF STATE AND FEDERAL WATER OFFICIALS

HON. WAYNE N. ASPINALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 1971

Mr. ASPINALL. Mr. Speaker, one of the most thoughtful as well as thought-generating Members of the House of Representatives is our colleague from Iowa, Mr. JOHN KYL. His dedicated work in the Committee on Interior and Insular Affairs, of which he is a member, is always constructive and challenging. He is a devoted and dedicated conservationist in the best meaning of the term and to the highest degree. His public remarks always demand attention by his colleagues as well as the public. Recently, it was his opportunity to give an address before the 50th Annual Conference of State and Federal Water Officials in Iowa. Because of our colleague's leadership in the field to which this talk addresses itself and, further, because of the intrinsic values found in the presentation, I make it available for those of our colleagues who are sincerely interested in such matters:

SPEECH BY REPRESENTATIVE JOHN KYL

A fellow once told me that he enjoyed his rocking chair because it gave him an illusion of motion without going anywhere. And when a man has achieved his goals and earned a rest, the philosophy is fine.

But we have a lot of that rocking chair philosophy in and around government. And that is bad. More than that, it is downright frustrating.

You people who have a dedication to progress can't be very satisfied with the Water Resources Planning Act because it has become a rocking chair and because you are trapped in it. I fear some of the illusion is still there.

What were we supposed to accomplish?

First, we set up a Council at the Cabinet level. That council had three major purposes: to oversee comprehensive River Basin planning; to administer a system of grants to finance planning capability; and to bring some sense and order to policies and procedures among the agencies.

Now all that sounds good. The purpose is noble and logical. The Cabinet members are all men of good faith, ambition, and desire. But we forget the nature of the brute which is the Federal structure.

What has happened? The Cabinet members are too busy to spend the kind of time required, so they delegate the responsibility to a varying group of individuals who are below policy establishment levels.

Each Department has its own jealously-guarded prerogatives and fields of influence. The problems discussed in conference are of varying difficulty. The easy ones find easy agreement. But the important ones are debated to death and, in the end, because somebody "has to give" but doesn't, the big problems remain unresolved. The standardization of policies and procedures is still a consummation devoutly to be wished. Voluminous reports give an illusion of motion. But the chair hasn't moved from the front porch of that Potomac puzzle palace.

One of the bigger bones of contention involves the cost-benefit ratio determination. The determination was made that interest rates should be computed on the basis of

actual cost of borrowing by the Federal government. Immediately, the old "one to one" cost-benefit ratio dropped to about .6 to one. The group which the public and the press likes to call the pork barrel community had an easy answer—find more benefits to figure in on the "plus" side.

Here we have to take another look at the nature of the government. The government once decided, way back in 1962, that we should figure in the ratio determination "all benefits to whomsoever they may occur." Now, to me, that means all benefits. That was a Presidential dictum. But the Budget Office, which can be bigger than the President, said we would consider only primary benefits, which in simple terms means that we can count only net farm income increase in irrigation. All other benefits are considered regional, and not national, because they represent transfers, not increases.

So you have asked many times, why does the Office of Management and Budget have such power? There is no direct answer, and one—more significant, I think—which is indirect and hidden.

When you consider the Federal structure, and the structure of the Council with its several components, the Budget Office is the first common denominator, the first place where all elements come together. This is the clearing house. This puts the Budget Office in a dominant position.

However, the cost-benefit device is a handy one. With \$30 billion worth of water resource projects pending, and with the pressure for limited outlays, the cost-benefit ratio becomes an escape mechanism. What I am saying is that if we were permitted to include all secondary benefits—every conceivable benefit in figuring the ratio—we probably would not progress much faster. The argument, I fear, is an academic one.

Nor does our problem result from a shortage in planning apparatus or capability. Several hundred government programs have created a heyday for planners. One thing we have plenty of is plans. But we have not "bit the bullet" in setting priorities on executing those plans. What we have today in water resource planning is a shopping list to which we constantly add, and from which we remove nothing. The twenty year advance program calls for an expenditure totaling more than we have been spending on all public works. We are at the point where we gain little from stockpiling more plans, and we ought to be honest and practical about it.

So what do we need?

I am convinced that we need reorganization of the Federal government to get meaningful resource management. I believe that reorganization must be drastic. I see no other way to remove the existing impediments that result from competition among the agencies. The system we have has grown like Topsy. It concentrates on programs rather than processes. It always promises more than can be delivered. The need for reorganization is here, and it is great. If you don't like the proposals which have been offered, come up with something better. But don't oppose just for the sake of opposition.

Item 2: We are not going to solve our problems without stirring controversy. Someone is going to object to your opinion and your decisions. If you can't stand the heat, get out of the kitchen.

Permit me to elucidate. I served on the Public Land Law Review Commission. We spent about two years listening to complaints and listing all the questions which had to be answered. There were serious problems which had existed for a long time. Some existed and grew because those who had the decision-making power always avoided answering the tough propositions. We realized that many of the more than three hundred recommendations finally made would stir controversy. We expected objections. We

have not been disappointed. But at least we have the cards on the table.

Let's face facts! Right now, the biggest single problem we have in water resource management is the almost total crusade to save the environment. This is ironic. Every properly conceived water resource project is dedicated to environmental improvement. You people were involved in this environmental concern long before the average citizen of the nation got excited about the problem. What's wrong with telling somebody about it?

Every week now we get letters urging objection to letting the Corps of Engineers build one more dam. This is just as foolish as saying that every stream should be dammed. I suppose there are some who will damn me for saying that, but it is true. Somebody has to say it.

I used to hunt ducks on the Missouri River when it was a muddy mess—when a good farm flowed under the South Omaha Bridge every day. Now I occasionally join the navigation tour with the Corps on the same river—no, on a different river with the same name. The transformation is miraculous. I visit the oxbows which have been preserved as ecological units. I remember that river flooded from North Dakota to Kansas City, and I remember destruction wrought by those floods—destruction not only to man-made properties, but to the eroded land from which all wealth springs.

The Des Moines River flows through this city. A short distance down stream there is a new dam and lake. The lake itself has added something new and valuable to the environment. The peak count of ducks and geese on that lake last year showed almost a half million waterfowl.

Fishing is great downstream. The cities using the water from the river spend much less money on chemicals to treat that water. And they tell us the dam held two feet off the flood crest downstream in Missouri last year, making the difference between flood and no flood.

We have seen the miracles of soil conservation and watershed controls in this great state. We have measured the benefits in many ways, including the vastly increased supply of game animals and birds, as well as fish. And I have seen the transformation of desert to garden across the nation.

In every act we have to measure what we stand to gain, and what we stand to lose, and we have to be more discriminating than we have been sometimes in the past. But we have to be reasonable. Everything is not good as it exists in nature. Everything does not have to degenerate in the hands of man.

The point of view is important. The lady from New York, viewing the Grand Canyon for the first time in the afternoon sun, turned to the man standing next to her and sighed, "Isn't that the most beautiful thing you ever saw?" The man, who happened to be an Iowa farmer, responded, "It's beautiful, but it's also the worst piece of erosion I ever saw."

Now if we are wrong environmentally in these water resource projects, we had better get off the boat. But if we are convinced that the cost-benefit ratio environmentally is on our side, we had better start arguing the point.

There are places where water is still the master, not the servant, of mankind and the environment. There are still many, many places where that precious resource, water, is wasted when it could well serve mankind and nature alike.

We have a saying in the Interior Committee of the House, that "water is worth what you have to pay for it to get it." It is that important. It is also still true that we

don't "miss the water until the well goes dry."

You people have accepted the responsibility of guaranteeing that the nation's well doesn't go dry. We have plenty of plans. But we haven't yet convinced the nation that this item deserves a higher priority. I am convinced that education is our biggest job. Let's get on with it!

**CALIFORNIA'S TOP REPUBLICAN POLITICIANS UNDERMINE PRESIDENT NIXON**

**HON. JEROME R. WALDIE**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 1971

Mr. WALDIE. Mr. Speaker, Governor Reagan of the State of California has been outspoken in his attacks on President Nixon and the President's effort to reform the welfare system by encouraging work incentives and having the Federal Government assume present costs that are a burden on the State taxpayer.

In addition, the Governor has opposed President Nixon in the latter's effort to assist the rural poor in California by providing them access to our courts through the services of the CRLA.

During these titanic political disputes between Governor Reagan and President Nixon, the voice of Lieutenant Governor Reinecke has been strangely silent.

It no longer is. In a recent article in the conservative publication, *Human Events*, Lieutenant Governor Reinecke, described as "Reagan's heir apparent", fully aligns himself on the side of Governor Reagan and in opposition to President Nixon.

The President must feel alone and chagrined that the top Republican politicians of his home State are constantly attacking and undermining him.

The question is being asked, why does Governor Reagan find it necessary to constantly oppose President Nixon on his major domestic programs? Can it be he is seeking to isolate the President from the conservative right wing of the party and thereby weaken him for the upcoming presidential election? Can it be that Governor Reagan's all-consuming political ambitions will result in a Democratic Party sweep in the presidential elections? We can hope so.

I enclose the *Human Events* article outlining Lieutenant Governor Reinecke's recent recruitment to the cause of weakening President Nixon.

**REINECKE DEMOLISHES ARGUMENT FOR FAP**

While the Administration and Chairman Mills continue to look toward FAP as the solution to the welfare crisis, Calif. Lt. Gov. Ed Reinecke—Reagan's heir apparent in the Golden State—came to Washington last week to provide his considered views on the subject before the National Federation of Independent Business.

The former congressman specifically singled out liberal court decisions, HEW regulations and federal control over welfare as the major reasons for the escalation in welfare costs. Far from endorsing the Nixon-Mills concept, Reinecke stressed that reform could best be established by returning powers over welfare to the states. Said Reinecke:

"In my years in Washington, I was very much aware of the tendency to raise the ante of every welfare-type program. That tendency is still continuing. . . .

It is too easy for organized pressure groups to secure continuing increases in programs which emanate from a single source: that is, from Washington. The best protection for true welfare reform is to see to it that the welfare needs of each state are set by the state legislature and not by the United States Congress. . . .

We are watching carefully the proposals which are coming out of the House Ways and Means Committee. We do not know all of the full details, but we are concerned by some of the things we hear.

According to newspaper accounts, the state of California would "save" \$166 million under this proposal. However, the over-all federal program is estimated to cost another \$5 billion per year within two years. Since California pays approximately 10 per cent of all federal taxes, it appears that a \$166 million saving may cost California taxpayers 10 per cent of the \$5-billion national increase—or save \$166 million to spend \$500 million.

News accounts also indicate that present eligibility of 15.8 million persons will increase to about 26 million—the naive must assume that these costs will be pulled back from other federal programs. My experience here in Washington does not indicate that we can realistically find reductions of this magnitude in other programs.

As all of you businessmen know, our society has had a traditional work ethic. I think you will agree that this work ethic has been a key element in this nation's development and prosperity. The fact that this country is the most highly developed industrial nation in the world suggests rather strongly to me that we didn't get to this point by looking for handouts from anyone.

The irony of this progress is now before us—it has been through this very development that we have been able to support the growth of welfare. We have taken more and more from those who work so that we could support more and more of those who do not or cannot.

We have created a system that not only fails to help people to help themselves, but has damaged their spirit and has removed the incentives to work. Why are so many people apparently willing to accept welfare rather than employment? . . .

Let me give you my theory. Over the years this nation has prospered and living standards have risen commensurate with our rapid growth. At the same time that men and women like yourselves have been building this nation, there has been a less productive element that has nonetheless asked that system support them.

These nonproductive individuals have exerted continuous and increasing pressure on the system in an effort to close the rapidly expanding gap between the working taxpayers' standard of living and their own.

As all levels of government yield to the increasing militancy of recipients and their pressure groups, the last vestiges of meaningful standards of eligibility and control of welfare expenditures are being destroyed.

This continued agitation of the so-called "Welfare Rights Organization" and other self-appointed lobbies for the poor have set as their present objective to achieve a \$8,500-a-year minimum income for a family of four from public funds.

As a result of such agitation, the feeling is developing in certain areas of society that welfare is really a permanent form of national income redistribution. Even by their own propaganda, the welfare rights groups calmly expect at least 25 per cent of the population nationally to be supported by the government without working. Naturally, they don't say how long they expect such a

situation to continue before national bankruptcy sets in.

Closely allied to the welfare rights lobby have been the problems created by the Legal Services Program. As a result of suits filed on behalf of their clients, these so-called "poverty lawyers" have struck down many of the reasonable restrictions and eligibility requirements.

The key case was the Supreme Court decision which said that duration of residency in a locality cannot be a welfare requirement—despite the clear intention of Congress to allow a residency requirement to be instituted. It is the height of folly for one agency of government to employ lawyers to attack the policies of another agency, or even of the state governments.

In the state of California alone, seven court cases already resolved will cost state, county and federal governments \$112.2 million. There are four more cases still pending which, if decided adversely, will cost the three levels of government \$732.8 million, for a total of \$845 million.

In other words, this kind of activity against the welfare system will cost the taxpayers nearly a billion dollars alone.

I am deeply disturbed when I see proposals before the Congress which would not only legitimize such activity but would institutionalize it and insulate it from effective control. I am referring particularly to the proposal to set up the Legal Services Program as an independent corporation.

Creating the Public Service Corporation, financed by federal dollars, of course, gives to these legal services attorneys what they have sought since the beginning of the program; namely, a permanent home.

Legal services attorneys would no longer be responsible to the President, and the veto power which governors presently have over programs active in their state would be eliminated by all of the proposals currently being discussed in Washington.

Without Congress, the President or state governors to oversee the work of the Legal Services Corporation, the kind of activity we are presently witnessing in some areas, where taxpayers are in effect helping to finance their own destruction would become the rule of the day.

Just one example of how far the Legal Services Corporation would be protected from scrutiny: Even the one element which has been built into the Public Service Corporation proposals supposedly to protect the government—the audit by the Government Accounting Office (GAO)—will be subject to the so-called "attorney-client privilege" of non-disclosure of details even for normal auditing procedures.

Very few people fully understand the degree and extent to which the federal government is responsible for this [welfare] mess. There is little comprehension of the problems which federal regulations have caused us.

As you know, for a state to participate in the federal programs, it must adhere to the regulations handed down by the secretary of health, education and welfare. Over the years the interpretation of these regulations has become consistently more extreme.

To put it bluntly, the state of California and other states have had practically no control over the kind of program which they want to administer in their own states.

Under HEW regulations, the state either does it Washington's way or there will be no money to do it at all. The HEW position has been simply to force the states into ever-increasing caseloads and widening eligibility requirements. As a result, the state itself has no control over the level of state funds which must be poured into these programs. The single important factor in the threatened bankruptcy in many of our state treasuries has been the unreasonable regulations of HEW.



Reinecke, in brief, has proposed a concept entirely at odds with FAP. What is needed for true reform, he suggests, is for Congress to eradicate federal control over welfare, rein in the legal services program and, above all, return power—real power to the states. Is it too much to ask that the House—which will soon be voting on FAP—listen to these words of wisdom?

CADET GUY MICHAEL CHURCH

HON. OGDEN R. REID

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 1971

Mr. REID of New York. Mr. Speaker, among the 721 graduates at the U.S. Military Academy at West Point yesterday was one young man who was not present to graduate with his class. Cadet Guy Michael Church of Silver Spring, Md., a top student in his class and a member of the dean's list, died of acute leukemia Monday night at Walter Reed Army Hospital.

At a ceremony at the Pentagon yesterday, the Chief of Staff of the U.S. Army, Gen. William C. Westmoreland, presented Cadet Church's family with his diploma and the Fournay Award for Excellence in Tactics which he earned by ranking first in his class in military proficiency.

In addition, I was especially pleased that Lieutenant Church was also awarded the honor of a commission as a second lieutenant in the Signal Corps. He will be buried with full military honors at Arlington National Cemetery tomorrow.

Lieutenant Church was to have been married on Saturday to Miss Patricia Reznicek, daughter of Mr. and Mrs. Donald T. Reznicek of White Plains, N.Y. Miss Reznicek and her parents were at yesterday's Pentagon ceremony, and her composure and quiet dignity moved me deeply.

Mr. Speaker, I am bringing this tragic situation to the attention of the House not simply because Lieutenant Church was a cadet at West Point, but because I have been deeply stirred by the futility of Lieutenant Church's illness since I first learned of it a few days after he was stricken on May 30. Medical science knows no cure for leukemia; a promising young officer who was willing to fight and die for his country has died, because the best scientific minds in the world have not yet found a way to stop the disease that took his life.

Thousands die of leukemia every year, but to me Lieutenant Church's death has a special poignancy, because of his youth, the hope that his future held, and the wonderful spirit of his young fiancée. Surely the richest Nation on the earth can spend more money on cancer research and on sophisticated treatment facilities to enable the Guy Churches of this country to live their lives fully, without risk of being stricken in their prime. If nothing else, I hope that Lieutenant Church's death will serve to spur our Government to the

urgency of the medical needs of this country and to a commitment for their solution.

Very briefly, I wish to quote the words of Winston Churchill before the House of Commons, in a passage which I think very relevant:

To die at the height of a man's career, the highest moment of his effort here in this world, universally honored and admired . . . to be taken from us at a moment when he could already see ultimate success in view—this is not the most unenviable of fates.

Mrs. Reid and my entire office staff join in extending our deepest sympathy to Miss Reznicek and her parents and to Lieutenant Church's mother and father and his seven younger brothers and sisters.

APPROPRIATION INCREASE

HON. JAMES H. SCHEUER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 1971

Mr. SCHEUER. Mr. Speaker, the Senate approved this morning the fiscal year 1972 appropriations bill for the Office of Education. As passed by the Senate, the bill contains an appropriation of \$50 million for title VII of the Elementary and Secondary Education Act, bilingual education, an increase of \$23 million over the amount approved by the House.

I heartily applaud the Senate Appropriations Committee for this action. This increase in bilingual education funds is desperately needed.

The past allocation of funds under this program has been shockingly inequitable and must be corrected. California's 500,000 students in need of bilingual education programs have been receiving more than three times the funds—\$7.7 million—allocated to New York State's 300,000 students—\$2.4 million—with the same need. Despite repeated protests, the Office of Education has made only minimal attempts to rectify this imbalance. This increase in funds will allow more equitable distribution of program funds so that students all over the country whose primary language is not English will have an equal opportunity to participate in a bilingual education program.

Furthermore, these additional funds can be used to increase the authorizations for already approved programs, and to begin new high-quality programs which have been turned down because of inadequate funding. Twenty-two projects were approved in fiscal year 1971, and a considerable number of these were funded at levels considerably less than the level requested. Had more funds been available, these 22 projects could have been fully funded. In addition, there were about 30 other proposals which could have been approved if additional funds had been available, and certainly new proposals can be received.

Bilingual education programs can and do operate all over the country, ranging from Spanish-English programs in California, Colorado, and New York, to French-English programs in New Hamp-

shire, and Navajo-English programs in Utah.

Mr. Speaker, this appropriation increase is a commendable action. It is the result of an intensive bipartisan effort, in which the distinguished Senator from Illinois (Mr. PERCY) played an important part. Millions of children, whose educational attainment has been crippled by a lack of competence in English, may now have hope that their schools will become real places of learning.

I urge my colleagues on the House Appropriations Committee to accept the Senate's increase in funds for bilingual education.

DRUG CURE AND THE BLACKMAN'S DEVELOPMENT CENTER

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 1971

Mr. RARICK. Mr. Speaker, writing in his syndicated gossip column dated April 14, 1971, Jack Anderson questioned a \$523,000 HEW grant to Blackman's Development Center under the provisions of the Manpower Development and Training Act. Anderson criticized the grant because of the anti-Semitism of the director and the revolutionary program of its "Volunteer Army of Liberation."

I wrote a letter to the Department of Health, Education, and Welfare on April 16, 1971, requesting an explanation of this grant in the light of these charges.

The reply, received over 30 days later from Secretary Elliot Richardson, is a classic example of evasiveness. The Secretary or whoever wrote the letter refused to deny specifically any of the charges leveled by Anderson. I insert Secretary Richardson's reply to my inquiry at this point:

THE SECRETARY OF HEALTH,  
EDUCATION, AND WELFARE,  
Washington, D.C., May 26, 1971.

HON. JOHN R. RARICK,  
House of Representatives,  
Washington, D.C.

DEAR MR. RARICK: Please accept my apology for the delay in responding to your letter of April 16 concerning the recent funding of an occupational training project through the Blackman's Development Center of Washington, D.C.

As requested, we are enclosing a copy of the application for the grant.

This project is mentioned in a syndicated column by Mr. Jack Anderson, dated April 14. We wish to point out that this article is incorrect or misleading on several counts. The Division of Manpower Development and Training in the Office of Education, has awarded a contract in the amount of \$197,847 to Blackman's Development Center under provisions of the Manpower Development and Training Act. This contract is awarded to provide a well-defined program of skills, training and basic education in five occupational areas for severely disadvantaged individuals. It is important to note that this is not a flat grant wherein the Center could exercise complete discretion in making expenditures, but a definitive contract for vocational training services tied to a carefully itemized training plan and a line item budget.

Payments are made monthly, rather than on a lump sum basis and only after the HEW Project Officer and Fiscal Office receive and review a line item accounting of the previous month's expenditures. The Department of Labor has made the sum of \$325,800 available to the D.C. Manpower Administration for purposes of providing regular MDTA training allowances. This amount, calculated on the basis of 200 trainees, was established by the D.C. Manpower Administration which makes weekly allowance payments directly to eligible trainees, provided their attendance and performance records are satisfactory. Blackman's Development Center does not receive any portion of these training allowances. Hence the article's reference to "Hassan sees no inconsistency in accepting a \$523,000 U.S. grant," the statement that the "U.S. . . . pays the half million bucks to the Blackman's Development Center," and the *Evening Bulletin's* headline "U.S. 'subsidizes' black army" are entirely incorrect.

The following considerations prompted the decision to conduct this training project through the Blackman's Development Center:

1. Fully 80 percent of all crime in the District of Columbia is estimated to be drug-related. In fact, many of our government, police, and community leaders now view drug addiction as the greatest threat to the stability of the city.

2. Blackman's Development Center was one of the early leaders in the fight against drug addiction, and has demonstrated a sense of resourcefulness and community concern by launching a methadone detoxification program with virtually no funds and no institutional support. This program, conducted under carefully supervised clinical conditions, accepts third party referrals from the District of Columbia courts and is open to all residents of the metropolitan area. The program has been widely acclaimed by local government officials and community leaders for its high degree of effectiveness and citizen participation.

3. The Narcotics Treatment Administration (NTA) of the District of Columbia has expressed its confidence in this organization by awarding a \$189,000 grant to Blackman's Development Center to assist the Center in continuing its detoxification activities throughout the city. We believe it is worth noting that this grant was awarded at a time when the District government was actively closing down other methadone programs. The Blackman's Development Center reaches a portion of the population which will not or cannot respond to other rehabilitation programs, including centers operated by the NTA.

4. The experience of drug control programs graphically demonstrates that any drug "cure" in the absence of a marketable skill is only temporary. Yet we are unable to train the addict in our ongoing manpower programs. Blackman's Development Center is in a unique position to fill this void and yield significant new information by its comprehensive program of detoxification coupled with skills training, basic education, counseling, and placement.

We wish to re-emphasize the fact that the HEW contract is drawn with the Blackman's Development Center, Incorporated, under the laws of the District of Columbia. The column does note that, in addition to the HEW and NTA funds, Blackman's Center also receives monies from numerous area agencies, foundations, churches, unions (including the Alliance for Labor Action, AFL-CIO), business firms, and individuals. A number of Jewish persons contribute their professional and advisory services to the Center. However, the article's emphasis on the non-existent "Provisional Government of the United Moorish Republic," and its account of the "Volunteer Army of Liberation" to the virtual exclusion

of other information are misleading and ill-considered at best, and serve only to obscure the specific purpose of the vocational training contract. It should be added that the D.C. Manpower Administration certifies the eligibility of each trainee before he or she enters training.

This training project is designed to serve approximately 200 individuals during the coming year. Its average cost per trainee (\$2,618) and cost per trainee hour (.897) compare quite favorably with other MDTA training programs in Washington and other urban centers. This Federal investment in manpower training, or "the taxpayers' \$523,000 contribution" as the article chooses to describe it, will be repaid many times over in the form of tax revenues and savings in welfare payments.

In an effort to further ensure the fiscal integrity of this program, the Department of Health, Education, and Welfare, in cooperation with the Department of Justice and the District of Columbia government, is presently participating in an advisory administrative audit. This audit is designed to: (1) assess the financial capability of the organization; (2) guarantee that project accounts are established in such a manner that Federal funds can only be expended for the specified purpose of vocational training; and (3) ensure that trainees whose attendance and performance records are not satisfactory do not receive a training allowance from the D.C. Manpower Administration.

With kindest regards,

Sincerely,

ELLIOT RICHARDSON,

Secretary.

In a column dated June 6, 1971, Victor Riesel levels the same charges against the grant to the Blackman's Development Center. In the light of the fact that Secretary Richardson failed to deny specifically any of the accusations leveled by Anderson on April 14, the charges made by Riesel take on added weight.

I feel that I speak for my people when I say that these reports and Secretary Richardson's absurd reply to my letter reveal the true horror of this "new American revolution." We are witnessing the rush of our country into bankruptcy through the wasting of tax dollars on revolutionary experimental programs managed by quacks, malcontents, and social misfits. This is being done under the guise of helping "black capitalism," or any other "bleeding heart" program said to aid the black community.

The dog has turned and threatens to bite the master, for "black nationalism" has become black separatism and suspect anti-Americanism.

I insert Victor Riesel's column at this point:

[From Baton Rouge (La.) Morning Advocate, June 6, 1971]

NOW HEAR THIS

(By Victor Riesel)

WASHINGTON—Exposure of buck-hunting in this town has become a passion dedicated to the restless poor of the ghettos, black and white. It's a soul-satisfying pursuit to hunt down and discover why little bureaucrats, virtually all of them hangers on from older times, are permitting direly needed government dollars to flow in huge bundles ranging from half a million to \$15 million into the hands of con men who see a profit in misery.

The skill in this sport is to discover why the bureaucrats don't stop the buck before it gets into the hands of slick operators. As a very grim example, there is the \$523,000

grant delivered by the Dept. of Health, Education and Welfare (HEW) in January to something which calls itself the Blackman's Development Center—run by a pseudonymed, self-styled colonel, Minister-General, guerrilla chief, who has angered black leaders with advocacy of the dispatch of black people to Africa and of strident anti-Semitism.

Let there be any doubt of the organizations and the cast of characters in this grim tale of money going to a chap who has distributed anti-Jewish leaflets and booklets, and who trains men in the use of guerrilla tactics and small arms, here they are in the order of their appearance:

HALNON DIRECTOR

The money was delivered by HEW's Manpower Development and Training Division. Its Program Director is Timothy Halnon.

Some mail addressed to Mr. Halnon is answered by Richard Hobson, chief of the Experimental and Utilization Section. When the Anti-Defamation League of B'nai B'rith protested the grant, Hobson's choice of words, as spokesman for the Manpower Division, included the decision that the grant would stand and that this did not imply any HEW endorsement "of other activities of the organization or members of its staff."

Yet the \$523,000 went to the so-called Blackman's Development Center, whose Center One at 6406 Georgia Ave., N.W., is headed by one "Col. Hassan Jeru-Ahmed." He was born Albert Ray Osborne.

The "Colonel" says he is the center's chief. He is acknowledged as the center's chief—and that he will direct the expenditure of the money allegedly for manpower training of the disadvantaged, including narcotics addicts, and for remedial reading. Not of his "literature" it is hoped. Some of that material, as recently as the end of April, has been stringently anti-Jewish.

MERCY ON THEM

As for the addicts who are to be salvaged, mercy on them. In the maze of operations which make up the Development Center there is "The Hole," used as a detention cell in which troublesome members or addicts can be imprisoned as a disciplinary measure.

The Colonel, or Minister-General, or Hassan Jeru-Ahmed or Osborne, who are all the same man, has several pursuits. He runs much of the center. He runs something called the "Blackman's Volunteer Army of Liberation." This is the center's operational arm, charges the Anti-Defamation League. The force also is tied to the man's Provisional Government of the United Moorish Republic. And he hopes to invade Africa to set up this still-mythical kingdom.

The force led by this 46-year-old "Black nationalist," is uniformed, carries guns and trains in Virginia.

Regularly this "Army" takes oaths of "unity" in the Development Center and pledges allegiance to the United Moorish Republic.

Some of his old anti-Jewish literature sounds like old Thord Reich Kultur. It is very bad, indeed. So abrasive is it that recently the Anti-Defamation League Chairman Seymour Graubard said "while there is a dire need for rehabilitation programs, the propriety of HEW funding a program to be run under the auspices of the paramilitary group headed by a man steeped in bigotry must be seriously questioned."

NOTHING PERSONAL

Yet HEW's Experimental and Utilization Section doesn't seem to take any of this as a personal insult. For the moment let's put aside this seeming indifference to the mockery of progress inherent in the avowed bigotry over at the center.

Put aside, if you will, the four protests which have been dispatched—on the record—



by the Anti-Defamation League and the many protests lodged by troubled black leaders.

By what criteria does this experimental section of a bureau of a division of a section of a department hand half a million dollars over to the "Colonel" for manpower training and development? Training and development for what?

Why don't such administrators as HEW's Halnon and Hobson pass the protest by white and black leaders on to HEW's Secretary Elliot Richardson?

Who's responsible for this bureaucratic imperviousness? Who's responsible for this retreat from research?

This buck-passing goes on in many areas not only in the corroding welfare system. Yet these funds could do so much if they really reached the poor, the disadvantaged, the restless in this summer's tepid cities.

Who's watching the store? Or should I say the bank?

### MAGIC MOUNTAIN, "FOCAL POINT OF PROSPERITY" IN NOTHERN LOS ANGELES COUNTY

**HON. BARRY M. GOLDWATER, JR.**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 1971

Mr. GOLDWATER. Mr. Speaker, the fastest growing industry in America today is the recreation industry. It is especially noteworthy when such an industry makes a sizable commitment to the future of the community in which it develops.

Northern Los Angeles County is growing rapidly, but at the same time, local officials, business leaders, and residents are insuring that the natural beauty of the area will be preserved. The rolling hills dominated by large oak trees will be enjoyed by the generations to come.

An example of a new environment-conscious business venture is Magic Mountain, a \$20 million amusement and family recreation center. The new recreation area opened on May 29 and I wish to present the following story from one of the local papers regarding Magic Mountain:

MAGIC MOUNTAIN, "FOCAL POINT OF PROSPERITY" IN NORTHERN LOS ANGELES COUNTY

On May 29th, Magic Mountain, the \$20 million amusement and family recreation center 36 miles northwest of the Los Angeles Civic Center opened to the public. "It is a focal point of prosperity for all of northern Los Angeles County," says Eugene R. "Doc" Lemmon, the park's general manager.

Located on a 200-acre site near the master-planned community of Valencia, Magic Mountain will draw from a market area of more than 13 million people within a 150 mile radius, including 8 million within 50 miles. Some 1.6 million guests are expected to file through the turnstiles the first year.

"The interaction between Magic Mountain and the surrounding communities will be tremendous," Lemmon says. "Besides providing more than 1,000 jobs in the park itself, Magic Mountain will be a boon to motels, hotels, restaurants, gas stations and just about every other commercial enterprise. In fact, our economists tell us that for every dollar spent in the park itself, eight to ten dollars will be spent with local businesses. This means a gross income of \$10 million,

which we expect to reach the first year, will generate \$80 million to \$100 million in additional income for the surrounding area.

Magic Mountain is a joint venture between subsidiaries of Sea World, Inc., operator of a popular marine life-oriented amusement and entertainment center in San Diego, and the Newhall Land & Farming Co., developers of the new planned community of Valencia. The park features a variety of "white knuckler" thrill rides, three live-music dance pavilions, a talent showcase amphitheatre, shops, restaurants, and a host of other major attractions. In addition to all this, there has been a careful, deliberate effort to preserve the natural environment, as well as providing an economic boost to the area.

Valencia is also the home of the California Institute of the Arts; the College of the Canyons, a junior college in the Santa Clarita Valley junior college district; and the \$4.6 million Newhall/Saugus/Valencia County Administrative Center, which will house essential county services for the entire Santa Clarita Valley.

### BOY SCOUTS LEAD ENVIRONMENTAL CLEANUP IN WASHINGTON COUNTY, MD.

**HON. GOODLOE E. BYRON**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 1971

Mr. BYRON. Mr. Speaker, last week in Washington County, Md., the Boy Scouts sponsored an environmental cleanup campaign. The Scouts, joined by Army reservists, clubs, and individuals, pitched in to collect trash and haul it away from 89 pickup sites in Washington County. David W. Harp was the leader of the campaign.

The participants picked up 21 junked autos, cleared 307 miles of roadway and streams and 170 acres of empty lots and parkland. Loaded dump trucks made 193 trips to the county landfill. The Hagerstown Boys' Club and several Girl Scout troops collected trash in downtown Hagerstown.

The program is part of the 2-year duration Save Our American Resources program. The Scouts will continue to work on a survey of the Antietam Creek in Washington County. The Scouts will seek to find the sources of pollution and help in solving the pollution problems.

The many groups helping in Saturday's drive included: The 107th Army Reserve Maintenance Company, Boy Scouts, Girl Scouts, the Boys' Club, the Ornithological Society of Washington County, First Christian Church of Hagerstown, Chewsville Lions Club, Chewsville EUB Church, Downsville Christian Church, 4-H Clubs in Maugansville and Brownsville, Leitersburg Fire Company, and Washington County Civil Defense Rescue Service. I would like to commend all of these groups for taking an active part in cleaning up the local environment.

### THE EQUAL RIGHTS AMENDMENT

**HON. BELLA S. ABZUG**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 1971

Mrs. ABZUG. Mr. Speaker, during the hearings before the House Judiciary Committee concerning the Women's Equality Act and the Equal Rights Amendment on March 31, Myra Wolfgang of Detroit argued that these measures would increase rather than eliminate the exploitation of working women. She cited the case of the Hostess Baking Co. as a clear example of increased exploitation of working women by employers if not restrained by protective laws. She accused the company of eliminating their three shifts after the Michigan Attorney General nullified the State's hour law, and instituting a two-shift day which increased the hours that women were forced to work to 12 to 14 hours a day.

I have received a request from the National Organization of Women to enter a letter in the RECORD from the Hostess Baking Co. that calls Mrs. Wolfgang's testimony into question. Myra Wolfgang, like several other opponents of the Equal Rights Amendment, objects to the amendment on the grounds that it will abolish State protective laws. She argues that without these laws working women will be exploited by being forced to work longer hours.

But the issue of protective laws is fast becoming a red herring. The Civil Rights Act already authorizes the Equal Employment Opportunity Commission to require private employers to treat men and women equally—with any protective laws applied uniformly to workers of both sexes.

But in any case most of these protective laws are a fraud and a sham—they protect the haves from the have nots—they are used to keep women out of higher paying jobs and away from opportunities for advancement and promotion. In fact, as the letter points out, the women at Hostess who worked longer hours volunteered to do so. Let us face it—some women want, and are capable of handling jobs that require longer hours. They should not be kept from these jobs because of their sex.

The Equal Rights Amendment is designed to open opportunities for women that have been closed to them because of arbitrary distinctions imposed on the basis of sex. The following letter from the Hostess Baking Co. shows again that protective laws often protect no one and that women are benefited, not exploited, by their removal.

ITT CONTINENTAL BAKING COMPANY, INC.

Rye, N.Y., May 3, 1971.

HON. DON EDWARDS  
Chairman, Subcommittee No. 4, House Committee on Judiciary, Washington, D.C.

DEAR CONGRESSMAN: We have just learned of the testimony given before the House Judiciary Committee March 31 by Myra K. Wolfgang of Detroit. This was part of the proceedings involving H.R. 916—the Women's

Equality Act, and H.J. 35, 208, 231—Equal Rights Amendment.

Mrs. Wolfgang stated: ". . . the Hostess Baking Company in Detroit (a subsidiary of the I.T.T.-Continental) eliminated their 3 shifts and instituted a 2-shift day, after our Attorney-General nullified the hours law. This meant that women were scheduled to work from 12 to 14 hours per day. I'm talking about September 1970, not the turn of the Century!! There were no men working in the bake rooms of this plant, so the increase in work hours wasn't a question of equal application of the law. It was solely a question of an employer taking advantage of an Attorney-General's ruling. This is another example of increased exploitation. I could give many more."

In order to correct these charges, ITT Continental Baking Company respectfully requests that this letter be made a part of the Committee's record.

Employees of the Hostess Cake bakery in Detroit are covered by a union contract with Bakers and Confectioners Local 326. Production workers are guaranteed a minimum of 7½ hours per day and 40 hours per week. The standard work week is 5 days. Use of part time workers to help in rush periods is not permitted by the union. There is extra hourly pay between 6 p.m. and 6 a.m., and on Sundays. All employees are paid time and a half for all hours worked over 8 hours per day and 40 hours per week. Obviously, it is to the company's advantage to keep overtime to a minimum.

Prior to June 14, 1970, the bakery ran two "lines" of workers on a three-shift basis. On June 14, a third line was put into operation. This was at a time when, because of hot weather and school vacations, snack cake consumption was low. Instead of laying people off, the plant was placed on a two-shift three-line basis, and the extra workers were used to man the third line. Included were the female workers in the wrapper and wrapper set-up departments.

As often happens when new machinery is installed, there were frequent breakdowns in the operation of the new line which resulted in a certain amount of overtime. An analysis of the six week period beginning June 14 showed that, of the 73 female employees, 22 averaged less than 40 hours per week, 21 averaged 40 to 45 hours per week, 23 averaged 45 to 55 hours per week, and 2 averaged more than 55 hours per week.

It should be pointed out that the women who worked the longer hours did so on a voluntary basis. No employee was terminated or in any way disciplined for deciding not to work longer hours. This was hardly sweat shop labor. A woman or man packer who elected to work 14 hours a day received more than \$300 in a week. As the breakdown situation was brought under control, and overtime was minimized, employee morale became a factor. People who had received large salary checks did not like to see them shrink. In the case of many workers, overtime pay was most welcome.

In other words, a temporary situation resulted in considerable voluntary overtime work. The only ones who benefited were the workers themselves. Once the situation was corrected, and the three lines returned to normal, so did working hours. Shifts currently work a maximum of 9 hours.

The charge that the bakery sought to take advantage of the ruling by the Michigan Attorney-General is completely without foundation. This is shown by the fact that the new line did not begin operation until six months after the ruling was made. Also, the statement that "there were no men working in the bake rooms of this plant" is not true. An average of 34% of the production force is female and 66% is male.

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May I express my sincere thanks and that of ITT Continental Baking Company for any help you may give us in incorporating these facts in the record.

Very truly yours,

GORDON A. THOMAS,  
Vice President and General Counsel.

GENERAL ACCOUNTING OFFICE  
50 YEARS OLD

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 1971

Mr. HORTON. Mr. Speaker, today is of special significance to the Congress. On this day, 50 years ago, the President approved the Budget and Accounting Act of 1921 which created the General Accounting Office and the Office of the Comptroller General of the United States in the legislative branch of the Government. The General Accounting Office was placed under the direction of the Comptroller General and made independent of the executive departments and agencies.

Some of us have had closer dealings with the General Accounting Office than others; but we all know what the Office is and what it does. Nevertheless I think it appropriate on this occasion to refresh our memories.

The basic function of the General Accounting Office is to assist the Congress in carrying out its oversight responsibilities by examining in the manner in which nearly all Government departments and agencies, using public funds, discharge their financial, legal, and management responsibilities; by reporting its findings on matters in need of attention by the Congress or the departments and agencies; and by recommending ways in which the departments and agencies can carry out their programs and operations more effectively, efficiently, and economically.

The responsibility and authority of the Office for this work includes a broad latitude in the selection of the activities or programs to be examined and in the determination of the scope of work to be performed. In exercising this latitude the Office is guided by such things as the importance or significance of the activities or programs, the magnitude of their funding, and the expressed or implied congressional interest in specific activities or programs.

The Office also makes surveys, reviews, and audits at specific request of committees and Members of the Congress for information to guide them in their deliberations.

The operations of the Federal Government, measured by any criteria, have grown immensely in the past 50 years. In recognition of this growth we have expanded both the responsibility and the authority of the General Accounting Office since its establishment in 1921. The Government Corporation Control Act of 1945, the Accounting and Auditing Act

of 1950, and, of course, the recently enacted Legislative Reorganization Act of 1970 are but a few of the vehicles of that expansion.

The General Accounting Office has responded to its expanding responsibility and authority by increasing and upgrading the professional staff and by adding to the staff personnel possessing special and pertinent technical skills and educational backgrounds. Its present staff of about 2,900 includes accountants, auditors, lawyers, and a growing number of specialists in other related fields. These fields include business administration, industrial management, engineering, statistics, economics, system analysis, automatic data processing, mathematics and public administration.

These diversified technical skills of the professional staff are particularly important in the light of the provisions of the Legislative Reorganization Act of 1970. That act requires the Comptroller General to review and analyze the results of Government programs and activities, including the making of cost-benefit studies, and requires the Comptroller General to assist committees in analyzing cost-benefit studies furnished by departments and agencies and in conducting cost-benefit studies of programs under their jurisdiction.

The operations of the General Accounting Office are geared, geographically, to the operations of Government departments and agencies and are therefore conducted on a worldwide basis. The Office operates where the action is. In addition to its Washington staff and staffs at 15 regional offices and 29 sub-offices in the continental United States, it maintains five offices overseas. These offices are located in Frankfurt, Honolulu, Manila, New Delhi, and Saigon.

At this time, I believe special mention should be made of the outstanding work done by Mr. Elmer B. Staats, Comptroller General of the United States. As a Commissioner with the Government Procurement Commission, I have worked closely with Mr. Staats, and as a member of the Government Operations Committee I have heard Mr. Staats testify many times.

I believe I know firsthand about the quality of his leadership and the direction he has given to the activities of GAO. He has taken the initiative in seeing that the Office is always striving to do better.

We are fortunate indeed in having available to us a service organization of the caliber of the General Accounting Office to furnish us expert, independent, and professional appraisals of the manner in which Government departments and agencies are discharging their responsibilities in the management of the program we authorize and in the use of the funds we appropriate. The Office not only anticipates our needs for such information but stands ready to respond quickly to our requests for any specific information we may need in our deliberations on the authorization and funding of new programs and the continuation of existing programs.

Therefore I am sure that the Members



of this House join me, in marking as a special event, the 50th anniversary of the establishment of the General Accounting Office.

THE 50TH ANNIVERSARY OF THE  
U.S. GENERAL ACCOUNTING OFFICE

**HON. GEORGE W. ANDREWS**

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 1971

Mr. ANDREWS of Alabama. Mr. Speaker, the U.S. General Accounting Office this week marks completion of 50 years of service to the Congress and the Nation. This unique and well-respected member of the legislative family is now headed by the Honorable Elmer B. Staats as the fifth Comptroller General.

Creation of the General Accounting Office in 1921 provided, for the first time, an independent, nonpolitical, and reliable instrumentality to aid the Congress in exercising its constitutional control over the public purse. For over 130 years before that, responsibility for carrying on the Nation's financial affairs remained in the executive branch. Direct congressional or committee intervention was the only independent means available for assessing how well legislatively authorized programs were accomplished and appropriations were expended.

Events during the General Accounting Office's 50 years of life, however, have had an even greater impact on the responsibilities and needs of the Congress, and consequently, on the manner in which the General Accounting Office has responded to those needs. The complexity, scope, diversity, and especially, the urgency of those responsibilities and needs have increased rapidly since World War II and are continuing to accelerate at an ever-increasing pace.

The size, variety, novelty, and continuing character of Federal undertakings have vastly increased. The tremendous growth of social, technological, ecological, political, economic, and geopolitical awareness and proliferations of related programs has imposed an enormous burden on the Congress. The purse-string control concerns of the Congress have, necessarily, moved more and more toward consideration of the allocation of scarce resources among alternative courses of action and of accomplishment of results relative to resources applied.

The concomitant demands for resources, competition, and often bitter advocacies have made information on which to base decisions the critical need of the legislative process. Yet the scope, complexity, and novelty of the programs, together with the incipency of many of them, inhibit and delay such information.

The General Accounting Office, in response to these concerns, has long since abandoned its traditional role of watchdog of the Treasury under which it audited transactions for propriety and ruled on the legality of expenditures. In

the last 25 years the Office has undergone a metamorphosis. While based in some part on new statutory directions, this has been effectuated mainly by expansion and modernization within the General Accounting Office under the able leadership of the Comptrollers General.

New and improved concepts and methods that retain the virtues of the old while providing more significant and useful information have been produced by evolution. Within little more than a single generation the character of the staff has been changed from predominantly nonprofessional technicians to one that is highly professionalized and versatile. About 2,900, or over 60 percent, of the total number of employees are fully qualified professionals. They include members skilled in such specialized disciplines as systems analysis, economics, statistics, actuarial science, engineering, and automation.

These changes have taken the form mainly of concentrating, in audits and reviews, on the effectiveness of agency activities in terms of accomplishments and on the economy and efficiency of management in attaining those results. The values of this approach have been evident in both the extent and types of direct assistance provided the Congress and in the General Accounting Office's performance of its general statutory audit and review functions.

Comptroller General Staats also has been able to give renewed impetus to the development of improved accounting systems and overall financial management in the executive agencies. This should contribute materially to the need for assurances regarding the agencies' stewardship of their resources through disclosure of complete, reliable, and timely financial information.

The Congress reliance upon the General Accounting Office for direct assistance has increased apace with the growth and expansion of its own responsibilities and, particularly, its urgency of need for information. We are asking the General Accounting Office, more and more frequently, for expert help in legal matters such as drafting or reviewing and analyzing proposed legislation; in providing experienced men to augment committee staffs; and in making special audits, reviews, studies, investigations, and surveys. The latter types of help, though required by law only for the committees with revenues, expenditures, and appropriations, are extended to all committees and to Members if staff is available. About one-fifth of the General Accounting Office's total professional staff is thus engaged.

The General Accounting Office also frequently provides expert testimony at committee hearings; keeps a close ear to the congressional ground through a small but highly qualified liaison staff directly under the Comptroller General; and provides special types of skills such as in automation, systems analysis, and actuarial science.

The General Accounting Office performs the main body of its audits and reviews on its own initiative under its general statutory responsibilities. Such audits and reviews are generally more

comprehensive than the selected areas covered in response to specific congressional requests. They provide a helpful additional source of information since the areas covered are chosen on the basis of the programs and issues of greatest importance and concern to the Congress. Moreover, they serve to continually build and renew the Office's broad body of expertise that is so valuable a resource in the form of direct assistance.

It has been my privilege over recent years to chair the subcommittee of the House Committee on Appropriations which considers the annual budget requests of the General Accounting Office. I have been able to observe at close hand the results of the Office's work and the high caliber, integrity, and dedication of its staff under the distinguished leadership of Comptroller General Staats.

I think it is most appropriate that the House take this occasion to express its deep appreciation to this very hard-working agency for its half century of outstanding service.

CLIFFORD'S 30-DAY HOAX

**HON. JOHN M. ASHBROOK**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 1971

Mr. ASHBROOK. Mr. Speaker, on June 9, the Washington Post quoted the former Secretary of Defense Clark M. Clifford as saying that he had "reason to believe" that the Vietnamese Communists would release all American prisoners of war within 30 days of an agreement to withdraw all U.S. military personnel from Indochina by December 31.

Mr. Clifford, as a former Secretary of Defense, should certainly have been aware of the true facts concerning Vietnamese Communists' treatment of prisoners of war. On July 20, 1954, during the Geneva Conference, the Vietminh Communists signed a treaty on the cessation of hostilities with the French Government. Article 21 of that treaty reads in part as follows:

All prisoners of War and civilian internees of Vietnam, French and other nationalities captured since the beginning of hostilities in Viet-nam during military operations or in any other circumstances of war and in any part of the territory of Viet-nam shall be liberated within a period of thirty (30) days after the date when the cease fire becomes effective in each theatre.

Eight years later on November 17, 1962 the North Vietnamese government announced over radio Hanoi that:

After a rather long period of negotiations between the DRV (Democratic Republic of Vietnam) Government and the Government of the Republic of France on the repatriation of French soldiers who had surrendered, on 25 October the representation of the Republic of France sent a message to the DRV Ministry of Foreign Affairs stating that it had been authorized to work out a plan for transporting commencing November 1962, French soldiers who had surrendered and who had applied for repatriation. The message proposed that our government approve the French transportation plan.

In its 30 October 1962 message, the DRV of Foreign Affairs replied that it approved the transportation plan drafted by the French representation and asked that the French Government take the necessary steps so that the repatriation can be carried out on schedule.

Apparently, Mr. Clifford would like us to make the same bad deal that the French made 17 years ago. If we have learned nothing else in our years of dealing with the Communists, we should at least understand that they can not be trusted to keep their signed agreements.

ADDRESS BY THE HONORABLE  
PETER W. RODINO, JR., TO THE  
AMERICAN COMMITTEE ON ITALIAN  
MIGRATION ON TUESDAY,  
JUNE 8, 1971

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 1971

Mr. RYAN. Mr. Speaker, the American Committee on Italian Migration held a symposium on June 6, 7, and 8 in the Statler Hilton in Washington, D.C. to consider various problems which have arisen in the immigration field.

At the luncheon on June 8, the Honorable PETER W. RODINO, chairman of the House Immigration Subcommittee, delivered the main address. His address was sincere, inspiring, and well received by delegates of the American Committee on Italian Migration from all areas of the United States.

Congressman RODINO, our highly respected and distinguished colleague from New Jersey, is the dean of Italo-American Congressmen and he has enjoyed a very successful working relationship with ACIM and its executive director, Reverend Joseph A. Cogo, for many years.

I find Congressman RODINO's remarks on the problems facing Irish and Italian immigrants extremely noteworthy, and I should like to place in the RECORD at this time the full text of his address:

REMARKS OF HONORABLE PETER W. RODINO, JR., CHAIRMAN, SUBCOMMITTEE ON IMMIGRATION AND NATIONALITY, ACIM WASHINGTON SYMPOSIUM, TUESDAY, JUNE 8, 1971

Friends—it is indeed my pleasure to be with you—all followers and admirers of Columbus, the first immigrant to our great land—and with your permission, that's all I'll say about Columbus—today—except—except—I feel that I should remind you that this year for the first time in history Columbus Day is a national holiday. We can all be justly proud.

As I appear before you I feel as if I'm speaking to my constituents—for over the years we have had a very close liaison and I have been privileged to join with you in bringing about the enactment of legislation to remove those inequities in our immigration and nationality laws which have plagued immigration from Italy.

I heartily commend Father Cogo and all members of the American Committee for Italian Migration for perseverance in promoting the reunification of families and for demanding a fair and equitable immigration policy. Yours was a magnificent achievement when in 1965 the national origins system was repealed. Now, as it was

then, your expertise and dedication are necessary in bringing about changes in existing law. Members of Congress cannot do the job alone—only your persistent encouragement and support will ensure the success of remedial legislation. I rely on the American Committee for Italian Migration.

I feel a sense of camaraderie with you and there is an implicit understanding between us that we can always speak freely and directly about the issues affecting immigration.

Of course, it is always pleasurable to hear nice things said about Americans of Italian origin, but such words you can hear anytime and any place.

You are here today to think about immigration particularly, immigration as it affects the elimination of the backlog in the fifth preference for brothers and sisters, visas for beneficiaries of sixth preference petitions (workers in short supply), a new preference system and other provisions of pending bills which would serve to reunite families—some of whom have been separated for many years because of an immigration system created during an isolationist period.

Truly, we have all labored long and arduously in bringing about the 1965 amendments to the Immigration and Nationality Act which repealed the repugnant national origins concept as a system for the selection of immigrants. We can today take pride in our accomplishment in bringing about a fair and equitable immigration policy but, notwithstanding our immigration policy, there are certain problem areas which call for remedial legislation. Before we can build, as we must build, on our immigration policy to establish a worldwide ceiling, with preferences for the Western Hemisphere and adequate provisions for refugees and victims of natural tragedies, we must put our existing law in good order. In so doing, we must continue to move further ahead and not retrogress to any semblance of a national origins system. We must continue our efforts to see that all families are properly reunited and at the same time provide an opportunity for newcomers to come to America.

The 1965 amendments to the Immigration and Nationality Act were designed to give Italy and other countries of Southern Europe an opportunity to compete on a fair and equal basis for immigrant visas. However, when that new system became fully effective on July 1, 1968, the backlog on visas for brothers and sisters was not eliminated as the drafters of the original legislation had intended and after several years of experience with the new law, the backlog is still not current, although some minor improvements have been noted.

I have introduced several bills containing provision to grant special immigrant status to beneficiaries of fifth preference petitions.

Meanwhile, there has been much ado in the Irish community concerning the decline in immigration from Ireland. Inasmuch as Ireland had a large quota and did not use all the visa numbers available to them, the Irish found when the 1965 amendments became fully effective, that they could not compete for visa numbers since they had not established any priority dates. Immigration from Ireland fell to a mere trickle. This, too, was not intended by the supporters of the 1965 amendments.

Consequently, on June 1, 1971, I introduced a limited immigration bill, H.R. 8814, with two objectives: (1) to grant nonquota status to all beneficiaries of fifth preference petitions which were filed prior to July 1, 1968; and (2) to establish a floor on immigration, thus guaranteeing that each country will be able to contribute immigrants. Four members of my Subcommittee joined with me in co-sponsoring this legislation.

This combination bill affords you an opportunity to join with the Irish organizations in establishing a unified front of support so that we in the Congress will hear from a

vast segment of Americans who want to see the remaining inequities in our law corrected.

It presents an opportunity to coordinate your efforts with those other groups who share your goal of an equitable immigration policy, who demand revision in our law now, and, by all means, tell your Members of Congress we are united and must have action now.

I believe that it is patently important that we solve these major outstanding inequities stemming from the 1965 amendments before we can attempt to solve any other problems existing in the immigration field.

One of my bills, which I feel is worthy of bringing to your attention at this time, is H.R. 1535. This legislation would exempt any alien over 50 years of age who has been living in the United States for at least 20 years when applying for naturalization, from the requirement of taking the naturalization examination in the English language. This bill, which passed the House on April 19, 1971, will certainly ease the way for many older folks who just do not apply for naturalization because they feel that they are not sufficiently fluent in English to pass the test.

However, despite the fact that this bill passed the House in the last Congress, the Senate failed to take any action. I think the time has come for you, Father Cogo, and A.C.I.M., to bring pressure on the Members of the Senate to approve this legislation which I know will bring comfort to many families.

Another more comprehensive bill which I introduced, H.R. 1532, sets forth a worldwide ceiling on a new system of preferences and is now under consideration by my Subcommittee. I know that the officers of the American Committee for Italian Migration are concerned that there is no preference provision for married brothers and sisters of United States citizens. I weighed this issue very carefully before introducing this legislation, legislation which I consider to be a vehicle to carry necessary amendments into the law, but certainly subject to suggestion and change. I am wed to only one principle, a fair, equitable immigration policy. I am willing to listen to any suggestion and to study any amendments that will carry out that objective. So, I say to you, send me your ideas, send your constructive criticism, and join with me in preparing legislation that will serve the best interests of our country, both on the domestic scene and on the international scene.

The Subcommittee on Immigration and Nationality has held several hearings on general immigration issues and further hearings will be held. We have been looking into the matter of aliens illegally in the United States—a situation that adversely affects employment—adversely affects labor conditions—and in many instances results in the alien being treated as an indentured servant subject to substandard wages, and afraid of deportation. As the hearings develop, we realize more and more that if the entry of illegal aliens into the labor market could be curtailed, the chances for prospective immigrants to get a labor certification and visa will certainly be enhanced.

The hundreds of thousands of aliens in the United States working illegally not only depress the labor market and deprive Americans of jobs, but they create a negative feeling toward immigrants and unfortunately this attitude fosters an opposition to any immigration legislation.

As I stated recently in New York, I view my Subcommittee as a catalyst through which immigration policy is channelled.

A seat on this Subcommittee is a challenging, oft-times frustrating, but always a rewarding experience, because we deal with many interests and pressures that must be blended together to withstand the test of fairness and both guide and be responsive to the voice of the American people. We im-



press upon ourselves in our daily work that we are dealing with human beings—their present, their future, and the future of their children.

I am committed to the belief that immigration brings a new vitality to any nation and infuses new ideas and fortifies old ideals.

I have no fear of a liberal immigration policy, but at the same time, I realize—and this we must all bear in mind—that the legislative climate is exceedingly responsive to the economy of this nation. Any legislation which may tend to disrupt the employment picture or cause any American to feel that his job would be jeopardized, would be hardpressed for support. Responsively, we must exercise caution and only recommend legislation which is predicated on a widespread foundation of avid interest and unified support.

Rising unemployment and retrenchment from world involvement has created a climate in the United States which is less than conducive to the liberalization of immigration Legislation. But this should be our challenge—to accelerate our drive and to improve upon our immigration policy.

The last two decades have produced a maturing America—an America which has a greater understanding and appreciation of her heritage—of her many peoples. This has resulted in a new concept of the melting pot. This concept does not mean that people are mixed together and in the final analysis become one—identical in temperament and design. Instead, it means that this country represents a cumulation of shared but separate experience and backgrounds. I myself like to view this mingling of our people as the assimilation of many separate threads creating a beautiful and unified tapestry.

This country has passed through that stage when accent or traditions were frowned upon. For now any name ending in "o" or "i" or any other suffix is as much a part of America as the Smith's, the Brown's, or the Joneses and it would hardly be American without those names ending in "o" and "i". Likewise, it is obvious that pizza pie has become as traditional a symbol of our American way of life as mom's good old-fashioned apple pie.

In fact, it has become apparent that the distinct and identifiable characteristics of nationalities are contributions to be preserved and shared, not sacrificed.

Truly, we are one people with a single dedication and desire to serve the best interest of the United States. One people with a strength derived from many peoples. And with this strength we can afford the luxury of freedom to worship as we desire, freedom of opinion, freedom to agree or disagree with our national leaders and freedom to come and go as we please. Yes, this is quite a contrast to the totalitarian state with only one party, and those states which have never learned how to assimilate different ethnic groups.

We gather together today as Americans proud of our Italian heritage. And we can be truly proud as our sons and daughters go forward to become a most integral part of the American scene.

**COSMETICS SAFETY—ARTICLE  
FROM THE WALL STREET JOURNAL**

**HON. LEONOR K. SULLIVAN**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 1971

Mrs. SULLIVAN. Mr. Speaker, most people are under the impression that

cosmetics are exclusively or primarily items used by women to make themselves look more beautiful. The American Heritage Dictionary of the English Language defines "cosmetic" as "a preparation, such as face powder or skin cream, designed to beautify the body by direct application," tracing it to a French adjective meaning "of adornment." Under law, however, the term "cosmetic" includes a vast array of products sold on the American market which are used by all citizens—men, women and children—such as toothpastes, toothpicks, shampoos, deodorants, and also many products aimed exclusively at the male market, such as shaving lotions.

The Food, Drug, and Cosmetic Act in section 201(i) defines the term "cosmetic" to mean:

(1) articles intended to be rubbed, poured, sprinkled, or sprayed on, introduced into, or otherwise applied to the human body or any part thereof for cleansing, beautifying, promoting attractiveness, or altering the appearance, and (2) articles intended for use as a component of any such articles; except that such term shall not include soap.

The soap exemption was a deliberate price paid in 1938 by sponsors of the bill in prevailing upon the soap manufacturers, the biggest advertisers of the time, not to oppose the legislation.

Except for a very few cosmetic products which have characteristics of drugs, such as antiperspirants or certain medicated preparations sold for special purposes, none of these products must be proved safe before it can be placed on the market, nor does it have to list on the label any of the ingredients of the preparation.

**AN INTOLERABLE ABUSE OF THE AMERICAN  
CONSUMER**

For the last 33 years, the cosmetic industry had enjoyed a unique distinction in this respect under the Food, Drug, and Cosmetic Act of 1938. During those 33 years, every new drug has had to pass laboratory tests to prove its safety for the purposes intended before it could be placed on the commercial market. The drug clearance law was vastly expanded and tightened in 1962, after which new drugs had to prove they were not only safe but also effective—efficacious—before they could be placed on sale.

All ingredients used in food products have been subject to premarket clearance since the passage of the Food Additives Act of 1958. The cosmetic industry is not required to prove anything about a product before marketing it. Another industry enjoying a similar immunity is the medical and therapeutic device industry. It is only after injuries have occurred to individuals using cosmetics or therapeutic devices that the Food and Drug Administration is likely to learn about the existence of an unsafe cosmetic or therapeutic device and then, before acting against it, must be able to prove it is dangerous in order to take it off the market.

This is an intolerable abuse of the American consumer, but efforts to end it have been shockingly unsuccessful. Since 1954, I have been introducing bills to require the pretesting of all cosmetics for safety, and to require listing on the

label of all ingredients—so that individuals who are allergic to a generally safe cosmetic ingredient can avoid purchasing and using products which they know from past experience will cause them harm.

**SCOPE OF H.R. 1235**

In 1961, I incorporated my bill for safe cosmetics into an omnibus measure, H.R. 1235, to rewrite the Food, Drug, and Cosmetic Act of 1938 and close a multitude of other loopholes in that statute which we have long known was terribly inadequate in many important respects, even at the time of its passage. Events since 1938 have turned up new loopholes. H.R. 1235 has now grown to a 124-page bill, and includes cosmetics, therapeutic devices, labeling of food, drugs, and cosmetics including cautionary labeling against hazardous products in these fields, certification—batch-by-batch testing—of all antibiotics, certification of certain other drugs where such batch-by-batch testing is necessary to assure stable results, limiting the distribution of sample drugs, eliminating a special interest exemption from the law for common carriers, repealing the special exemption from the law for soap products, strengthening the procedures for establishing food standards, prohibiting the use of carcinogenic color additives in animal feeds, safeguarding the health of children by banning sweetened or flavored aspirin—the leading cause of accidental poisoning of children under 5—authorizing a system of coding of prescription drugs for emergency first aid situations, establishing a U.S. Drug Compendium, and requiring inspection of fish for wholesomeness. The bill would also expand the coverage of the "Delaney Clause" in the Food Additives Act and Color Additives Act to apply not only to carcinogenic additives but also to those which can cause genetic damage or birth defects. I may have left some things out of the bill which should be included, but I think the measure deals with most of the major problem areas in our main consumer protection statute.

In the 10 years since this bill and its predecessors have been pending in Congress, there has been a total of only one week of hearings on it—in 1962—when Congress passed only those provisions of my 1961 omnibus bill which dealt with the safety and efficacy of drugs.

The cosmetics section, as I said, has been pending since 1954.

**ARTICLE BY RON SHAFER IN WALL STREET  
JOURNAL**

Today, Mr. Speaker, the Wall Street Journal has printed an excellent article by Ronald G. Shafer of the Washington Bureau, on cosmetics safety. The industry has recently offered to make available to the Food and Drug Administration, on a strictly confidential basis, lists of ingredients of many of its products. This will undoubtedly save the FDA a lot of laboratory time and expense in breaking down and analyzing products on which it has received complaints from the public, but it will do nothing to enable the customer to know whether a product is safe, or does not contain ingredients to which the individual is allergic.

Under unanimous consent, Mr. Speaker, I include this article as part of my remarks. Mr. Shafer undoubtedly is going to cause an increase in my daily heavy mail volume as a result of this article—one of his articles last year on women's complaints about pantyhose certainly had that effect—but I think the complaints it will stimulate about cosmetics will be of far more significance and importance. My hope is that instead of, or in addition to, writing to me, people

who have experienced injuries from cosmetics will write to their own Members of Congress and thus help bring about more congressional attention to this very serious consumer problem.

The Wall Street Journal article by Ronald G. Shafer referred to is as follows:

[From the Wall Street Journal,  
June 10, 1971]

BEAUTY FIRMS' OFFER TO DISCLOSE FORMULAS  
TO THE FDA IS BOTH PRAISED AND ASSAILED

(By Ronald G. Shafer)

WASHINGTON.—Last year a California housewife bought a combination shampoo and hair lightener and tried to blend some blond streaks into her brown hair. Now she needs a wig.

"To my horror, my hair fell out in large masses," and the remaining hair "turned three different colors, ranging from red-gold to white," she complained to the White House Consumer Affairs Office. "I am almost bald."

The housewife blamed the damage on an ingredient in the shampoo, made by a leading cosmetics concern and still on the market today. But neither she nor a dermatologist she consulted could be sure because there isn't any way of knowing the contents of the shampoo. For in an age when most Americans take government inspection of food and drugs for granted, the cosmetics industry remains free to sell its products without proving their safety or disclosing their ingredients.

The Food and Drug Administration, which can prevent new drugs from reaching the market if it isn't satisfied they are safe, has much less regulatory power over cosmetics. It lacks authority to pretest them before they are marketed or to demand a list of their contents. If tests by the FDA find a product unsafe after it has been marketed, the agency requests the company to withdraw it; and the company usually agrees. If the concern refuses, however, the agency must go to court, a time-consuming procedure.

#### GIVING AWAY TRADE SECRETS?

The FDA and other government officials have long sought tougher laws from Congress and more voluntary cooperation from the industry. But proposed laws have repeatedly failed; the industry has always argued that disclosing ingredients would give away trade secrets. But two months ago, spurred by the growing consumer movement, the industry offered a concession.

Members of the Cosmetic, Toletry and Fragrance Association, the industry trade group, offered to register ingredients with the FDA provided that the agency holds this information in confidence. If the agency found an ingredient unsafe, it would then know which products contain the ingredient and could quickly contact the producers. Members of the association make about 85% of all cosmetics, and the FDA terms the offer "a step in the right direction." Others, however, argue that it doesn't go nearly far enough.

The debate has broad implications because cosmetics are a \$6-billion-a-year business. Consumers expend \$3 billion annually for everyday items like deodorants and toothpaste. About the same amount goes for beauty aids—makeups, hair sprays, perfumes and colognes—aimed at women and, increasingly, at men.

Cosmetics have been used since Cleopatra's time, and even critics agree that most are safe today. Still, the FDA estimates cosmetics are involved in 60,000 injuries a year, including 20,000 connected with perfumes and toilet water alone. These range from eye damage blamed on ingredients of some makeups and hair preparations to peeling fingernails attributed to the formaldehyde included in some nail hardeners.

Beauty aids alone—including eye shadows, hair sprays, nail hardeners and lotions—rank second among consumer-product injury claims made to U.S. insurance companies, according to a three-month survey conducted in 1969 by the National Commission on Product Safety. "Injuries include skin eruptions, loss of hair, severe allergic reactions, burns, itching and lacerations," the commission reported. (Slightly less than half the reported claims were paid.)

#### ARE CLAIMS EXAGGERATED?

The association contends that the FDA estimate of injuries is exaggerated. The group adds that reports from its members indicate that consumer complaints are few in relation to the millions of sales annually—about 2.7 complaints per million units of dental products sold—up to 13 million sales of face cream.

Numbers aside, consumer advocates argue that a public listing of product ingredients would at least protect a minority of users from allergic or adverse reactions. Many perfumes, for example, contain a light-sensitive fragrance called oil of bergamot. If some women wear these perfumes in sunlight, their faces break out in pigmented spots. Other reactions reported in letters to government officials, include "puffy lips" from lipstick and "itching eyes" from shaving soap.

The FDA currently conducts only limited testing of cosmetics, mainly to check the 250 or so complaints it receives annually. From these tests, the agency knows the general ingredients in most products. Lipstick, for example, is mostly castor oil, beeswax, perfume and coloring. The problem is "we know what we've found but we don't know what we've missed," one FDA man says.

Even if the FDA identifies a harmful ingredient in one product, the agency hasn't any quick way of determining how many other products also include it. Last year the FDA became concerned about the use of mercury preservatives in cosmetics. It was able to identify the specific brand items containing mercury only through product-by-product tests; in one FDA women scientists brought in 50 cosmetics from their homes. The FDA tentatively concluded that mercury isn't a widespread hazard but recommended that it be phased out of most cosmetics because skin absorption of mercury over a long period of time is believed harmful.

Last December the FDA also got two major bubble-bath makers to replace a detergent ingredient that was blamed for causing severe urinary-tract infections in children. But it is taking the government months just to obtain formulations from more than 100 other bubble-bath makers to find out if their products contain the same ingredient.

#### EASING THE POLICING PROBLEM

Such policing problems could be eased by the ingredient-disclosure proposal of the Cosmetic, Toletry and Fragrance Association. In addition, association members are considering sharing their complaint letters with the FDA to give the agency a broader base for its testing being negotiated, and how much the industry is willing to divulge isn't clear. The FDA plans to submit the industry's final proposal for public comment within the next few weeks.

But just whispering some trade secrets to the FDA won't satisfy critics like Rep. Leonor Sullivan, the Missouri Democrat who argues that cosmetics should be proved safe before they are sold. Until such legislation is passed, "the American consumer is the test guinea pig for every product on the cosmetics shelf," she declares. Every year since 1954 Rep. Sullivan has introduced bills to require FDA preclearance of cosmetics. They haven't gone far partly because, in her view, some male law-makers have been needlessly alarmed that they would be voting "to make women less beautiful."

Virginia Knauer, President Nixon's consumer adviser, praises the industry effort, but she too, has reservations about product safety and labeling practices. "I find it difficult to understand why commonly occurring ingredients aren't listed on cosmetics labels to facilitate the purchasing decisions of consumers, a fraction of whom may be sensitive to a particular ingredient," Mrs. Knauer says. She is prodding the FDA to use for the first time its authority under the Truth in Labeling law to require disclosure of common ingredients in nonfood items.

#### ARGUMENT AGAINST LABELING

However, Amelia Bassin, a former senior vice president of Faberge Inc. and current head of her own consulting concern, argues that labeling isn't the answer. "Most consumers couldn't care less what's in that lipstick or face cream or deodorant spray," she contends. She thinks the "beauty biz" could reassure consumers—and take some of the steam out of demands for tougher government regulation at the same time—through a self-regulated safety program. "Why shouldn't every consumer feel the cosmetic she buys is okay—just like the prime beef, the UL-approved appliance and the G-rated movie?" she asks.

Regardless of the outcome of the current debate, FDA scientists caution, consumers shouldn't expect a dramatic safety breakthrough. Currently, too little is known about the effects of many cosmetic ingredients. The FDA, for example, only recently began studies on the safety of hexachlorophene, an antiseptic used in all sorts of soaps and cosmetic products for years, and on possible hazards from inhaling sprays from the ubiquitous aerosol container.

#### NEBRASKA RURAL ELECTRIC YOUTH ESSAY

#### HON. JOHN Y. McCOLLISTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 1971

Mr. McCOLLISTER. Mr. Speaker, it is a pleasure to share with my colleagues the essay written by Donna A. Chramosta, a sophomore at Gibbon High School in Gibbon, Nebr.

Donna's essay, "Development of Rural Electrification in My Area," was selected as the winning essay by the Dawson Public Power District of Lexington, Nebr., in cooperation with the Nebraska Rural Electric Association.

Mr. and Mrs. James F. Chramosta of Gibbon can certainly be proud of their daughter Donna. The essay follows:

#### DEVELOPMENT OF RURAL ELECTRIFICATION IN MY AREA

Even though rural electrification is only about thirty-six years old, it has progressed at a great rate. From the kerosene lamp to the one-bulb house to the modern appliances, came a great step for past, present, and future generations.

The land on which my home stands is in its third generation. On this homestead lived my grandfather, father, and now myself. With these different generations came different power sources which played big parts in our lives. The biggest and most important is electricity.

The farm of my grandfather was a secluded place, with town being ten miles away and transportation mainly horse and buggy or wagon. In the first house, seeing at night was possible by kerosene, then gas lamps,



Heat was received through burning cobs, wood, and coal. Both house and farm work was done by hand or animal, the hard way.

In 1932, the second house was built by my grandfather and great-uncles, in which my father grew up. This home was considered modern since it contained a Delco light plant which produced thirty-two volts of electricity. Then, electricity on a farm was a rare item. The Delco plant was run by a motor and sixteen batteries. Those batteries were big, square, glass containers. From this energy came power for a cream separator, house lights, an iron and radio. There were few 32-volt appliances to lighten the housewife's work, but the light given was very much appreciated. Anyone knowing the manual power needed to run a cream separator realizes the thankfulness felt by those having this daily chore.

Around 1949, REA set lines in this immediate area and nearly all farms hooked on. My home changed over in 1952 to REA which offered many advantages over the previous source. With 110-volt power, more appliances and equipment were available for use in the home and around the farm, making work easier and more efficient.

Now in 1971, electricity plays an ever increasing part in my life. Electricity cools, freezes, and cooks food in a way that was impossible for my grandparents. Electricity makes communications, education, entertainment and the ease of living possible. Television and radio has an important place in our lives, keeping us informed. Electricity provides heat and comfort all year round and lights for late night homework sessions. Electricity is used constantly outside also, offering the comfort of lights for chores after dark and the life saving heat for baby farm animals. It provides dairy and cattle feeders with efficient, time saving operations. Electricity makes possible plenty of water for home, farm and irrigation uses. It provides time saving tools and welding for machinery repair.

Electricity has developed so greatly in my rural home that all of its uses could not be named. Significantly, without electricity, our lives would be very handicapped. But what of the future? With new inventions as electrical tractors, micro-wave ovens and who-knows-what-else, the development of rural electrification will continue on into the future.

#### A PUBLIC VOTE OF CONFIDENCE ON THE ALASKA PIPELINE

### HON. NICK BEGICH

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 1971

Mr. BEGICH. Mr. Speaker, over a period of time, the proposal for the trans-Alaska pipeline has generated a great deal of discussion. One of the most open and frank discussions of the entire question took place recently on the network of National Educational Television on its popular show, "The Advocates."

This program, which has become well-known for its exploration of complicated and controversial public issues, uses a format which is a combination of a courtroom trial and a formal debate. The programs are informative, honest, and undertaken in the highest sense of public service.

At the conclusion of each program, on such issues as abortion, capital punishment, foreign policy, the system of justice, or the pipeline, the decision on

the issue is left to the jury of viewers. Votes are sent in by mail, and the results are announced a few weeks later.

"The Advocates" program featuring trans-Alaska pipeline was shown on May 11, 1971. The question for the debate was: Should the Alaska pipeline be built as presently proposed? The State of Alaska took the affirmative side, and a coalition of environmentalists took the negative side. Each group was represented by some of the most able and well-known spokesmen for their particular viewpoint.

For the State of Alaska, the man acting as the advocate, or chief counsel, was Mr. John Havelock, Alaska's attorney general. As his witnesses, he called Alyeska Pipeline Co. president, E. L. Patton; U.S. Senator TED STEVENS, of Alaska; and Mr. Ed. Fortier, Alaska outdoorsman and magazine editor.

For the negative position, Mr. Howard Miller, who is "The Advocate's" regular professional advocate, served as chief counsel. His witnesses were the Honorable LES ASPIN, the able Representative from Wisconsin, and Mr. David Brower, president of the international environmental organization, Friends of the Earth.

The final voting on the question was announced last night and I believe it should be of great interest to all those interested in this issue. The result of the vote follows:

Total votes cast.....	12,308
In favor of construction of the pipeline as proposed (65.6 percent)....	8,075
Against construction of pipeline as proposed (34.1 percent).....	4,201
Other (0.3 percent).....	32
Alaska votes cast.....	1,894
In favor of construction of the pipeline as proposed (85 percent).....	1,627
Against construction of the pipeline as proposed (15 percent).....	267

According to the producers of "The Advocates," an unusual feature of the vote on this question was that it was so widespread. It was, according to them, one of the few programs they have produced which brought votes from every one of the 50 States. I congratulate "The Advocates" on a presentation of quality and imagination.

#### JOBES FOR VETERANS

### HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 1971

Mr. DERWINSKI. Mr. Speaker, proper concern has been evident over the effectiveness of existing programs to provide employment for Vietnam war veterans as they return to civilian life.

Many of our colleagues are concerned and interested in the development of legislation, if needed. The administration, working primarily through the VA, is augmenting programs to provide employment in civilian life to returning veterans.

Radio station WBBM, Chicago, editorialized on the need for jobs for veterans in a broadcast on June 5. Recognizing the eloquence and effectiveness of the commentary, I am inserting it in the RECORD:

#### JOBES FOR VETERANS

An estimated 35,000 veterans of the Vietnam War are expected back in Chicago this year. They face a scarcity of jobs which will make readjustment to civilian life more difficult. Many veterans are jobless these days, and a large number of them live in the poor section of this city.

Federal, state, and city programs have been geared to try and help the veteran. We agree with the President when he says that the returning veteran deserves "an edge."

The fact of the matter is that no other war in modern times has produced so many veterans with so little actual job experience or education. The unpopularity of Vietnam is no reason why the country should not have a sense of duty to the returning GI. Previous generations have had this special feeling and so should the current generation.

Despite some adverse economic conditions, the Vietnam veteran should not be deprived of every opportunity to find a useful place in society. Everything possible should be done to help the veteran readjust to civilian life. Employment must be found for him, and efforts should be expanded to train or educate the man coming back from Vietnam.

No matter what our feelings may be about Vietnam, there should be a national unanimity toward helping veterans find a useful place in our society. If that means spending public funds, let's do it. We've done it before and this time should be no exception.

#### THE CASE FOR PRISON REFORM

### HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 1971

Mr. DELLUMS. Mr. Speaker, I am inserting into the RECORD the text of several letters and statements outlining common points of grievance raised by inmates in Federal prisons. Because it is incumbent on Congress to look into the critical question of prison reform, I believe the insights offered here will prove valuable reading for my colleagues.

Many officials of the Federal prison bureaucracy refuse to recognize that substandard conditions of prison life are responsible for the troubled unrest that characterizes prisons today. Inmates are human beings first, and today they are seeking dignity and a new lease on life with a determination not seen in years past. A new and powerful phenomena has reached into prison walls and touched the men there. Overwhelmingly black, brown, or poor, they are experiencing an awakening and new sense of identity. Prison officials have not understood this phenomena, and have felt threatened. Yet it presents an exciting new opportunity for returning men whole to our society.

As in many of our institutions today, it is time for the old guard to fall away, lest they subvert a uniquely opportune moment to dramatically affect human lives. Congress needs to lead the way in such critical areas of prison reform as

work-release programs, halfway houses, study-release programs, prison industry and wages, mail censorship, press access to the inmates, furloughs, and parole board hearings and structures. I believe the matter is urgent and deserves action from the 92d Congress.

Included in the papers is a transcript of remarks made by Judge Alfonso J. Zirpoli of the U.S. District Court, Northern District of California. Those of us interested in prison reform, in doing away with the inhumane conditions that many men and women inevitably suffer in America's penal institutions, are from time to time gratified by the expressions of understanding and sympathy that come from the judges that relate to these inmates. Judge Zirpoli recently allowed for such gratification in a case involving conditions in a California prison near my district.

Last, I am submitting an excellent statement prepared by a young man from Brookline, Mass., David Goldberg, who has served time in three Federal penitentiaries. His commentaries are comprehensive and provide valuable insights into the world of an incarcerated man.

The papers follow:

INSIDE OUT PRISONER

SUPPORT GROUP,

Portland, Oreg., March 11, 1971.

DEAR CONGRESSMAN DELLUMS: The purpose of this letter is to inform you of the conditions at McNeil Island Federal Penitentiary, Steilacoom, Washington, over the last few months; to give you some account of the recent work strike by almost 100% of the prison's population and the results of that strike to date. McNeil Island Federal Penitentiary is one of the four maximum security federal prisons, also on the island there is a minimum security camp. The average population of the maximum security prison is about 1000 men, the population of the camp is about 200. There is no prisoner contact between the two. McNeil Island is the only maximum security prison west of the Rocky Mountains. This strike is the first strike at McNeil in its 96 year history. Well over half of the 1200 men are from the state of California.

In order to understand the present situation I believe it is necessary to discuss some of the actions by the prisoners over the last few months. In November of 1970, a few inmates began working on a class action suit after the death of another inmate, William Carter. Carter was stabbed to death by an inmate, who was just released from the mental patient ward of the prison hospital, even though he had threatened to commit murder. These prisoners felt that the prison officials were not following the law because the warden, by law, is responsible for the safety of all prisoners. By talking with other prisoners they were able to document numerous incidents which showed the prison officials' callous attitude toward the prisoners. By December, the six prisoners had completed the Complaint and Petition and were ready to file it in the U.S. Court for the Western District of Washington. A Portland, Oregon, attorney was not allowed to take the signed Petition to the Courthouse. The Prison officials claimed it had to be mailed out of the prison. 13 days later the Complaint and Petition had not reached the Tacoma Courthouse only ten (10) miles away. Finally on January 5, 1971, the Petition was filed in the Tacoma District Court. The other prisoners at McNeil Island heard about the class action suit either by word of mouth

or in the news. The prisoners became excited and concerned about the suit.

It was from this excitement and concern that the tensions grew during the months of January and February. The Prisoners discussed what they should do to help the Petition. The guards became nervous and worried about all the political activity on the part of the prisoners. Some of this I could sense during my visits in January and February.

On Monday February 22, 1971, the prisoners refused to work in the prison industries, the dining room, the kitchen and the laundry. The prison was brought to a halt (An interesting note here is that the Warden, J. J. Parker, claimed that only 500 men refused to work on the first day, while the prisoners claim that over 90% did not work). The prisoners formed a Strike Committee that was prepared to negotiate with the warden. They had a list of modest demands relating to prison life. The main demand of the prisoners was that they should be allowed to speak for themselves to the press and to the public. Also the demands concerned censorship of the mail, improved rehabilitational programs, better medical care, improved parole program, a wage increase (the average wage is 22c an hour) and conjugal visits. These are not all of the demands, but you can readily see their scope.

The Strike Committee instead of negotiating with the warden was thrown into segregation, while the rest of the prisoners were locked into their cells for 24 hours a day. The men were given only cold sandwiches to eat during the entire strike. To be honest after this point I know only generally what happened. I know that there are many men in the 'hole'; that three or four men were forced into a one man cell. I know that men were thrown into the 'hole' without being given a disciplinary hearing as is required by regulation. I know that on Wednesday February 24, the guards tried to intimidate the prisoners by carrying axe-handles. And I know that the prisoners did not initiate any violence. But I really do not know everything that happened during the eleven days of the strike. Only the prisoners inside know what happened. Only they will be able to tell the whole story as it happened. But the warden will not allow this.

The strike ended for most prisoners on Thursday March 4, 1971, but for some the strike did not end. Some men were still deadlocked in their cells. Some were still locked in the hole. And now the prisoners fear further reprisals. There are rumors that as many as 200 prisoners will be sent to other prisons. There is fear about possible indictments, about loss of good time, about being thrown in the hole, about losing the chance of parole. There are these fears because the prisoners see the warden and other prison officials as being able to do as they please with the prisoners' lives.

I have the names of several prisoners who are willing to speak out to the press or to you. Yes, these men are desperate for they are trying to survive, they are fighting for life.

Thank you,

BOB WOLLHEIM.

Re trouble at McNeil Island,  
Hon. WARREN G. MAGNUSON,  
U.S. Senate,  
Washington, D.C.  
Hon. HENRY M. JACKSON,  
U.S. Senate,  
Washington, D.C.  
Hon. THOMAS S. FOLEY,  
House of Representatives,  
Washington, D.C.

GENTLEMEN: My name is Lloyd A. Herman. I am a resident of Liberty Lake, Washington

in the County of Spokane. I have resided here all of my life except for the three years I practiced law in Seattle, Washington between 1966 and 1969. I am presently an Attorney at Law. I was admitted to the Bar in September, 1966 and have practiced in both Seattle and Spokane, Washington since that time. I am now thirty-one years of age and a partner in my own law firm located in the Spokane Valley near Opportunity, Washington. I hold a degree from the University of Washington in political science and a *Juris Doctoris* degree from Gonzaga University. I have never taken part in any demonstration for or against the government of the United States. I don't have long hair nor could I be classified in any way as a political activist. I classify myself as a hard working, tax-paying, conscientious citizen of the State of Washington and of the United States of America.

I have given you the above personality sketch because I don't want what I say in this letter to be taken lightly or as the words of some hippy revolutionary.

In May, 1971, the Washington State Bar News published an article entitled "There's Trouble at McNeil Island." It consisted of an interview of two lawyers who had been working closely with the problems of the inmates at McNeil Island. One of the persons mentioned in the interview, Charles Armsbury, who is an inmate at McNeil Island, is a very good friend of mine. He is one of the six prisoners who filed suit in the United States District Court in Tacoma charging the prison officials with violating certain prisoners rights. He is also one of the forty-five prisoners placed in solitary confinement or in what the warden calls segregated cells. To this day neither the warden nor any of his officials have told the prisoners why they are being confined nor has any misconduct on their part been outlined to them by the prison officials. To be confined in the "hole" is a disciplinary action. The bureau of prisons has put out a policy statement entitled "Inmate Discipline." Within this document certain rules and procedures are set out for the purpose of handling disciplinary problems within the prison. Under Section III Policy, Subsection A, Essential Principles, Subsection 5, the inmate discipline policy document sets out the following language: "The determination of disciplinary measure against any inmate is the responsibility of the adjustment committee." In regard to Mr. Armsbury and the others still in the "hole", there has been no hearing by the adjustment committee, the committee has never made a determination of any misconduct on Mr. Armsbury's part, and he has been in segregated status since March 2, 1971 without knowing why he is there.

Under Subsection 3 of said document, the following policy is outlined: "Disciplinary action shall not be capricious nor in the nature of retaliation or revenge." It is obvious that because of the ideas of Mr. Armsbury and the observation of the facts that are contained in the class action complaint called the Genocide Complaint, that he is being confined to punitive segregation. In the Genocide Complaint action filed by him and others in the District Court he warned that the administrators would or might seek revenge against him.

Mr. Armsbury has attempted to act through the system. He has attempted to bring our attention and the attention of other public officials to the problems that exist within McNeil Island. He has done this in a legal way. He has done it by bringing an action in the District Court. He hasn't done it through violence or insurrection, but has done it through the process of the courts in a way in which we, as members of the Bar, wish that all such complaints were brought to our attention and the attention of our representative officials.



The American Bar Association selected as our topic for our May Day discussions to the students in the local high schools the following message: "Channel Change Through Law and Reason." Here we have a man who has sought to channel change through law and reason and in return for his efforts he has been thrown in solitary confinement.

Under Article V, Subsection 6, Inmate Discipline, the document sets out the following policy: "Disciplinary action shall be taken as soon after the occurrence of misconduct or as circumstances permit." Not only has the prison administration failed to follow its own policy, but they have sought to discourage orderly, reasonable and non-violent attempts to change the system under which the prisoners at McNeil Island live. This brutal and dehumanizing attempt to quiet legal prisoner protest is just one of the many reasonable complaints the prisoners have. The restriction as to who can visit the prisoners at the jail is unreasonable and the harassment the visitors must undergo in order to visit inmates is outrageous and should be stopped. The continual pifering of the mails and the failure of correspondence to reach the prisoners or the prisoners correspondence to reach the outside is absolutely uncalled for and inhuman. As a matter of fact, I would be willing to bet substantial amounts that a copy of this letter will never reach Mr. Armsbury. I have personally received the discourteous harassment on attempts to visit Mr. Armsbury at McNeil Island.

When Mr. Armsbury was sentenced for having in his possession a sawed-off shotgun which was not registered, he was at that time a candidate for a doctorate degree at the University of Oregon. He is, I suppose, what you call a political prisoner. He is very intelligent and as a result, a threat to the administration at McNeil Island. I personally believe that the actions of the warden are excessive and completely unresponsive to the needs of the prisoners. I personally believe that there are serious problems with the prison and the way it is being administered and I believe that unless we, as citizens of this country, respond to the legal requests made by the prisoners that we will force them to resort to violence. All of the actions on the part of the prison administration to handle the strike and the suit by Mr. Armsbury and the other prisoners have been designed to provoke physical violence. So far, the prison population has not resorted to violence but I feel it is just a matter of time.

I am asking that you, as my elected representatives, take the necessary steps, to insure a change in the administration of McNeil Island and to investigate the complaints I have made within. I think that a congressional investigation of the poorly administered system at McNeil Island would not only benefit the prisoners at McNeil Island but the public at large.

I am making this request after due consideration and after discussion with the family and friends of some of the inmates at McNeil Island and after my own personal experiences with the prison administration.

I will be expecting a prompt reply to my request and hope that you will see fit to take action.

Very truly yours,

LOYD A. HERMAN.

MAY 7, 1971.

HON. DELLUMS.

Sr: For the past few years I have been doing time in the Federal Prison System. All my work reports have been above average but this seems all to no advantage. So far I have done 20 years in prison. During the last 15 months I have been doing electrical work and have become a good working electrician.

Hon. Dellums, I have been told for the last seven months that I could be released if I had a job and a place to go. Right now I have 3 telegrams telling this parole board of six different jobs and three places to live. These telegrams were sent to Mr. Murch, U.S. Board of Paroles. I was told by my case manager Mr. Volkmur and by Mr. Clough while I was at the prison farm that I was going up to see the board, I did not go up.

Just what does a person have to do to prove that he has changed? My work record has been above average for the last 20 years, I have been in punitive status only a few times and have been trying to deal with things despite the deceptions of the prison officials. My friends in Seattle are doing what they can, all I am asking is the chance to prove I can make it.

I now have a future waiting for me, a job, friends and home to go to. These simple things are so important and valuable to one who for too long has been without them. Please, take this letter as a request for help, help me gain those simple good things, that without, a man cannot call himself a man. Help me to get my freedom, isn't 20 years enough?

Sincerely,

J. C. M.

IN THE U.S. DISTRICT COURT, NORTHERN DISTRICT OF CALIFORNIA, BEFORE HON. ALFONSO J. ZIRPOLI, JUDGE

Thursday, March 11, 1971

The COURT. All right, gentlemen. This matter is on for hearing on motions for summary judgment and preliminary injunction? Mr. BERG. Yes, Your Honor.

The COURT. The motion for summary judgment relates to the mailing privileges? Mr. BERG. Yes, Your Honor.

The COURT. And to telephone privileges. Is that all?

Mr. BERG. Yes, Your Honor. But we have agreed before this hearing, Your Honor, that both counsel for the plaintiffs and defendants are willing to submit this case for final judgment on the basis of the record that the Court has right now.

The COURT. For everything?

Mr. BERG. Yes.

Mr. FENNONE. Yes, that's true, Your Honor.

The COURT. You gentlemen know that I spent three and a half hours at Santa Rita yesterday morning?

Mr. FENNONE. Yes.

Mr. BOOTY. Yes, Your Honor.

Mr. BERG. I didn't know that.

The COURT. Well, you have a pretty deplorable condition and situation there. I don't know what the answer is, necessarily. I will say that the Sheriff in this case, with commendable candor, has conceded that many of the conditions existing at Santa Rita are bad. In fact, in May of this year he stated that Santa Rita was obsolete when it was acquired by the County in 1947. He apparently has limited funds, limited personnel, and he may be doing the best that he can to run a facility that is outstandingly bad.

He has made some improvements and plans have been submitted for further improvements, but the fact remains that no amount of money expended for the improvements, no administrative changes, will reach the root of the evil, Greystone itself.

As I indicated, I spent three and a half hours there yesterday going over the facilities at Santa Rita, and most of the time was centered on Greystone; and I have come to the inescapable conclusion that Greystone should be razed to the ground. Confinement in cells at Greystone, under the almost unbelievable conditions which prevail there, of dense elemental concepts of decency and is of such shocking and debasing character as to

constitute cruel and unusual punishment for man or beast.

Even more shocking is the fact that in East Greystone, and subject to cruel and unusual punishment, are persons who are awaiting trial, who have yet to be found guilty, and who are presumed under the law to be innocent of wrongdoing. The Constitution prohibits the treatment of pretrial detainees in such fashion. In fact, the Constitution prohibits such treatment even as to those guilty of heinous felonies.

It may well be that those confined at Greystone present serious security risks, as they undoubtedly do, because they are unable to make bail, and it's generally those cases wherein the bail is high that the greatest security risk exists. Yet men confined in San Quentin, and those who were confined in Alcatraz, with which this Court had many years of experience, present and presented security risks equally as great. Yet San Quentin is, and Alcatraz was, by comparison to Greystone a paradise. Regardless of the security risks as to detainees at Greystone, the Constitution decrees that they shall not be subject to cruel and unusual punishment.

Now, this condition cannot be corrected by the respondent, Sheriff Madigan. It must be corrected by the people of Alameda County. And I should like to know what the County proposes to do. And I am talking about what the County proposes to do immediately, so as not to subject those persons who are awaiting trial to confinement in Santa Rita.

I think I ought to quote from Holt v. Sarver—you can just do a little transposing yourself here later—and here's the answer to the problem.

"Let there be no mistake in the matter—" And I am talking about the Arkansas situation.

"—the obligation of the respondents to eliminate existing unconstitutionality does not depend upon what the legislature may do—"

And here this might very well be the Board of Supervisors.

"—or upon what the Governor may do, or indeed upon what respondent may actually be able to accomplish. If Arkansas is going to operate a penitentiary system—"

If Alameda County is going to operate a County jail system . . .

"—it is going to have to be a system that is countenanced by the Constitution of the United States."

That's the heart of it. My disposition would be to continue further hearing in this matter for a period of 30 days, to ascertain what appropriate corrective measures the county will take and to report back to the Court. And the appropriate measures will have to be some measures which will permit the transfer and confinement of detainees awaiting trial to some place other than Greystone; and the place to which they will be confined, and the conditions of confinement, shall be consistent with their status as unconvicted persons. They shall not be subject to confinement conditions which preclude them from the maximum freedom of motions that persons under confinement should have within a facility consistent with the security risks involved.

Now, the Court in making these observations is mindful of the fact that it is admitted that these pretrial detainees are confined to these cells for periods of 24 hours, that is to say, from the time they go in until they are tried and under detention; and that means 24 hours a day in a cell with the exception of two days a week, during which two days they are released for two hours into a day room that is completely inadequate to house the number of people placed in it, that lacks facilities for them to even sit down.

The cells are of such character as would presumably drive any person insane. The inmates are required to eat in these cells. With the exception of the two days in which they are released for two hours into this day room.

The conditions for visitors are completely intolerable. They are admitted by the men who are running the institution to be intolerable. The Captain of the Guards admitted that the visiting conditions are intolerable, and there were similar concessions as to other conditions there.

As I indicated before, you can't expect the sheriff to provide adequate facilities unless you give him the facilities—and the money—and the personnel—to do it.

So I am just continuing this entire hearing for 30 days to see what happens. If necessary, I may have to enjoin further confinement of anyone in Greystone.

I don't think the problem is quite as difficult in some respects as everyone envisions. Certainly a good high fence which would enclose everyone might do the job without the necessity of putting people in individual cells in the fashion in which they are placed there, and under the circumstances under which they are forced to live hour after hour 24 hours a day.

Now, I am not going to enter any order now. As far as the mailing privileges are concerned, I would suggest that you take immediate measures to adjust and correct the mailing privileges. There's no limitation on the mailing privilege of a citizen who is unconvicted of a crime. He has the right, except to the degree that detention may limit him—he has all the rights that any other citizen has. And that means to correspond at will with whomsoever he pleases, and to receive mail from whomsoever he pleases. This is subject to the right not of censor but of opening the mail to ascertain the contents thereof.

Now, I think if you will look at the last order which was issued by Judge Wollenberg pertaining to San Mateo County, you will get a pretty good idea of what the obligations of any county jail are with respect to mail. As I have indicated before, as far as private citizens are concerned, the jailor can see what goes into the envelope and require that it be sealed before him and inspect it to see that it's going to the person presumably that it's addressed to. He doesn't have the right to censor it. And when the mail comes in, he doesn't have the right to excise anything from it, unless it happens to be contraband or discloses some plan of escape or other form of unlawful conduct.

Now, I don't know what to say, Counsel. I know that you gentlemen are up against it; you are doing the best you can with what you have got to work with. But I am just going to continue the whole matter for 30 days.

The CLERK. Let's make it 1:30 p.m., April the 14th, Your Honor.

The COURT. All right.

Mr. BERG. Your Honor, do you need anything in addition from plaintiffs?

The COURT. No; I would think for the benefit of the County and the Board you had better get a transcript.

Mr. BOOY. Yes, your Honor.

The COURT. All right.

Mr. FENNON. We intend to. Thank you.

Mr. BERG. Thank you.

STATEMENT OF DAVID GOLDBERG, MARCH 1, 1970

I was convicted in Boston, Massachusetts on June 16, 1969 for a violation of the Selective Service Act. From June 16, 1969 until January 11, 1971, I was incarcerated in various Federal Prisons. I served my time in the Danbury (Connecticut) Correctional Institu-

tion, the Lewisburg (Pennsylvania) Penitentiary and the Allenwood (Pennsylvania) Prison Farm. Having had the opportunity of seeing first hand these three varieties of Federal Prison Facilities I feel that I have acquired a certain amount of knowledge about the operation of the Federal Prisons. Through this statement I hope to share these impressions with certain people in Washington who have expressed an interest in the corrections problem.

I will divide the statement into four parts. The first section will concern conditions that the Federal Bureau of Prisons could correct on their own volition if they had such a desire. The second section will concern problems that would require Congress to appropriate additional funds. The third part will concern statutory changes that are necessary. The fourth part will be a brief conclusion. My observations are primarily confined to institutions in which I was imprisoned, but it is my impression that they could apply equally to all Federal Penal Institutions.

#### I. PROBLEMS THE BUREAU COULD ACT ON IMMEDIATELY

##### A. Work release program

In the Danbury Correctional Institution the number of inmates going out on work release daily as of June 1970 was 30 out of an inmate population of 700-750. At one time more than 90 inmates were being released to work outside but the number was cut in more than half in 1968-1969. This was before the job situation in that area worsened. Most inmates in Danbury considered work release to be the best program available to them. The jobs assigned were mostly of the short order cook or warehouse helper variety. These naturally offered inmates little in terms of job training but there were very few jobs inside the institution that trained inmates for outside employment. To the inmate, the main benefit derived from work release was that it enabled him to accumulate some money that he would have upon his release. Working for 3 months-1 year he could save anywhere from \$300-\$2,000 which he would receive upon the expiration of his sentence. This contrasts with the \$50-\$100 he might have received upon release if he were not in the work release program. Each week in Danbury about 15 inmates would apply for work release and only one or two would be accepted. Many inmates tried time after time without success to be placed on the program. There was no special preference shown for inmates with large families who would need the money most upon release.

The Lewisburg Penitentiary has no work release program for its 1,300 inmates. The Bureau of Prisons does not allow any inmates in penitentiaries to leave the prison during the day. Most inmates in Lewisburg are doing between 5-15 years and as a result many are "short-timers" with anywhere from 1 month to 2 years left on their sentence. Yet, the Bureau's policy prohibits even these inmates from being assigned to work release. The rationale seems to be that no penitentiary inmate can be trusted not to abscond. There is no firm evidence for this. Most inmates would not escape for the simple reason they have nowhere to go except to their families or their friends, where they know they would be picked up immediately. There would seem to be no substantial reason why penitentiaries such as Lewisburg cannot begin a work release program at least for those inmates who are six months short. It could be introduced slowly or on an experimental basis in order to ease fears in the community. Of course, there is a problem due to the fact that Lewisburg is in a very isolated part of the state away from large job markets; but, there should be at least some jobs available in the Williamsport area.

Allenwood is a farm camp that has no walls. It is used mainly for inmates with short terms and for some of Lewisburg's "short-timers." Only four to six of its 300-350 inmates go out on work release. Most of them work maintaining a golf course that is adjacent to the prison. Fear of inmates' escaping cannot be the reason for the tiny number on work release since inmates can easily escape at any time. The administration never showed any desire to increase the program, despite the inmates' interest in it.

Since my release I have had a conversation with Mr. Stan Lay who is in charge of the work release program in the Bureau of Prisons. He explained to me why Danbury's work release program was so drastically reduced. His explanation is that the Bureau has decided to de-emphasize the work release program in order to place more emphasis on the use of Community Treatment Centers (half-way houses). His explanation being that inmates who were formerly placed on work release will now go to half-way houses. My own personal experience does not confirm this. For one, not all inmates are going to half-way houses. They only have facilities for about 50% of those who are released from Federal Prison. For another, the average inmate goes to half-way houses with only 72 days left on his sentence. (The bureau supplied me with this figure.) Inmates used to be allowed out on work release while they had up to a year left on their sentence. Now, however, you can't go out until you have six months or less left on your term. Mr. Lay seems to feel that increased use of half-way houses means that work release has to be phased out. This makes no sense. An inmate on work release can still go to the half-way house. The use of half-way houses should not mean an end to work release. In particular, the Bureau should again let inmates with six months to one year left on their sentence go out to work.

Instead of de-emphasizing work release, the Bureau should be increasing the program. It costs the government very little to run it. The only personnel that need to be paid are the secretaries who do the paper work and the prison official who has the responsibility of finding jobs for inmates in the community. Inmates pay for traveling expenses out of their own salaries. The Bureau is always complaining that it does not have the funds to establish the programs they want. It is inexplicable, then, why they would cut back on such an inexpensive program.

Any program that gets the inmates away from the institution even for part of the day is good. U.S. prisons institutionalize many of their inmates; in other words, convicts become so dependent on the prison doing everything for them that they can never function on the street again. Work release breaks this process down to some extent.

According to the 1969 Annual Report of Federal Prison Industries, two percent of the Federal Prison population goes out on work release daily. This figure should be greatly expanded.

##### B. Study-release program

At Danbury, only 10-15 inmates left the prison in order to attend school. They went either to Abbot Technical School in Danbury or to Western Connecticut State College, a community college. Like work release only a small fraction of inmates desirous of participating in this program were admitted to it. It was my impression that many inmates were capable of doing work on a community college or technical school level.

Only one inmate left Lewisburg to attend school. This was the inmate who has been the informer in the Berrigan case. He attended Bucknell College. Otherwise, no in-



mates were permitted to leave the prison for this purpose.

Only one or two inmates at Allenwood attended outside schools. The prison camp does not make use of this program despite the fact that a community college is nearby the prison. The Education Director at Allenwood showed no desire to increase this or any other program.

Like work release, study release costs the Federal Government very little to maintain. It is a program that could be greatly expanded at little cost. The fact that it is utilized so little casts doubt on the Bureau's claim that it is a lack of jobs that prevents the expansion of the work release program. There seems to be simply a basic reluctance to utilize these programs. In any case, community colleges are near most Federal Institutions so that the program is not too difficult to implement. Since most colleges and schools receive Federal money the Federal Government is in a particularly strong position in requesting them to accept Federal inmates as students. The outside school program is especially needed in view of the paucity of education programs inside the prisons. One would think that Congress once it passed laws establishing these programs would be interested in seeing them utilized to their maximum effect. Presently, the Bureau claims that .99% of its inmates attend outside school during the course of a year. (See Operations Memorandum 1/26/71—Composite Report of Community-Based Programs FY 1970 Data—page 5.) The actual percentage attending outside school at any one time is much smaller.

#### C. Racial situation in the Federal prisons

No one can write about the prisons today without discussing the race question. An increasing number of inmates in Federal Prisons are Black or Spanish. The Bureau would prefer to sweep the entire problem under a rug. It is rarely mentioned in any of their brochures or pamphlets.

Danbury's percentage of Black and Puerto Rican inmates has increased dramatically the last few years. The prison population is now about 35% Black and 15% Spanish. This increase is primarily due to the fact that a large NARA (to be discussed below) program has been instituted there. Under this program a large number of young Black and Puerto Rican inmates have entered the prison.

Danbury has made a small effort to accommodate itself to this situation. As of June 1970 it had hired about five or six Black guards. There was only one Black in any position of authority: a caseworker. Beyond this the prison has done little. For instance, when the Bureau gave money to Danbury for a Black studies program the prison Education Director made no effort to find a qualified instructor for the course. Instead he hired a local college professor who knew nothing about Black history or culture and who could not relate at all to 20-25 year old Blacks. The program which started with a great deal of enthusiasm collapsed in five months. This is a good example of how an uninterested or incompetent Education Director can ruin a good program established by the Bureau. In addition, no effort has been made to purchase books relevant to young Blacks.

There were even fewer special facilities for the Puerto Rican inmates in Danbury. Though they composed about 15% of the prison population there was only one Spanish speaking official: a NARA caseworker. This was despite the fact that many Spanish inmates spoke no or very little English. There was no effort made to instruct them in English. There was no effort made to

purchase books, periodicals or movies in Spanish. This should especially be done since many Spanish inmates cannot understand English television programs. Very few Spanish inmates went out on work release. This was either due to the fact that they had narcotics on their record—which barred them from work or study release—or they were in NARA. (no inmates in this program left the prison).

About one half of Lewisburg's population is Black or Spanish. Again there are no official prison programs designed for these inmates. There are no Black or Spanish personnel working in the prison. This speaks for itself. As in all Federal Penitentiaries there is a high level of racial tension, much of it generated by the fact that whites are in all positions of authority. Many inmates talk about how the situation could explode at any time as it did briefly in February 1970. Those who were transfers from the Terre Haute Federal Penitentiary said the racial situation was even worse there.

Allenwood had about 100 Black inmates in its population and no Black personnel. The superintendent of the prison would not even allow the Black Cultural Development Group to organize there, even though that inmate organization held regular meetings at Lewisburg.

Naturally, many of these problems are connected to the racial situation in the rest of the country. As long as we live in a racist society, racism will exist in the running of the prisons. It is even greater inside the jails than on the outside. Many of the White personnel in the jails see the development of Black pride as a personal threat to their positions. They are used to having Black inmates act in a completely subservient manner, and react fearfully when this is no longer the case. Much of the racism is manifested in small ways: in the manner in which personnel will address Blacks or small favors that will be shown White inmates. Special efforts can at least be made to alleviate this situation, and to do away with the most racist personnel. Money can be appropriated for Black studies programs. Larger changes will have to await changes in society.

#### D. The operation of the Narcotic Addict Rehabilitation Act of 1966

This is commonly known as the NARA program. It began operation in 1968. It was intended as a reform by which judges could sentence addicts in their courts to special NARA sentences (which presently range from three to ten years), from which inmates could be paroled anytime after six months. Danbury was the institution chosen to handle this program on the East Coast. Presently, it has the largest NARA facility in the system and soon expects to handle 250-300 NARAS. Danbury was an illogical place to put this program. For one, it is far from many NARA inmates' homes many of whom come from D.C., Virginia or Puerto Rico. For another, Danbury was an institution built to handle older criminals convicted of things like tax evasion, embezzling, and counterfeiting. It does not have the recreational, vocational or educational facilities for the younger inmates that enter the prison. (More information on vocational and educational programs in second section below.) For example, it has only one softball diamond, one basketball court and three handball courts for its population. It has no gym and the only recreational facilities available in the winter are a small weight room and one ping pong table. This is scarcely enough for an inmate population of 700-750 that now averages 27 years of age in a facility that was built to handle 400-450 inmates.

One of the major elements of the NARA program are therapy sessions. Some of these are run by guards with no training in this field. In addition some doubt has to be cast on the efficacy of any therapy session run inside a prison. NARA inmates know what are the right things to say in order to get parole: you have to show the right amount of progress and the proper concerns. It all tends to become one big con game. Many NARAS who were paroled returned to prison right away. One died of an OD within a month of his release. The NARA office claims a failure rate of 28% but the program is too young in order to determine a true recidivism rate. Many NARAS evinced a desire to get off heroin. But that is impossible if they don't receive educational and vocational training. Danbury was not giving them this. Danbury should receive an infusion of money for the operation of this program. Milan, Terminal Island and LaTuna, where the program is also being instituted, suffer from a same lack of facilities.

#### E. Wages and Federal prisons industries

Wages in Federal Prison Industries range from 19c to 46c per hour. All inmates begin at the 19c level. The level of wages is one of the inmates' biggest grievances. In August of 1970, there were work strikes in Leavenworth, Lewisburg, and Allenwood in which inmates unsuccessfully demanded the minimum wage. The week of February 22, 1971, there was a work strike in the McNeil Island Penitentiary over this same issue. At Allenwood, during the strike inmates were told that only the Bureau of Prisons could change the wage scales; the individual prison is without power in this matter. The Bureau usually states that labor unions will not allow the minimum to be paid. However, products turned out by prison inmates do not compete with union goods so it is hard to see the logic in this argument. The largest industry in Danbury involves relining cable for missiles; in Allenwood, they make furniture for use in other prisons. If funds are not available to pay the \$1.60 minimum, wages could at least be raised to 70c to \$1.00 per hour level. The money that a prisoner can accumulate if a decent wage is paid can make a large difference in determining whether he will make it when released.

It is important to note that these wage levels are available only to inmates in Federal Prison Industries. And presently prison industries can only accommodate about 25% of the total Federal Prison population. (Page 10—Bureau of Prisons—1969 Report). Inmates who do not work in industries work in jobs around the prison. *The Bureau does not allow these inmates to receive an hourly wage.* Some of them are able to receive a \$10-\$25 monthly cash-award (few get more than \$10 per month). It is practically impossible for inmates to save out of this money since most inmates need it to purchase cigarettes, toilet articles, and food at the commissary. This cash award can also be taken from an inmate as punishment at a disciplinary hearing, or it can be denied completely if prison officials are dissatisfied with your work. It is used more as an incentive system to keep inmates in line than for any other purpose.

The Bureau should change this policy and pay all inmates an hourly wage. Work done in the kitchen or laundry is often more difficult and unpleasant than work done in industries. If an inmate does not work in industries he presently leaves prison with no more than the \$30-\$100 given to him upon release. Presently, the Bureau returns a \$5 million profit earned from prison industries to the Treasury Department. Since 1946, it has given the Treasury \$77 million earned from this source (page 10—Bureau of Prisons

Annual Report—1969). This money should be used for wages or other programs that benefit inmates. It is incomprehensible that the Bureau would complain about a lack of funds for its programs and then return this money to the Treasury. It is especially hard to understand this policy since Title 18, Section 4126 of the United States Code specifically allows the prisons to keep this money for their own use.

#### F. Censorship

Censorship in the Federal Prisons varies widely. Allenwood and Danbury allow most periodicals and books to come into the prison. Lewisburg has a much stricter policy. All the prisons censor incoming and outgoing mail. Lewisburg is particularly strict in this regard.

In addition, newspaper reporters are not allowed to interview any inmates in the Federal Prisons. This rule is very strictly enforced. This policy is not followed by many state prison systems. In California, for instance, reporters can enter the prisons and interview any inmates except those in segregation. The Bureau should adopt this policy. It is a very important check on the conduct of the prison administration.

The Federal Prisons also prohibit inmates from having their writings published while they are incarcerated. This is again contrary to the policy followed by many state prison systems—witness the example of Earl Smith who has had two influential books published while on death row in New Jersey. Similarly, four inmates in the Indiana State Penitentiary have had a well-received study of prisons published while they were incarcerated. These inmates could not have done this if they were in Federal Prisons. Writing is a very important outlet for many inmates. Publishers and magazines are eager to receive material from them. I have seen some fine writing in prison that could be published. This rule should be abolished. The example of the states shows there is no real need for it.

#### G. Furloughs

The Federal Rehabilitation Act of 1965 gave the Federal Prisons the authority to grant furloughs of up to 30 days to inmates in order to enable them to look for jobs or a place to live upon their release. Except for the purpose of attending funerals the Federal Prisons are not using this program. The Bureau has shown no desire to make use of it.

### II. CHANGES THAT WOULD REQUIRE CONGRESS TO APPROPRIATE MORE MONEY

#### A. Educational and vocational programs

To put it briefly the three prisons I observed were all abysmally short of educational and vocational programs.

In Danbury the major education program was the GED program which was designed to enable inmates to earn a high school degree. The entire orientation of this program was towards granting degrees to as many inmates as possible. Inmates would take the same test over and over again until they passed. Little was actually taught in the program. The only other education course in the prison was a basic literacy course established for those inmates who entered illiterate. The only outside teachers coming into the prison were those involved in the GED course. Danbury did not even have a library until Newburgh Air Force Base closed and sent down what was left of their library.

Vocational programs which are of even greater importance were also in sad shape in Danbury. Much of what they had were programs that were at least 20 years old and more relevant to an earlier day. These involved classes in small engine repair, oil burner repair, and sewing machine and T.V.

repair. Very few inmates participated in these programs. Danbury had hoped to establish a vocational program in painting, but that has now fallen through according to Mr. Johnson of the vocational department in the Bureau. The only attempt to develop an up-to-date vocational program was one small computer class.

The situation in Lewisburg and Allenwood was basically the same. Lewisburg employed only a few outside teachers and Allenwood none at all. Inmates did all the teaching in that institution. The only school program in Allenwood was an outside welding class that about 15 inmates attended each Saturday afternoon. The administration constantly talked about a tractor-trailer class that it was going to begin, but it had not been established as of January 1971.

States such as California employ many more outside instructors than do the federal prisons. This lack of programs is especially serious since so few inmates leave the prison for school and work release. In addition there are very few jobs in the prison itself that teach an inmate anything. Prison industries do not serve a vocational purpose despite contrary claims which they make. If interested Congressmen were to visit the prisons and take a close look at the programs there, they could confirm these facts. The Bureau says it cannot do more without more funds. It is the responsibility of Congress to give it to them. The situation is not helped by the greatly exaggerated claims the Bureau makes about the vocational and educational programs in their yearly reports. Nowhere will you find in these documents an honest appraisal of the situation. It is no wonder then, that the Congress and public do not know the true situation.

More care could also be shown in choosing prison education directors. Presently, the criteria seems to be that the education director has to have no ideas of his own. The federal prisons seem to frown on experimentation or imagination. Allenwood, in particular, had an education director who did little except chaperone the prison softball team to outside games.

#### B. Community treatment centers

The federal prisons now allow many of their inmates to spend the last part of their sentence at halfway houses. As noted before inmates go to halfway houses with an average of 72 days left on their sentence. Inmates are given help at finding jobs at these centers. Like work and school release an inmate must apply for this program. Not all are accepted. If an inmate comes from an area where there is no halfway house or from an area where the government does not have a contract with one he has no chance of being accepted. Other inmates who come from areas where they have this program are denied it anyway. Others are given a date for their release to a halfway house and then have that date changed. The halfway house in New York City, in particular, cannot accommodate all inmates who could use its services.

The Congress needs to appropriate far more money for this program. Halfway houses should also be made a matter of right for all inmates. Presently, it appears to be granted in a completely arbitrary manner. If it is a good program it should be available to all. In addition, inmates should be sent to halfway houses with six months to a year left on their sentence. This would help ease overcrowding in Federal prisons and help breakdown the institutionalization process that goes on in all prisons.

#### C. Caseworker and psychiatric services

The Federal prisons are woefully short of caseworkers. Danbury had five for 700-750 in-

mates, Lewisburg had about ten for 1300 inmates and Allenwood had one for 300-350 inmates. It is clear how overburdened caseworkers are. Individual treatment is an impossibility. All a caseworker can do is keep track of an inmate's record and answer technical questions. It is not possible for him to get to know an individual inmate's needs. The quality of caseworkers also needs drastic upgrading. Some seemed to have only an extremely limited understanding of inmate problems.

The Federal system also lacks psychiatric personnel. There are only about 16 people in this field in the entire Federal system, and many of them are concentrated in special programs like NARA.

#### D. Food

The Bureau of Prisons Annual Report for 1969 states that "Federal prisons today offer much different fare from the monotonous, unsavory diet of years past. Over 22 million nutritious, appetizing meals were served last year in the institutions." (page 14) This is contrary to my own experience. The daily fare consisted of meals such as hot dogs, cheese sandwiches, ravioli, Swedish meatballs, barbecued beef, etc. Good meat was rarely served. The salad was usually of a cole slaw type variety. This is primarily a budgetary problem. The Bureau states its food budget is always being cut by Congress.

### III. PROBLEMS THAT REQUIRE STATUTORY CHANGES

#### A. Operation of Federal parole

The Federal parole system works in a particularly harsh manner on those parolees who have their parole revoked. For example, an inmate with a five year sentence might do two years in jail and then receive parole. He might then stay on the street for two years before being violated (have his parole revoked). If this should occur he would have to do all the time he did on the street over again inside the jail. In effect, on a five year sentence he would do eight years under supervision. The statute that establishes this parole system in U.S. Code Title 18 Section 4205. The relevant part of this reads, "the unexpired term of imprisonment of any such prisoner (who has been violated) shall begin to run from the date he is returned to the custody of the Attorney General under said warrant, and the time the prisoner was on parole shall not diminish the time he was sentenced to serve." Many states do not follow this policy. Massachusetts, for example, only requires a parolee to serve the time remaining on his sentence when he is violated. Time served on parole counts as time served. Congress should amend this statute so as to conform with this more humane policy. This is not an academic question as a good percentage of parolees are violated at one time or another.

#### B. Parole hearings

There is presently no statute concerned with parole hearings. An inmate doing 15 years who goes up for parole after serving 5 years (an inmate is not eligible for parole until he has served one third of his sentence) might have a parole judge interview him for five minutes. Some rules should be established in regard to these hearings. All too often only a perfunctory meeting is held.

An inmate is also not told why parole has been denied him. All he receives is a little slip of paper that reads "continue to expiration". No explanation is ever given as to why he has been refused parole.

#### C. Parole judges

U.S. Code, Title 18, Section 4201 which established the U.S. Board of Parole establishes no qualifications for parole board appointees. The President may appoint any-



one regardless of whether the person has any experience in the field of corrections. Many of the parole board members seem to have little understanding of inmates' problems. Paying a very large salary, it is a juicy political plum for the President to dispense. The U.S. Board of Parole refused to give me biographical information concerning its members. Some Congressman should look into this question. At the very least standards requiring a certain degree of expertise should be written into the law. Many states do exactly this.

Better yet the system should be removed from politics. Since President Nixon began appointing parole board members the rate of paroles granted each year has dropped from 48.7% in 1968 to 36.1% in 1970. (Bureau of Prisons—Operations Memorandum, January 26, 1971, Page 1). It seems inmates are to be a victim of the President's law and order policy. The question of parole should not be subject to such partisan whims.

*D. Parole and sentencing provisions of the Federal Narcotics Act*

A special parole problem concerns those inmates sentenced under Title 26 Section 7237 of the U.S. Code. This is the Federal Narcotics Law better known as the Harrison Act. Anyone sentenced under this section is automatically ineligible for parole. From my own personal experiences I can testify that those being sentenced for violations of this act are not big pushers but rather are addicts who were selling heroin to support their own habits. This punitive law should be amended. All inmates should have a chance for parole.

This same title 26 Section 7237 requires judges to give certain *minimum* sentences ranging from five to forty years to anyone convicted of a violation of this Act. The exact sentence depends on whether a first, second or third offense is involved. The judge is barred by law from giving a probationary sentence or one under five years. This section also needs amending. Many judges who would give lighter sentences to violators of this law are now locked into a stringent sentencing procedure.

*E. Cash awards to released inmates*

As noted previously inmates often leave jail with very little money. If they did not work in industry it is possible that they will have saved nothing. Title 18 Section 4281 of the U.S. Code prevents inmates from receiving a cash award of more than \$100 upon release. This limit should be raised to at least \$500. An ex-convict cannot make his way in society if he leaves prison broke.

IV. CONCLUSION

I should also note that all institutions I have been in were overcrowded. In Danbury it is not uncommon for 70 inmates to be sleeping in one dormitory. Lewisburg has had to convert their basement storage areas into dorms. In Allenwood some inmates have to sleep in dormitory corridors. However, I would hardly suggest the solution to this problem is to build more prisons. Instead the courts have to start making greater use of probationary sentences and Federal prisons have to make greater use of halfway houses. There is no such thing as a good prison. All prisons dehumanize, brutalize and institutionalize their inmates. I have only tried to suggest some improvements which will at least make conditions in the Federal prisons a little more bearable.

I can only reiterate that these changes will not occur automatically. The Bureau of Prisons is very slow about changing anything. Like any government bureaucracy they are more concerned with justifying themselves to Congress and the public than with making any kind of honest appraisal of themselves. Inmates are by definition a powerless group. Constitutional rights do not apply to them. It is hard to think of any

group in our society that has less power. It is thus up to concerned Congressmen and individuals to investigate what is happening in the Federal prisons. I would urge all those who are interested to visit the Federal prisons to talk to inmates there, and to reach their own conclusions. The Bureau will only respond to pressure and publicity. For too long they have been able to escape scrutiny because conditions in the Federal prisons were not as bad as in the state prisons. But that is not saying much. It should also be noted that some state prisons are much more innovative than the federal prisons such as in Mississippi where conjugal visits are allowed—Texas and California. The four work strikes in the Federal prisons during the last eight months show how great the dissatisfaction of inmates is. I can only hope that this document will in some way serve as a counter report to the propaganda put out by the Bureau. I have tried to emphasize facts that one can only learn from inside the prisons.

OUT-OF-OFFICE EXPERTS—THE POLITICAL DOPPLER EFFECT

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 1971

Mr. BRAY. Mr. Speaker, I believe I have discovered a brandnew political-scientific law of human behavior. It applies to former high public officials, now out of office, who have suddenly become experts in proposing solutions to problems they not only helped to create but failed to do anything about when they had the power, responsibility, and authority to do so.

The latest is former Secretary of Defense Clark Clifford's solution for ending the Vietnam war. When he held this office, casualties and involvement were increasing. Today it is the reverse.

Mr. Clifford said in a speech that he had "reason to believe" our POW's would be released if we would agree with Hanoi to pull out of Vietnam by December 31, 1971. Hanoi shot this down 36 hours later; their negotiators in Paris said U.S. establishment of a withdrawal date would only mean Hanoi would discuss release of prisoners—nothing at all to support Mr. Clifford's statement.

It is quite easy to quarterback from the stands, with no danger of the knee in the groin, or cleats in the teeth. I think this phenomenon can be called the political doppler effect. In science, the doppler effect refers to the apparent change in frequency of sound or light waves, depending upon distance and relative motion from the observer or listener.

This is most familiar with the sound of an approaching train. The farther away from the listener, the more shrill the whistle; as the train passes, the tone drops, and in both instances what the listener hears is not at all indicative of the real whistle sound.

So it is with Mr. Clifford, and others of his ilk. The farther away from responsibility, the shriller, more out of key are their voices. Their deceptive notes, like those of the approaching or departing train, bear no resemblance at all to the harsh realities of the problems they now profess to solve.

WILLIAM HOLTZMAN

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 1971

Mr. GAYDOS. Mr. Speaker, it is with great pride I call the attention of my colleagues to a lifesaving feat performed last week by a young man which earned him the respect and admiration of the 20th Congressional District of Pennsylvania.

I am incorporating into the RECORD news accounts of the actions of William Holtzman, a 19-year-old former Navy corpsman, now an orderly in McKeesport Hospital. Young Holtzman whose father William Sr., is a city fireman, is credited with saving the life of a 6-year-old boy, Michael Scott. The lad crashed through a glass storm door at his home, severing an artery in his arm. Hearing the crash, young Holtzman rushed to scene of the accident and immediately put his hospital training into practice. Using a towel, he applied a tourniquet to the boy's bleeding arm then rushed him to the hospital where surgeons sutured the wound and saved the limb. However, a member of the hospital's emergency room staff emphatically stated it was Holtzman's quick action which saved the boy's life.

This calm, cool attitude of Mr. Holtzman in a time of crisis has been recognized by leaders in the McKeesport community. An account of his action was written by Don McGavern and carried on the front page of the Daily News in McKeesport. Later, Holtzman was praised by the newspaper in an editorial and authorities of McKeesport Hospital presented him with a certificate of merit.

Mr. Speaker, it is young men of Mr. Holtzman's caliber which make all Americans proud. His character, leadership ability reflects with credit upon all young adults in our Nation. I am proud to represent him in the Congress and I deem it a privilege to join McKeesport Hospital and the Daily News in commending this young man for his heroics.

The articles follow:

ANOTHER CASE

It has become almost a cliché nowadays to say that, although some hippie-type youth are completely out of hand, the majority of the new generation is made up of fine, smart and sound young people.

The truth of this is obvious. Case after case of evidence has been cited. And yet we still thrill to the deeds of young men and women which show them in their best light. One such was that of 19-year-old William Holtzman, a McKeesport Hospital orderly who saved a boy here from bleeding to death.

The story was on page 1 of yesterday's paper. It told of Holtzman hearing a crash of glass and a child screaming and how he ran to the Donald O'Toole home on Evans St. and found Michael Scott, aged 6, with a blood-soaked arm. Bill knew what to do from his training. He hurriedly applied a tourniquet with a towel and then, with a companion, rushed the boy to the hospital where surgeons sutured a severed artery, cleaned the wound and had blood transfusions given. "The actions of Bill Holtzman undoubtedly saved that boy's life," a nurse reported.

Thus we have another instance in which one of our young people responded in an emergency with clear-thinking and devotion

to the needs of others. We'll keep Bill Holtzman in mind for the next time anyone tries to tell us all teenagers are a problem.

GRATEFUL MOTHER CREDITS YOUTH, 19, WITH SAVING LIFE OF INJURED SON  
(By Donald S. McGavern)

"They can say all they want about the teenagers of today but I'm indebted to one of them for saving my son's life."

These were the grateful words spoken by a young mother whose six-year-old son tumbled into a storm door glass and severed a vital artery in his left arm.

McKeesport Hospital officials credit the calm, split-second actions of William Holtzman of 1805 Soles St., for saving the youngster's life.

The boy, Michael Scott, son of Mr. and Mrs. Donald O'Toole, 1226 Evans St., was discharged from McKeesport Hospital Tuesday, two days after the near tragedy.

For 19-year-old Bill Holtzman, an orderly at the hospital, Sunday began as a quiet day. It didn't remain that way for long.

"I had just parked the car in the 1200 block of Evans St. and went to purchase some cigarettes. I was returning to the car when I heard a loud crash and seconds later a child screaming," Holtzman relates.

He said he ran to the porch of the O'Toole home and saw the shattered storm door glass.

"I went inside the house and saw a little boy leaning up against the wall . . . he was very pale and his mother and grandmother were screaming," he said.

He said he picked up the child and looked at the blood-soaked arm.

"The cut was not a long one but I knew right away it was deep and that an artery had been severed. I told the mother to get a towel which I immediately used to make a tourniquet," Holtzman said.

He stated that his brother-in-law, Lindberg, 22, of 110 Euclid Ave., Dravosburg, got behind the wheel of the car and they raced to McKeesport Hospital with the boy.

#### ARTERY SEVERED

There, surgeons and nurses determined quickly that the brachial artery leading to heart had been severed. The wound was examined, cleaned and sutured and the youngster was given blood transfusions.

"The actions of Bill Holtzman undoubtedly saved that boy's life," a nurse said. "He was near death but the tourniquet and the quick trip to the emergency room made the difference."

"What can you say when a young boy saves your son's life?" Mrs. O'Toole asked. "That boy's suit was ruined by blood from my son's arm. I insisted on paying for a new suit but he told me 'I can buy other suits but you can save a boy's life only once.'"

She said young Michael was chasing his older brother James, who is 8, when the older boy ran out the front door, which closed. Michael then crashed into the glass.

"I was terrified and frantic when I saw Michael and then this young man walked in, grabbed him and told me to get a towel," Mrs. O'Toole said.

"Yes, a total stranger, a teenager, he took over and his quick thinking saved Michael's life," she added.

The grateful woman said she intends to contact McKeesport Hospital officials to inform them personally of Holtzman's actions.

"When he came to work that night on the 11 p.m. to 7 a.m. shift, he came to the pediatric's department to inquire about Michael's condition . . . he brought me coffee during the night," she related.

Holtzman said he served as a corpsman in the U.S. Navy for 14 months and received additional training at the hospital before becoming an orderly.

"I just happened to be there at the right time. I'm glad everything turned out all right but please don't make too much of it," he said.

## ST. BONAVENTURE AWARDS BOB HOPE HONORARY DEGREE

### HON. JAMES F. HASTINGS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 1971

Mr. HASTINGS. Mr. Speaker, a funny thing happened to me on the way to St. Bonaventure University in my hometown of Allegany, N.Y., the other day.

It was my pleasure to participate with comedian Bob Hope and his charming wife, Dolores, in the school's annual commencement exercises.

Mr. and Mrs. Hope were honored by the university with the presentation of honorary degrees, an event which prompted Bob to say afterwards that now he and his wife would be able to understand what commentator William Buckley is talking about.

In his address to the graduates, the well-known Hope humor was on happy display in great abundance. The quick one-liners which have entertained millions both here at home and at lonely military bases overseas, clearly attested to his mastery of the comic art; and evoked from all of us those familiar words from his theme song: "Thanks for the Memory."

But there is a sober, serious side to this man of superb wit as exemplified in his message to the St. Bonaventure University graduating class.

In his typical punch line style, he spelled out more succinctly than most of the orators of our day, just what is facing youth and where its responsibility lies.

These words are also reasons to say thanks to Bob Hope but it is our desire that they not become memories.

So that my colleagues may share in his wise counsel, I am asking permission that an excellent editorial from the *Olean, Times Herald*, containing some of Mr. Hope's comments, the witty and the wise, be included in the *RECORD*.

[From the *Ocean (N.Y.) Times Herald*, June 4, 1971]

BOB HOPE AT ST. BONA—WISE WORDS FROM COMEDIAN

You might not, offhand, expect Comedian Bob Hope to have a serious message for college graduates.

At St. Bonaventure University last Sunday, he did.

The quips were there, of course. "I'm very happy to be at St. Bonaventure and very lucky to find it . . . we were guided here by a few Indians and a few deer . . . I'm a doctor of laws and my wife is a doctor of letters. Now together we can understand Bill Buckley . . . I'm thrilled that both Dolores and I both received degrees, it's just what we wanted, his and hers diplomas."

After the quips came serious words which every graduate of any school this June might well take to heart.

Not that some young people are looking for or are willing to take advice from their elders, but Bob Hope gave them some thoughts worth digesting, and worth repeating here.

"To you people who are graduating . . . who are about to go out and make this a better world . . . all I can say is: Hurry! There's a lot of work to be done."

"You are the future of America and a guarantee that America has a future. I've been to a lot of colleges in the last few years,

and most of the students I've met are bright, they're hip, and they're conscious of their responsibilities to this country."

"They say this is a difficult time to be young but I suspect there never was a time when it wasn't. Surely the men who started the whole thing . . . who put this country in business . . . lived in a difficult time. But they fashioned a wonderful tool for coping with it . . . it's called our Constitution.

"And the principles of freedom and justice for all that it delineates have been a torch guiding us wisely down the years . . . those good men who fashioned it, knew that the need for change would arise and they built in the mechanism for that change. It's not done with a bottle of gasoline or a dynamite stick. It's done with peaceful dissent and the will of the majority, a path-way often spoken of with pride: The American Way."

"Too many of us think a good kid is one who agrees with us or who wears his hair the same length we do . . . you look under any long haircut and you'll see a person . . . and that's still our greatest national product."

"We're the Establishment now. But believe it or not, you're going to be the Establishment tomorrow. We're going to leave you with a few problems WE haven't had much luck with . . . things like crime in the streets, pollution, inflation, disaffected minorities . . . and you can blame us all you want, but YOU'RE going to have to deal with 'em."

"Before you know it, your kids will be asking you why they have trouble breathing. Why are the streets unsafe at night? Why are people still going hungry? How are you going to answer them? Tell 'em you were too hip to be bothered . . . that those problems were for the straights and the squares? You gotta think about that!

"There's nothing terrible about being 'square.' The squares are the ones who make the clothes, bake the bread, build houses, and even make the motorcycles."

"I enjoy talking to young people . . . and I've talked to a lot of our young Americans, all over this world, for the last 30 years. I've seen some great Americans, fighting, suffering, and making the supreme sacrifice so we could enjoy moments like this. And I hope this undeclared war that we are trying to wind up now, will be the last we ever have to endure."

"The young will always want to be heard and we must listen because much of what they say has validity. I wish for them what I wish for myself . . . that we give our hearts and our minds to the service of the brotherhood of man throughout the world. It's either that, my friends, or back to the trees."

After you read those paragraphs, we think you will agree with St. Bonaventure's Dr. Boyd Litzinger, who nominated Bob Hope for his honorary degree, his 17th:

"Hundreds of performances in vaudeville and on Broadway, a thousand radio shows, six books, 53 movies, and 250 television appearances have made him famous as a comedian and entertainer, and his name has become as familiar to us as his wit, his voice, and his noble nose.

"His road has stretched over six million miles of travel: To entertain American troops through three decades, to give benefit and charity performances on every continent for humane causes. Whether in sponsoring golf tournaments for charities or in raising \$2 million in a single evening for a medical center, or in a hundred nameless acts of generosity, he has always remembered the needs of his fellowmen . . . by combining the gift of humor with the greater gifts of generosity and personal concern, Bob Hope has through a long career demonstrated a supreme humanity."

And, in our view, under the noble nose and the funny remark, he demonstrates a maturity and wisdom which is yet another service to our country.



We congratulate him on receiving the honorary degree. We commend the University for its wisdom in conferring it on him, and in so doing providing a platform for his commencement address. Graduates and faculties in colleges and universities everywhere can rightly be thankful for the memory of his words.

#### LEGISLATIVE CONCERNS OF MINNESOTA SENIOR CITIZENS

### HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 1971

Mr. FRASER. Mr. Speaker, one of the most effective community organizations in my district, Minneapolis Age and Opportunity, recently issued a statement outlining current legislative concerns of senior citizens in Minnesota.

MAO is particularly concerned about the problem that the recent social security increase is causing for social security recipients who also receive public assistance. These older people are finding that their welfare benefits are being cut, dollar for dollar, to compensate for the raise in social security benefits.

In the past, Congress has required that States pass on at least part of the previous social security increase to old-age assistance recipients. Such a requirement was not part of the 10-percent increase approved earlier this year, however.

I heartily concur with MAO's request that the "pass through" requirement be applied to the 1971 social security increase. In the absence of this requirement, our action to raise benefits was merely a cruel hoax for a large group of older people.

At this point, I would like to include the MAO statement with my remarks:

#### AREAS OF CONCERN FOR SENIOR CITIZENS OF MINNESOTA

The Minneapolis Age & Opportunity Center, a service agency created and governed by Senior Citizens, on behalf of the elderly in Minnesota, present the following issues that should be of vital concern to members of Congress:

##### 1. INCREASE IN SOCIAL SECURITY (OASDI)

The recent increase in Social Security benefits, voted by Congress, while badly needed and politically popular, is totally illusory as applied to the elderly poor. Those elderly persons who are most in need of the Social Security increase are precisely those who are denied it. These are the elderly who are so poor that their income from Social Security is not sufficient to enable them to survive without receiving O.A.A., Railroad Retirement, Veteran's Benefits, or other public assistance. When Social Security is increased, these supplementary benefits are correspondingly reduced.

In 1970 Congress partially recognized the problem in requiring the states to maintain previous O.A.A. grants so that at least \$4 of the monthly increase in Social Security benefits would be passed on to the recipient. The recent amendment enabling the increase does not even contain that token provision. Moreover, the increase in Social Security generally triggers an increase in rent in HRA highrise and subsidized housing as well as private housing. The increase also has precipitated a situation where Medicaid may no longer be given or a stringent spend-down requirement is imposed because the increase

has caused an elderly recipient to "go over the top" as far as income eligibility.

An example of this pernicious phenomenon is the case of Frank Ballinger, who lives in Minneapolis. Mr. Ballinger receives \$139.20 per month in Social Security benefits, lives in subsidized housing and is eligible for and receives Medicaid benefits. Mr. Ballinger will receive an increase of approximately \$13.90. However, because of the increase, his rent is going up \$7.00 and an \$8.20 spend-down requirement has been imposed by the Welfare Department to keep him eligible for Medicaid. His \$13.90 increases will cost him \$1.30 more per month. This is only one of hundreds of like examples and by far not the most bizarre. Our office is flooded with pitiful cases of this type, and we have to inform them that we can do nothing.

The need to recognize the bitter hardship caused by recent inflation to persons on fixed incomes, who are receiving O.A.A. or other assistance to supplement their inadequate Social Security benefits, is critical. Steps must be taken immediately to insure that Social Security increases are retained by those who are in the most need of them; those who are so poor that they must receive income from other public sources in order to survive.

Therefore, we urge our Congressman to strongly support H.R. 3681 and any other bills that would alleviate this abhorrent situation.

##### 2. ELIGIBILITY FOR CATEGORICAL ASSISTANCE

The particularly severe burden placed upon the elderly by the categorical public assistance programs is another matter for concern. Although elderly recipients may retain some reverses, income and property eligibility limitations are placed at irrationally low levels and are applied to forms of income and property especially sacred to the elderly.

Elderly persons, who have worked throughout their lives, who find that Social Security benefits are inadequate to support them, are ineligible for O.A.A. unless they agree that the Welfare Department may place a lien for the value of assistance received on the modest home which they had struggled to meet payments on for years. They are also required to spend down life insurance policy cash values to where they are negligible as a condition of receiving aid. There are of course other income restrictions, such as on the value of automobiles and the amount of personal savings that applicants may have. These limitations necessitate a tragic choice. A person, after having spent the bulk of his lifetime paying for a modest home, for a minimal life insurance policy, the proceeds of which are meant for his surviving spouse or children and for his funeral and burial, is forced to relinquish these things in return for enough assistance to survive the few years he has left. A system which imposes such brutal alternatives, which fails to recognize the value and attachment elderly persons have for their homes and other of their resources is harshly dehumanizing. We urge our Congressmen to closely examine the necessity for such insensitive limitations on the elderly's eligibility for public assistance.

##### 3. CARE FOR THE ELDERLY POOR

We are concerned about what happens to millions of elderly who suddenly find themselves alone, ill, unable to care for themselves, and with little money.

The income programs designed to care for the aged, Social Security and Old Age Assistance, do not even provide incomes that meet poverty levels. Six million people—30 percent of the elderly, live below the poverty level. And it is this lack of income that contributes to many of the problems of poor health, poor nutrition, poor living conditions that lead almost inevitably to institutionalization.

The Federal Government has contributed enormous amounts of money to the health

care system of our nation. Yet we have a completely disorganized non-system of health care serving some at inflated costs and completely neglecting others. The reliance we have placed on private health insurance for protection has been misplaced. On the whole, it is a failure. It does not control costs nor quality of care. It provides partial coverage, not comprehensive care. The poor and the medically indigent are largely ignored by private health insurance.

In the area of long-term care for the aged, the nursing home has been institutionalized as the solution, while thousands of the elderly poor, who could function with assistance in their own homes are forced to vegetate and endure poor treatment because alternative systems are under-emphasized.

Accordingly, we urge our Congressmen to consider the following:

##### A. Income

The elderly often have the same housing and utility needs as larger families. Supply will many times force a single adult to live in an apartment large enough for a small family, yet he pays the same rent as the family, while he receives less aid than a small family. Elderly persons more often must pay to have food delivered, or are only physically capable of shopping in small near-by stores where prices are higher than larger stores more easily reached by the young.

And, of course, the expenses of the elderly in many other areas generally exceed those of the young, for example—medical and drug expenses. Categorical assistance programs and Social Security too often fail to recognize the needs of the elderly poor in terms of family units, often composed of a single person. Awareness of their needs in terms of family units would lead to a more realistic setting of benefit levels.

The inadequacy of categorical assistance benefits has been pointed out too often for further discussion here. But it would seem to be an urgent priority to at least guarantee to the elderly incomes equal to the poverty line, either by increasing Social Security or revamping O.A.A. programs to meet this income floor.

##### B. Health care

If Medicare is to continue to exist, it is imperative that coverage be expanded to include all prescribed drugs, prosthetic devices, eyeglasses, dentures and hearing aids. Also the deductible costs must be drastically reduced. Moreover, any curtailment of coverage in skilled nursing homes or other congregate care facilities must be resisted. If Medicaid is to continue to exist, it is imperative that the Medicaid category of the "medically needy" should be made mandatory for persons 65 and over whose income is sufficient for daily living but not for medical care. However, it appears that some system of comprehensive health insurance system is necessary and imminent.

Although it has some drawbacks, the Health Security Act of 1971 would seem to be a superior plan to provide for truly comprehensive health insurance coverage. For the average individual the coverage is excellent; the threat of personal bankruptcy by illness is removed.

The President's proposal for a National Health Strategy, while rightly emphasizing preventative rather than curative medicine, contains large gaps. It does not really solve the mish-mash of Medicare, Medicaid, categorical assistance and local welfare guidelines that faces the elderly poor.

The President's reliance on private insurance companies as a means to finance this system is the most serious shortcoming of his program.

The recent past conclusively proves the inability of this industry to provide the necessary benefits to the society at large. Further, extending the maze of deductible, coinsurance and benefit limits to all programs will

remove the present maze of programs and replace it with another equally unfamiliar program for the consumer. To maintain that the federal government cannot afford to pay the first dollar costs of health programs is to ignore the cost to the federal government in subsidies and tax write-offs that will be permitted.

Most seriously, this program continues the distinction between rich and poor in this society by establishing two separate insurance programs. It is time this practice was stopped.

The health security program, on the other hand, will be truly comprehensive. Every individual residing in the United States will be eligible for benefits. No restrictive age, income, prior employment eligibility standards or other means tests will be required.

The Health Security Program will supersede, in some cases entirely and in others in part, existing federal health programs. For example, persons over age 65 will be covered by the program eliminating the need for Medicare, Medicaid and other programs can also be terminated, except where benefits under such programs are broader than under Health Security. However, this legislation will not revise the health services provided under the Veterans Administration, temporary disability, or workmen's compensation programs.

We request that our Congressmen give this program their most serious consideration.

#### C. Long-term care

It would appear that this country has allowed the nursing home to provide most of the long-term care for the elderly and has chosen to ignore the results. The scandalous conditions discovered in several nursing home investigations throughout the nation can be found and are documented in our own state. Of course, thousands of quality care facilities do exist—if you can pay from \$600-\$1200 per month. But the poor cannot pay for quality care, and those who have some savings find them quickly exhausted.

It is clear that a desperate need exists for upgrading the quality of care in nursing homes in order to make such care available to all who need it. The government must ultimately assume primary responsibility for achieving quality long-term care in nursing homes.

However, it has been estimated that 15 per cent of the nursing home population could be adequately cared for in their own homes where they prefer to be. Every alternative to the nursing home should be exhausted to allow nursing homes to care for those who really need such care. M.A.O.'s own program, together with other pilot "supportive services" projects in other areas provides one such alternative.

These programs need the active support of all those who are concerned about the plight of our elderly poor.

#### 4. HOUSING

Adequate housing is a need for all the poor, but the elderly have special requirements and special disabilities.

Certain trends today reflect the housing dilemma of the aged:

There is a chronic housing shortage in the United States, especially for the poor.

This lack of housing results in rent increases, even though the houses and apartments are deteriorating.

Forced relocation as a result of urban renewal has disrupted lives of tenants and poor homeowners.

The elderly poor have felt the effects of the above most severely.

The elderly wish to remain in society and not isolated in congregate care facilities.

The elderly are generally retired with low fixed incomes. Evidence points to a slow but steady erosion of the holdings of the retired senior citizen with limited or fixed incomes. Through rent increased in new or renovated structures, through the removal of older

buildings under code enforcement practices, and a general lack of concern for the consequences of such actions upon residents, increased assessments for community "improvements" often make it impossible for the elderly to maintain a bare subsistence-level standard of living. They cannot always afford the costs of up-grading their homes to present-day standards, nor can they meet the higher rents necessitated by improvement costs of their landlords. Thus whether they own or rent, this rise in the cost of living generally requires relocation in less expensive and often more blighted areas.

We urge examination of the following:

1. Eligibility for the benefits of publicly assisted low and moderate cost housing and related services should be based on the social and health needs of the individual senior citizens, not solely on income. Recipients having incomes above an established minimum level should be able to pay for benefits at a sliding scale rate related to their income.

2. The Federal Government should insure that State and local governments produce suitable housing for the aged on a uniform basis based on the population of senior citizens. Such housing should not be confined to high-rises but should be a serious attempt to integrate the elderly into low-cost housing generally.

3. Federal and State Governments should provide meaningful financial incentives to make possible local property tax relief to the elderly homeowner. Renters should be accorded rebates proportional to the rent burden as a percentage of total income.

4. Rents in government-owned or subsidized housing should not exceed 25% of total income as provided in the Brooke amendments—but this should be extended to those on public assistance as well.

5. Serious efforts should be made to upgrade the care and maintenance of existing elderly housing.

#### 5. LEGAL SERVICES FOR THE ELDERLY POOR

The aged comprise nearly one in three of all the poor but have received only a tiny fraction of legal services proportionate to their numbers. There are many reasons for this, the chief ones reflecting the timidity and withdrawal that often characterize the elderly and the lack of knowledge and interest in the aged that characterize young lawyers.

The need for legal representation for the poor Senior Citizen at present is particularly acute in the City of Minneapolis and suburbs where there are some 50,000 elderly poor and only one lawyer, through M.A.O., who deals exclusively with their legal problems.

We request that our Congressmen recognize and act on the necessity for more legal representation for the elderly.

Obviously, there are important concerns in many other areas such as education, employment, nutrition, and transportation that are of vital importance to all Senior Citizens that we, because of space, have not been able to voice.

We fervently hope that our elected representatives will look upon these issues with concern. And also with an understanding that our wish is for concrete action for change in this year of the White House Conference on Aging.

today seems to mean many things to different people. The following editorial by Edward G. Carlson, president of United Air Lines, in the June 1971 issue of Mainliner reaffirms his faith in our way of life, while recognizing that we cannot sit complacently on the sidelines and ignore the serious problems still confronting us. I am certain my House colleagues will find his remarks pertinent and to the point:

#### YOUTH AND THE AMERICAN DREAM

(By Edward E. Carlson)

A recent study prepared for the White House Conference on Youth indicated that less than half the nation's young believe in The American Dream. Each of us must have a different concept of what that dream is, but we suspect that a general definition to which most of us would agree would be something like: "the freedom to improve one's situation in life."

Within that definition could be several interpretations. To many of my generation, it means "the right to compete as an individual in a free enterprise system." Certainly, many who are under 30 today would interpret The American Dream much differently. Some young people today question the free enterprise system itself.

The American Dream has brought the hopes, ambitions, health, talents and skills of millions to the highest level known in history. Our free enterprise system has made America the envy of the world in terms of the quality, quantity and variety of goods and services. Compared to every other nation, we are better clothed, better housed, better fed and better educated. Why then do we have discontent, protest and disillusionment?

Perhaps it's because The American Dream has worked so well. In less than two centuries, our efficiency has made us an international power in the eyes of the world and has thrust us into a position of world leadership. Domestically, a once rural nation now has huge cities bursting at the seams with the activities of humankind. In the process have come problems.

Beyond material wealth, our system gives us the right to criticize, protest, dissent. The American Dream has freed us from dawn-to-dusk labors. We have now reached a point in time where we are able and can afford to pause and ask: "How can we do it better?"

To be sure, our system is imperfect. And young people are idealistic. To the extent that youth continues to seek ways to improve, there is no cause for concern. The exuberance of youth is largely responsible for our recent awareness in such problem areas as military responsibility, pollution, poverty and discrimination.

We owe them an incalculable debt for the progress that has been made. Now we must ask, what of the future? Somehow we must not lose sight of the fact that The American Dream has largely been the dream of all men throughout civilization. With all its imperfections, it still carries the best hopes for mankind's future.

#### THE SO-CALLED NEW ERA OF PING PONG DIPLOMACY WITH COMMUNIST CHINA

#### YOUTH AND THE AMERICAN DREAM

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 1971

Mr. BOB WILSON. Mr. Speaker, "the American Dream" is a phrase which

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 8, 1971

Mr. ASHBROOK. Mr. Speaker, in connection with the debate here today



on Red China, I would like to call attention to the testimonies of two Chinese defectors who appeared before the House Committee on Internal Security in March of this year. Both witnesses had left Red China several years ago and they provided recent information on conditions in that unfortunate land. Prof. Richard K. Diao was associated with several Red Chinese Government agencies in the area of finance and economics and from 1953 to 1958 was Associate Professor and Deputy Head of Teaching and Research in the Department of Finance at the Central Academy for Financial Cadres in Peking. The second witness, Ma Sitson—(Ma Szu-Tsung)—as, among other things, director of the Central Conservatory of Music in Peking and vice chairman of the All-China Union of Musical Workers and member of the Sino-Soviet Friendship Association. Mr. Sitson is an accomplished violinist. His statement to the Internal Security Committee appears on page 10285 of the April 7 issue of the CONGRESSIONAL RECORD. The testimonies of both witnesses are part of the committee's hearings entitled, "The Theory and Practice of Communism in 1971—Part A," and are now available from the committee upon request.

The statements of these two witnesses provide an indictment of the Red Chinese regime which reminds one of the listing of abuses cataloged by our forefathers in our Declaration of Independence. Here are excerpts from the two witnesses which advance powerful arguments as to why our proposed policy of leniency toward the Red Chinese Government is ill conceived and dangerous.

For the benefit of those clergymen who propose soft policies such as admission to the U.N. and U.S. recognition of Red China, perhaps the following comments on religion in mainland China will be useful. Mr. Sitson stated during the course of the hearings:

I should like to mention religion in China. There is none. According to the Constitution freedom of religion is permitted, but this is not true. A person who goes to church is always in trouble. All the churches must adapt to Maoism. It makes no difference which religion you are referring to, if you are a Buddhist you are accused of being superstitious. If you are Christian you have ties with imperialist countries. Members of the communist party cannot belong to any religion. Mao Tse-tung is god. His word, his teachings, are to the modern Chinese what the Bible is to a Westerner.

Here is what Professor Diao had to say about religion in Red China:

There is almost no religion in China any more except among the older people. It makes no difference which religion is involved, whether it is Christian, Buddhist or what. It is all bad as far as the Party is concerned. Of all the religions, I believe the Catholic was persecuted the most because the Party and Government felt they had closer ties to the West.

On this theme Mr. Diao added:

All members of the Communist Party are not allowed to have any religion. The younger persons are discouraged from having any religion as well. Most of the churches and temples have been converted to schools, hospitals, or warehouses. Only in the big cities like Peking and Shanghai are a few churches

and temples still operating as a sort of window dressing for foreign visitors. When the Premier of Ceylon visited China some years ago, for example, the Mayor of Shanghai and the protocol officials from Peking went to the temple with her for worship but this was only a propaganda move.

Concerning the right to vote Mr. Sitson stated:

Elections in China are another example of this system which has enslaved a very old and a very honorable people. Elections are only a play. Every 4 years we have what are called local-level elections. They put, for example, 10 names on a ballot. Everybody must vote for these names. You may never have heard of these people before and probably never will again. There are 10 positions, there are 10 names, they are elected, and that is it. It is possible to put down another name—to write it in below the others—but this means nothing.

Commented Mr. Diao on the subject of voting:

Everyone who has reached the age of 18 years may vote in China if they are not a convicted criminal. If you don't vote they question you as to the reasons. To vote you go to the voting place and pick up your ballot. You go into a voting booth, mark the ballot, and drop it in the ballot box. All the nominees have been screened by the Party and match exactly the number of posts to be filled and thus all are elected. You just don't have any choice. To avoid trouble, people just vote for the candidates listed.

To hear some liberals talk about Red China one would think that that regime is the last word in democratic government. Yet, some of these same individuals never miss a chance to clobber the FBI and law enforcement generally as the forerunner of a new police state in the process of establishing a climate of fear in our country. They would do well to listen to Messrs. Diao and Sitson. Mr. Diao states:

I have been asked often whether China has a secret police. Yes, they do. They call it Public Security. It is similar to the Soviet Secret Police . . . I think the Army also has a Secret Police of its own. In China so many people are informers for the authorities of one sort or another even though they are not directly linked with the secret police that there is a saying that if you don't need an answer, don't ask a question and never trust anybody even your own kin. It is hard to tell who is a Secret Police source. As a result you never ask your friends any questions. You comment on the weather and that's about all.

On this same theme Mr. Sitson observed:

In China today, the most casual comment to a friend, to a relative or even to members of your own family can often bring you before such a tribunal. Everyone lives in a state of fear. Fear is everywhere. Everyone is isolated from everyone else by this fear. Allegations made by anyone can bring you before a people's tribunal and there is no defense. Any of these groups that I have mentioned can send you away to a labor camp.

The above statements relate to just a few of the many areas covered by the two Chinese witnesses. Any policy regarding Red China should be based on whether that regime seeks to "establish justice" and "insure domestic tranquility" and whether it seeks to "secure the blessings of liberty" for the people of Red China. The answer is obvious: the Red Chinese Government presides over

a slave state, just as cruel and brutal as the Government of Nazi Germany, and any attempt to appease the Red Chinese leaders will eventually result in similar, disastrous consequences.

## RED CHINA HAS NOT CHANGED ITS COLORS

HON. O. C. FISHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 1971

Mr. FISHER. Mr. Speaker, on yesterday I joined with a number of my colleagues in a realistic appraisal of Communist China, and the dangers and risks inherent in any sort of recognition of Mao Tse-tung's regime under present conditions.

Under leave to extend my remarks I include an editorial entitled "China's Character Unchanged," which appeared in the April 26 issue of the San Diego Union. The editorial follows:

### U.N. MEMBERSHIP IS MAO'S GOAL: CHINA'S CHARACTER UNCHANGED

It becomes increasingly clear that Communist China's dramatic invitation to the America table tennis team was not an indication that the Peking government has changed its attitude toward the United States of America. The first objective of the regime of Mao Tse-tung is membership in the United Nations. This is reflected in the selective, strategic issuance of table tennis invitations. Of the six nations invited thus far, only Nigeria already was Peking's ally in voting at the U.N. to seat Red China.

Appraisal of the significance of the Communist Chinese "Ping-Pong diplomacy" has been typical. The world, particularly the Western-oriented world, has tended to react as if this single informal gesture were a 180-degree reversal of the Red Chinese leadership in its 25 year history of bitter, militant hostility.

The discussion already has leaped over basic principles to the mechanics of a two-China policy at the U.N.—of the Security Council role of each or either China, of the substantial U.N. Charter changes that would be involved, of the voting procedures, and other similar actions that would have to precede a two-China decision.

The optimism is based on nothing more substantial than a few smiles from the Chinese upon a few American citizens who enjoy table tennis. This falls far short of proof that Communist China has changed its official policy. Peking leadership still is conducting its anti-American propaganda campaign. The Warsaw talks have not resumed. No American businessman has an order for goods in hand, and supplies pour through mainland China to North Vietnam.

Nothing that Communist China has said or done indicates that it has altered its often repeated goal—the destruction of the United States of America.

Nor as a matter of fact, has Communist China applied for membership in the United Nations, which the charter stipulates is an essential prerequisite. If it did apply, no member could honestly conclude that Mainland China is a "peace-loving nation"—also a prerequisite for membership.

Certainly the efforts of the Nixon Administration to establish dialogue with the people of Communist China must be applauded and supported. It is conceivable that trade, travel and cultural exchanges can build a bridge of discussion between the people of

the United States and those of Communist China.

It is, however, naive to assume that today's leadership of Communist China has in any way changed its hostility to the United States, or that it is interested in world peace. It is dynamite to give such a regime a powerful new weapon in the form of U.N. membership, particularly since this would likely mean that East Germany, North Korea and North Vietnam also would be knocking at the doors of the world body. It would be the height of irresponsibility to seat the present hostile leadership of Red China in the world association of nations at the expense of Nationalist China, which is peace-loving and an asset to the Western World.

### TEXAS TOKAMAK: POWER FOR THE FUTURE

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 1971

Mr. PICKLE. Mr. Speaker, when man first picked up a rock and used it for a hammer, he sent us down the road of the search for power. The intensity of that search has never wavered—and I venture it will not waver any time soon.

Man has placed at his command a wide range of powers—animal, water, steam, electricity, the power of the combustion engine, even the wind, and now atomic power. And he has begun to use the power of the sun.

One source which is not yet harnessed, but which holds much promise, is fusion—or in laymen's terms, the harnessing of the hydrogen bomb.

In a search for resources from which to derive his power, fusion uses the plasma made from the plentiful supplies of heavy hydrogen in our oceans. In his search for a source of power which will not take more away from his environment than it gives to it, fusion power is clean.

No one has yet harnessed the energy caused when two atoms fuse long enough to derive controlled power from it—even though the time needed is only 250 microseconds. But that day may not be far off. In fact, the timetable for construction and marketing of fusion reactors is, I am told, about the same as for the huge atomic breeder reactors.

There are about four centers in this country where research on fusion power is being conducted, and one of them is the University of Texas at Austin. There, buried under the physics-math building, is a laboratory where one senses the excitement and promise of this research the minute he walks into the room. There Dr. Bill Drummond, Dr. A. E. Robson, and other scientists are quietly working to give us the power of the future.

Mr. Speaker, a recent article in the Dallas Morning News explains the work that these men are doing:

UNIVERSITY OF TEXAS AUSTIN UNIT PROBING SECRET OF FUSION POWER  
(By Paul Recer)

AUSTIN.—A \$1 million, doughnut-shaped aluminum bottle called the Texas Tokamak one day may show man how to harness the

energy of the H-bomb for light, heat and power.

Scientists believe the bottle may result in the ultimate power source being made available to man.

There are nuclear power plants now. The words to remember are "fusion" and "fission." Present plants use fission. Fission has its drawbacks.

Fusion, if it can be controlled, poses few problems—and the fuel is about as cheap as sea water.

"If we can tap it (fusion power)," says Dr. A. E. Robson, chief experimental scientist for Tokamak, "we'll have no further worries about energy supplies."

That day is still distant, but if Texas Tokamak works, fusion power plants will be much closer.

Nuclear fusion is a complex first cousin to nuclear fission. But fusion can be even tempered and not as likely to bite the hand that controls it.

Fission gives the boom to the atomic bomb and the heat for present nuclear power plants. Its power comes when atoms are split.

Fusion gives the sun its heat. Instead of splitting atoms for power, it slams them together. A hydrogen bomb is an uncontrolled fusion reaction set off by a fission device.

No one has been able to create a controlled fusion reaction, and, says Dr. Robson, no one is precisely sure how to do it.

Fusion is created when a plasma—a rapidly moving stream of gas atoms—is compressed and then heated for a fraction of a second.

The plasma must reach a temperature of 50 million degrees for about 250 microseconds. This causes atoms in the stream to fuse together and give off energy in the form of charged particles.

The Texas Tokamak will use a new system to achieve the required temperature, but Dr. Robson said it will not be able to hold the compression with the heat long enough to achieve fusion.

The final step of compression, plus heat, can be achieved, said Robson, once the heating technique has been demonstrated.

The Tokamak will have large electromagnetic coils spaced around the outside.

Plasma will be introduced into the bottle and the magnetic coils turned on.

The Magnetic field will force the plasma to move. Then, a huge jolt of electricity will be introduced. This will heat the plasma for a fraction of a second and force the atoms together, but not enough for fusion.

Robson said the unique feature of the Texas Tokamak is that it will use powerful slugs of electricity for the heating.

"We're going to use 200,000 volts, about 1,000 times more voltage than anybody else has done or plans to do," he said. "This creates a great deal of turbulence very quickly, and as a result, we believe we can make it hot very quickly."

"If it can be established that this type of heating works, then there's only one further stage (compression) to fusion," said Robson. "We should be able to move right to a feasibility stage toward developing a fusion power plant."

The term "Tokamak" originates from the name Soviet scientists gave a similar Russian experiment. That device achieved higher heat than any previous fusion experiment and announced to the world that the Russians are leading in the race to produce a controlled thermo-nuclear reaction.

Two American Tokamaks later duplicated the Soviet results and three other U.S. Tokamaks are being built. But the Texas Tokamak is the only one to use such high electrical charge.

The Texas Tokamak is being built of aluminum lined with quartz. Power will come from a large bank of submarine batteries. The Tokamak is under construction in the basement of the new university of Texas Physics-Math Building.

### CARDINAL WRITES TO YOUTH ON VOTING

HON. JAMES H. SCHEUER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 1971

Mr. SCHEUER. Mr. Speaker, there is nothing more valuable to a citizen in a democracy than the right to vote. Yet only about one-half of the eligible voters in this country exercise their voting franchise. This year, for the first time, citizens between the ages of 18 and 21 will have the right to vote in Federal elections. We must encourage these new voters to exercise their right so that they will not become members of the apathetic majority that can not be bothered to vote.

Community leaders can play a crucial role in the campaign to increase voter turnout, and to involve our new voters in the electoral process. Archbishop Terence Cardinal Cooke from New York has set an example for all of us to follow. He has directed much of his energy towards making young voters think about their responsibilities as enfranchised citizens.

I commend the attention of my colleagues to the following letter written by the Archbishop to the new voters of New York State:

[From the Catholic News, June 3, 1971]

CARDINAL WRITES TO YOUTH ON VOTING

Terence Cardinal Cooke, in a letter sent today to students and other young men and women in the metropolitan area, said that federal and State law now permits persons 18-21 years old to vote in New York.

He urged them not to waste the fine opportunity they have to make their voices heard, on important issues, through the democratic process of voting conscientiously and intelligently. Following is the text of the letter:

My friends:

By means of this brief letter, I wish to encourage our young men and women between 18 and 21 years of age to make use of the right which the Congress of the United States and the Legislature of the State of New York has recently accorded them—the right to vote.

I know that the aspiration of many young Americans is to help shape the destiny of our nation and of our world. I know their earnest desire is to create a future superior to the past. I suggest that one of the best instruments for doing this is to be found in the democratic process. Young people represent an enormous segment of our population and their vote will carry its proportionate weight in the deliberative procedures upon which our democracy rests. The new law which lowers the voting age to 18, offers our young people an opportunity to speak to our nation, with a strong voice, on the issues that involves all of us: the issues of peace, of racial justice, of poverty, of equal opportunity for all, of the sanctity of life.

I urge all those who will have reached their 18th birthday by Nov. 2, 1971 to register, to study deeply the concerns of our society, to take the measure of candidates for public office, and then to use their vote intelligently and conscientiously in the hope of creating a better world.

With prayerful good wishes, I am

Sincerely yours,

TERENCE CARDINAL COOKE,  
Archbishop of New York.