

## EXTENSIONS OF REMARKS

REBUILD AND REVITALIZE RURAL AMERICA IS SENATOR RANDOLPH'S CHALLENGE IN SPEECH HONORING MASON COUNTY DAIRY FARM FAMILY, WINNER OVER 3,000 OTHERS IN FHA WEST VIRGINIA JUDGING

## HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Wednesday, September 8, 1971

Mr. RANDOLPH. Mr. President, the Farmers Home Administration outstanding West Virginia Farm Family of the Year Award for 1971 was won by a Mason County family in competition with over 3,000 farmers throughout the State.

Mr. and Mrs. Torres A. Williamson and their five children, who own and operate an 88-cow dairy farm at Southside, Mason County, were announced winners by the rural credit agency's State director, J. Kenton Lambert, who said that the FHA State advisory committee made the selection after visiting the three district winners.

It was my privilege, and a satisfying experience, to have been the speaker at the awards banquet held August 30, 1971, in the Mason County Vocational Center, Point Pleasant, W. Va.

Director Lambert said on that occasion that—

The recognition of farm families who have been exceptional in their achievements, will help encourage more efficient family farming and increase public awareness of the services of the Farmers Home Administration.

And he added:

The full development of West Virginia lies in an expanding, not declining, family farm type of agriculture.

First runner-up to the Williamson family were Mr. and Mrs. J. J. Walkup of Renick, Greenbrier County; and second runner-up was the George C. Ringer family of Terra Alta, Preston County. Statewide winner in 1970 were Mr. and Mrs. Clair Lee Cottrill, Jr., of West Columbia, Mason County, who placed in the upper five families in the Nation.

An announcement issued by State headquarters of FHA, Morgantown, prior to the awards banquet noted:

The beginning of this year's state winner's (Williamson family) success story started 24 years ago with a small Grade B dairy operation on an 87-acre Kanawha River bottomland farm. Since that time the Williamson family has steadily expanded their involvement in agriculture.

Today through FHA assistance and perceptive management, they own a 231-acre farm, rent an additional 195 acres, and milk 88 Holstein cows.

Farm operating expenses on the Williamson farm are held to 51 per cent of gross farm income, which is unusually low in the dairy business, according to Judson Brake, FHA County Supervisor in Mason County.

The outstanding Farm Family of the Year Program in West Virginia is co-sponsored by the Farmers Home Administration and two

gas utility companies, Columbia Gas of West Virginia and Consolidated Gas Supply Corporation.

A highlight of the FHA Farm Family of the Year Award for the Williamsons is a trip to Washington, D.C., to meet with the Secretary of Agriculture and to visit the Nation's Capitol; a day at the West Virginia State Fair at Lewisburg; and the Banquet at Point Pleasant.

The Williamsons are active in church and community affairs. They are members of the Harmony Grove Baptist Church in Mason County, where Mr. Williamson serves as a deacon. (The choir of that church and its minister, Rev. Fred McCallister, participated in the program at the awards banquet.)

Active in 4-H work, the Williamson children—Mary Jean, 17; Danny, 16; Sammy, 14; Carla, 9; and Victor, 8—exhibit livestock at fairs and help their parents with farm chores. It is truly a farm family, headed by parents who were both born and reared on farms.

I have been most attentive and have tried to be helpful in farm and rural development matters. My remarks were mostly concerned with the migration that has been occurring from rural and small communities to the urban areas, "compounding both our rural and urban area problems." Legislation, principally sponsored by the Senator from Minnesota (Mr. HUMPHREY), the Senator from Georgia (Mr. TALMADGE), and the Senator from Kansas (Mr. PEARSON), and which I am privileged to cosponsor, for the amelioration of these problems, was discussed.

Mr. President, I ask unanimous consent to have printed in the RECORD a substantial portion of my speech in Point Pleasant, W. Va.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

REMARKS BY SENATOR JENNINGS RANDOLPH, FHA FARM FAMILY OF THE YEAR BANQUET

Thank you, State Director Kenton Lambert, for inviting me to participate in this significant annual Farmers Home Administration event honoring the Outstanding FHA Farm Family in West Virginia for 1971.

It is a natural human characteristic in individuals to have preferences—favorites, if you prefer that term.

I freely admit that the Farmers Home Program is truly one of the favorites among the many created by act of Congress during my more than 27 years in the House of Representatives and the Senate.

I cosponsored and vigorously supported the Consolidated Farmers Home Administration Act of 1961.

And, since it was introduced on July 7 of this year by Senator Hubert Humphrey of Minnesota and Senator Herman Talmadge of Georgia, I have been a cosponsor and am a supporter of Senate Bill 2223 to up-date and amend that 1961 act.

I was gratified to have been an original supporter, during the 1930's, of the Rural Electrification Act which did so much to modernize farming and to make farm life more profitable and pleasant for millions of West Virginians and fellow rural Americans.

REA and the Farmers Home Administration program, coupled with the highly beneficial Appalachian Regional Development program, have been consistently helpful ac-

tivities in their applicability to West Virginia. This is especially so as relates to rural and small town sections of our Mountain State.

In addition to our bill to amend the consolidated Farmers Home Administration Act currently before the Committee on Agriculture and Forestry of the Senate, I am joined with Senator James Pearson of Kansas and a number of other Senators in cosponsoring Senate Bill 346, to provide incentives for the establishment of new or expanded job-producing commercial and industrial establishments in rural areas; and Senate Bill 1507, to provide for the establishment of a National Rural Development Center.

In the furtherance of these legislative measures, we who are cosponsoring them believe that the Congress should find and declare:

That it is essential to the national interest to stimulate the economic and social development of the rural areas, including farm communities and the smaller towns and cities of our country;

That a more effective use of the resources of the rural areas of America will contribute to a stronger and more stable national economy;

That successful rural development efforts will help to slow the migration from rural areas and thereby help to reduce the increasingly complex pressures on urban centers; and

That a greater exchange of information and communication among the various public and private agencies whose activities are related in one way or another with rural development and welfare is essential.

A comprehensive continuing research and information exchange program designed to analyze the problem of rural areas and the inter-relationship between rural and urban America—and to stimulate the economic and social development of rural areas—should be operated and maintained.

Frankly, I do not believe enough has been done or is being done to increase the effective use of the human and natural resources of rural America.

Nor has enough been done, nor is there sufficient effort today to slow the rural out-migration due to lack of economic opportunity in the rural areas.

I believe there has been—through both national policy and practice—an over-concentration on solving urban and suburban problems by over-expanding procurement for both the defense and the space science and exploration programs. Conversely, we have under-concentrated on development of the less populated areas of our Nation.

Our bill to amend the Consolidated Farmers Home Administration Act is not perfect, but it is a basis for becoming more than a bill for rural America.

It is a measure not only for the American Farmers but for America's small towns, villages and growing communities that can be and ought to be centers of growth.

It is legislation—as is our Rural Job Development Act measure—to promote balanced rural-urban growth in our Nation at a time when we are experiencing one of the greatest continuing mass migrations to our cities.

And urban governments are near fiscal collapse as they try vainly to cope with the relentless pressures of population.

Meanwhile, too many of our rural areas are in decaying condition.

As we focus on the massive problems of urban America, we too often forget that rural poverty remains disproportionately high. Only part of the reason is the depressed farm economy. The highest levels of rural

poverty are among those people who are not in farming.

The rural-urban migration has produced these alarming statistics:

73 percent of our population lives on just 2 percent of the land.

Within 30 years, if the trend should continue, more than half of our people will be living in three huge metropolitan regions—one along the upper Atlantic seaboard, Washington, D.C., to Boston; one in the Great Lakes region; and the third along the southern California coastline.

This migration is compounding both our rural and urban area problems.

It has placed enormous pressures on our cities. Local urban governments are unable to keep pace with demands for quality services for their rapidly growing populations.

Yes, the migration from rural areas to urban and suburban areas is so overloading the cities and suburbs that their housing is grossly inadequate, slum areas grow in size and the problems they create keep multiplying. City crime grows. The drug problem gets worse. Education suffers. Pollution and waste problems reach near-intolerable proportions. Fuels and energy conditions grow more and more complex and the power crisis becomes more acute.

So, the rural-urban migration is creating gigantic metropolitan disruptions and is creating economic and social decay conditions in the rural and small town areas.

Most tragic of all, the migration to the cities is robbing small communities of their most precious resources—people—needed to rebuild and revitalize their communities.

The legislation we are developing—mostly with bipartisan effort—is designed to provide the necessary financing to revitalize our rural areas—for business and industrial development—for new payrolls and new jobs—for better schools—for medical centers and hospitals closer to the people—for improved transport systems—and for desperately needed housing. And we need to go beyond these and see that our rural areas have industrial parks, water and sewer systems, waste disposal plants, rural slum clearance, streets, police and fire protection, and libraries.

We must revitalize rural America.

We must rebuild rural opportunity.

We believe the legislation we are developing has the potential for furthering this revitalization and rebuilding.

We must accomplish these objectives in order to get America moving again in the right direction.

Improve rural America or the consequence will be such migration and such population over-loading of our cities that they will be strangled.

This country must have and must experience a better blending of priorities—a better selection and ordering of priorities.

Certainly this does not contemplate pouring money into cities—especially into urban slums—while providing next to nothing to keep our rural areas from more decay and from attractiveness as places in which to live and prosper.

Yes, we must remember, too, that the soil—the earth from which comes our sustenance—is critical to life.

Any concern for the future of America must focus in large part on the condition and treatment and development of this basic resource—the land.

In the development of our land and water resources, and in our quest for quality life in America, the need for a national commitment to expand economic, social, and cultural opportunities in the smaller towns, rural and farm areas of our country cannot be over-emphasized.

I believe that our ability to cope with environmental problems resulting from more and more people crowding into too confined metropolitan areas will depend in large part

on the priority we assign to revitalization of our small towns and rural areas.

A vital element in rural and small community development will be increased attention to and more assistance for our farmers and, in fact, for the whole agricultural community.

This is a significant challenge—especially in West Virginia. For, as we know, gross farm income in West Virginia decreased from 202.7 million dollars in 1951 to 126.1 million dollars in 1968. During that same period, farm income in bordering states increased. Additionally, it is necessary for us to import into West Virginia 50 percent of the farm products we use while approximately 20,000 farms within our State either do not produce or are totally idle.

Nevertheless, there is considerable evidence that with sufficient financial support and the opportunity to utilize current farm technology, new and expanded farm operations in West Virginia can be successful. But progress in this endeavor will require much perseverance and a strong commitment.

Daniel Webster once said: "When tillage begins, other arts follow. The farmers, therefore, are the founders of human civilization."

## SEGREGATION IN AMERICA

### HON. JACK BRINKLEY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1971

Mr. BRINKLEY. Mr. Speaker, this editorial from today's Columbus Enquirer says it all. The identity of the person involved is irrelevant except for the office he holds and except for the de facto segregated position he represents.

The article follows:

[From The Columbus (Ga.) Enquirer, Sept. 8, 1971]

#### STRAIGHT-FACED PHONY

With a straight face U.S. Sen. Adlai Stevenson Jr., of Illinois, was mouthing off on television Sunday about how desirable it is, whatever the cost, to eliminate "de jure" segregation.

It was sickening.

These facts exposed that phony:

The most segregated school system in America is located in Mr. Stevenson's home state of Illinois. Although Chicago has a black enrollment of 316,711 (54.8 percent of that city's total school enrollment), a bare 3 percent of those black students attend schools which are predominantly white.

But that's not the worst of it.

Mr. Stevenson lives in the District of Columbia, but his own children are enrolled in a private school. Schools in the District of Columbia, by the way, are 94.6 black and counting at this writing.

Timidly and apologetically, a newsman on the national television panel asked Sen. Stevenson why it is that his children are not enrolled in the public school system.

Then this great champion of Negro rights mumbled something about inquiring about the neighborhood schools and finding them to be not very good. The race issue, of course, had nothing whatever to do with it.

The State of Illinois has a larger number of black students than does Georgia, although the percentage of Negroes in that northern state is 18.2 compared with Georgia's 33.2 percent.

But note how the school desegregation records compare (and this was last year):

A total of 14.3 per cent of black students in Illinois was enrolled in predominantly white schools last term compared to 35.9

per cent of black students enrolled in predominantly white Georgia schools.

In Illinois, 60.2 per cent of all black students were enrolled in schools which were 99 to 100 per cent black while in Georgia only 25.4 per cent of all black students were in schools 99 to 100 per cent black.

Although the figures won't be in for a while, the degree of desegregation in Georgia will at least more than double during the current school term.

Here in Columbus, the desegregation rate will increase from a point which was more than four times Chicago's to 100 per cent.

Does anyone want to bet that desegregation in Mr. Stevenson's Illinois will change more than a single percentage point?

In a civilized society the most difficult people to deal with are those who lie to themselves and to others. That precisely is what Mr. Stevenson is doing when he talks, not about improving education opportunities for Negroes, not even about segregation but, about "de jure" segregation.

Mr. Stevenson knows very well there is no longer any such thing as de jure (which means segregation by law) segregation. He and others like him piously save their consciences by pretending that their neighborhood segregation was caused by reasons totally different from neighborhood segregation in the South.

One of the few national-level voices from the North to publicly recognize and expose this grotesque hypocrisy has been Sen. Abraham Ribicoff of Connecticut.

When the phony Mr. Stevenson and his like friends are caught in their own net—as they are sure to be—they'll deserve the consequences.

## CODE OF HUMAN BEHAVIOR

### HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Wednesday, September 8, 1971

Mr. THURMOND. Mr. President, a thought-provoking column entitled "Code of Human Behavior," written by the respected Columnist David Lawrence, was published in the Augusta, Ga. Chronicle of August 28, 1971.

In the column, Mr. Lawrence cited President Richard Nixon's speech before the Supreme Council of the Knights of Columbus in New York City.

The article delves into the soundness of the President's suggestions to provide some Federal programs to take the financial pressure off parochial schools, which are reportedly closing at the rate of one a day.

Mr. Lawrence also offers some interesting comments in this general area, especially as to how one's code of human behavior is related to religious training.

Mr. President, I ask unanimous consent that the column be printed in the Extensions of Remarks.

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

#### CODE OF HUMAN BEHAVIOR

President Nixon—in a speech before the supreme council of the Knights of Columbus in New York this month—told his audience, composed largely of Roman Catholics, that they could count on his help in reversing the trend in the experience of parochial schools due to financial troubles—the closing of about one every day.



Many people are wondering if this promise is in line with constitutional doctrine. The simple fact, however, is that, while the government cannot finance any church-related schools, it can furnish money to citizens to educate their children. Parents, of course, can make their own choice of a public or a private school for their boys and girls to attend.

On August 15, a Senate committee, for instance, approved legislation that would for the first time give all young Americans the right to subsidies for college costs if their families can't afford to pay for higher education. Under the new plan, needy students would be guaranteed "entitlement grants" to cover half their college expenses up to \$1,400 dollars a year, offset by family contributions. In addition to the "entitlement grants" the same youngsters would also be eligible for supplemental assistance.

Would it be constitutional for such aid to be denied any student who went to a church-related college? Since he or she would make the choice, the government would have no connection with the admission of the student to a particular college and would be dealing solely with the student who was receiving the grant or loan.

Undoubtedly, President Nixon, when he spoke of stopping the trend of parochial school closings, had in mind government plans to make available various aids to educational institutions as a general policy. This would relieve the financial problems not only of parochial schools or colleges with religious affiliations but of all educational institutions. For money troubles have not been confined just to religious colleges and schools. Alumni throughout the country have cut down on their contributions to their respective alma maters due to economic conditions and the diminution of profits in many corporations.

President Nixon, in his speech, before the Knights of Columbus, made a broad defense of the right of groups to provide their children with religious instruction. But he said, too, in general comment:

"We must see to it that our children are provided with the moral and spiritual and religious values so necessary to a great people in great times."

Mr. Nixon might some day make a speech about the vast number of children in America who grow up without any religious training whatsoever because of indifference on the part of the parents. As population has expanded, crime has substantially increased, and it is to be noted that many young people are participants in criminal acts. Should they not have been taught at an early age respect for human life and property? What is the explanation for the widespread use of deadly weapons? Has society been neglectful?

Public schools should not be required to teach any religion, but certainly they could explain what morality means and what a law-abiding citizen's duty is as a peaceful member of the community. There is a need for a clearer understanding of the responsibility of citizenship. Last week Pope Paul VI, in a talk to an audience at his estate in Italy, declared:

"If everyone wants to do as he pleases on the pretext of liberty, then we will easily come to the decadence of civil society organized as a state."

The Pope added that it is easy to see how liberty could degenerate into disorder and how individualism could evolve into selfishness and social confusion. He further said that, while it is true conscience must be one's guide, "conscience itself must be guided by the science of things both divine and human." He concluded the concept this way:

It is true that liberty must be able to operate without obstacles, but it must be directed toward good, and this direction is called sense of responsibility, it is called duty.

"It is true also that liberty is a personal right, but it cannot fail to respect the rights of others. It cannot be divorced from charity."

This is a lesson that could be taken to heart by every sect and nationality, for it concerns the code of human behavior which is so often violated nowadays. One wonders whether in all schools at least these fundamentals should be emphasized in order to bring forth a new generation of responsible individuals.

#### PERNICIOUS ILLUSION

HON. JOHN G. SCHMITZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1971

Mr. SCHMITZ. Mr. Speaker, the fiction being promoted by the administration that the United States can pursue what is known as a "two China" policy reached a climax with the announcement by Secretary of State Rogers that the United States will support the admission of Red China to the United Nations while at the same time opposing the expulsion of our long-time ally, the Republic of China.

Both the Republic of China and the Chinese Communists have gone on record many times to the effect that no nation can recognize both of them as the legitimate government of China. Peking's price for diplomatic recognition is that the nation wishing to have a Chinese Communist diplomatic presence in their nation must acknowledge the territory of the Republic of China as "an inalienable part of the territory of the People's Republic of China." The Republic of China naturally considers this an unfriendly act.

Incredibly enough, within the last year both Canada and Italy have yielded to Peking's demands that they recognize the territory of the Republic of China as part of Chinese Communist territory, in order to establish diplomatic relations with the Reds.

The Chief of the General Staff of the Red Chinese Army, at the 44th anniversary of the founding of the People's Liberation Army on August 1 of this year—less than 3 weeks after the announcement of President Nixon's forthcoming visit to Peking—reemphasized that the Maoist armed forces are determined to liberate—conquer—the Republic of China. This was in addition to demanding that all U.S. forces withdraw not only from Vietnam but from Korea, Japan, the Philippines, and Thailand, and echoed recent statements by Chou En-lai to the effect that Red China is determined to annex the Republic of China and that there can be no real "normalization of relations" between Communist China and the United States until we acknowledge their right to do this, either outright or de facto.

This demonstrated unalterable hostility between the Communists and the Nationalist Chinese makes a "two China" policy both impossible and absurd. The administration knows full well that what we are really doing is nothing less than alining ourselves with the Chinese Com-

munist against Nationalist China. But the administration also knows that the majority of the American people would strongly oppose this course of action once they understood that this is what we are really doing.

Recent public opinion polls have revealed an extremely interesting phenomenon which has not escaped the eyes of the administration's political strategists. Surveys taken by the Opinion Research Corp. have shown that while a little over 40 percent of the American people favor admitting Red China to the United Nations and about 42 percent oppose it, two-thirds of the 40 percent who are generally in favor of admitting Red China to the U.N. are opposed to Red China's admission if it leads to the elimination of the Republic of China from that body. In other words, when the inescapable reality of what will happen should the Chinese Communists gain U.N. membership is included as an alternative from which to choose, the great majority of the people are opposed.

Well aware of this, the administration has conjured up the "two Chinas" myth to hide reality, hoping to stifle opposition at home until it is too late for any opposition to influence the course of events—until we wake up one day to realize that we have allowed fourteen million more people to fall into Communist slavery by abandoning them and making friends with their deadliest enemies. No doubt the architects of the administration's Red China policy expect that when Nationalist China becomes the Latvia of Asia, those who might have stood up against this surrender will, by their silence, have become accomplices in the deed, and will hold their peace in shame.

After all, it was inevitable, was it not?

#### THE STRUCTURE OF AMERICAN BUSINESS

HON. LEE METCALF

OF MONTANA

IN THE SENATE OF THE UNITED STATES

Wednesday, September 8, 1971

Mr. METCALF. Mr. President, I ask unanimous consent that the editorial entitled "Exposure for 'Nominees'" published in the St. Louis Post-Dispatch of July 10, 1971, be printed in the RECORD. It is in support of Senate Resolution 113, which would establish a special Senate committee to investigate the concentration of economic and financial power.

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

#### EXPOSURE FOR "NOMINEES"

The other day Senator Lee Metcalf of Montana began a speech in the Senate as follows:

"Mr. President, Aftco, Byeco, Cadco, Bebeco, Ertco, Flvco, Floco, Forco, Gepeco, Ninco, Octco . . ." He went on to explain that the names were not some "space age counting system" but "street names" used by the Prudential Insurance Co. of America to "hide some of its interests." In other words, they were subsidiaries through which the giant insurance company could invest in real estate or purchase stock without calling attention to itself.

The use of "street names" (or "nominees" as they are technically called) is not neces-

sarily evil, to be sure, but it is an example of how businesses make it difficult to unravel the tangles of corporate ownership and financial control. The situation has become increasingly complicated in recent years with the formation of conglomerate enterprises composed of a number of subsidiaries engaged in a wide range of activities. How many persons, for example, realize that Six Flags Over Mid-America, which opened here recently, is a subsidiary of the bankrupt Penn Central Railroad?

The process of identifying corporations and banks doing business through nominees can be eased a great deal if one has access to a tightly held directory prepared by the American Society of Corporate Secretaries, Inc. Senator Metcalf performed a public service when he had the directory read into the June 24 Congressional Record, so that the key to the "corporate code" could be available to citizens working for corporate responsibility and consumer groups. In doing so he noted that the society had recently refused to make the directory available to a lawyer for an Arizona consumers group and the editor of a Virginia newspaper on the ground that the directory was distributed only to the society's membership, which is also a secret from the general public.

The Senator's decision to make the list a matter of public record is part of his continuing campaign to encourage the Senate to conduct a detailed investigation into corporate ownership and the concentration of economic and financial power. The last time anything similar was undertaken was some 30 years ago, when the specialized meaning of the word "conglomerate" applied to zoology and geology and not to economics.

It is long past time for the Congress and the American public to take another close look into the structure of American business. Until that happens, there is no one who can give an adequate answer to Senator Metcalf's question: "Who owns America?"

#### NIXON'S FALSE ECONOMY

### HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1971

Mr. RARICK. Mr. Speaker, one of the strangest coincidences of history will occur in this House tomorrow—the President of the United States is scheduled to address a joint session of the Congress, ostensibly in an appeal for our support of his wage-price freeze, to call on us to urge the people to tighten their belts to save the American economy and strengthen the work ethic, yet this same President has approved at a reported cost of upward of 2.5 billion of U.S. dollars the construction in the Soviet Union by Mack Truck, Inc., of the world's largest truck factory that will produce trucks that could be used for Communist military forces anywhere around the world including the transporting of materials to North Vietnam to fight Americans.

Charity, or so we teach our kids, begins at home; seemingly, the administration either does not realize this or is deliberately setting out to undermine the Nation's economy while all the time appealing to our people to tighten their belts supposedly to save our economy. In reality, the President is coming to Congress to ask us to back him as he squeezes the American taxpayer while furthering the economy of our sworn enemy—the Communists of Soviet Russia.

I, for one, feel that this is false economy since the problem lies with the Government and not with the people. I question supporting the President's program until he puts his own house in order, which includes doing something about such anti-American activities as the Mack Truck plan to build the largest truck factory in the world in Soviet Russia, giving not only the tools of production to the Communists but also the jobs.

I include a related news article detailing the facts of this American move to save the Russian economy in the RECORD at this point:

[From the Houston Tribune, Aug. 12, 1971]

#### MACK HEAD EXPLAINS RED TRUCKS TO YAF

Newspapers have distorted the cost of Mack Trucks' preliminary agreement to construct a plant on the Kama River near Moscow. It isn't a \$700 million contract, as reported—that's just for machinery. The total cost of the project would be upwards of \$2.5 billion.

This was one of the points made by Zenon Clayton Raymond Hansen, president of Mack Trucks, Inc., when he agreed to an interview July 20 with two representatives of Young Americans for Freedom, which has been protesting in Houston and around the nation over the preliminary agreement to build trucks for the Russians.

YAF representatives were Thomas P. Walsh, Eastern Pennsylvania Council chairman of YAF, and Bob Moffit, a national board member. The session took place in Hansen's office in Allentown, Pa.

#### GRAYING

The YAF members described Hansen as 61, "graying with the mien of a downhomer."

For openers, they asked him why the agreement was considered. Hansen asserted "the political leadership" in this country had failed in dealing with the Russians and that "businessmen can work out an understanding."

Moffit reported, "He told us that Russia's population and manpower were short and because of this the Soviet Union has no desire to start World War III. As Ron Docksal, our national president, would say, this is nothing less than a severance of diplomatic relations with reality."

Hansen did say that in his meetings with the Russians he found them uncooperative. Asked if the trucks would be used on the Ho Chi Minh Trail for supplying North Vietnam with materials to fight Americans, Hansen responded "anything is conceivable." Later he said he hadn't discussed the possibility with the Russians and added "we can't get no assurances."

In his discussions concerning the agreement itself, Hansen "downgraded Soviet technological capabilities, arguing that their subways and their space efforts are the only advances they have made. Hansen discounted the ability of the Soviets to turn out a substantial number of trucks saying there was less roadway in Russia than New Jersey," Moffit said.

Hansen told the YAF representatives that "fear" is the cause of America's military budget, "implying that fear is unjustified," Moffit reported. He then went on to argue that interesting theory that the United States was just as guilty as the Soviet Union for the Cold War.

#### PRAISED

He told them that Leonard Woodcock, president of the United Auto Workers Union, praised the idea of Mack building trucks for the Soviets.

The YAF representatives were told by Hansen that he was just as patriotic as they are and recalled for them that Mack trucks are painted red, white and blue. Walsh responded that patriotic advertising and the preliminary

agreement that Mack had reached with the Soviets was not analogous and of different gravity.

The 45-minute interview left nothing unchanged except that Hansen said YAF should concern itself with other subjects than with Mack Trucks.

#### PICKETING

Two days after the interview, on July 22, YAF members were picketing Mack Trucks in Allentown when Hansen directed his security force to bring Moffit to him. Moffit said Hansen used "a strong tone of voice" in this interview, objecting to the YAF handbills about Mack Trucks bringing greater freedom to people behind the Iron Curtain. Hansen said, "these are questions for government, not Mack Trucks," Moffit reported.

"His approach seems to be: look, you fine, nice, idealistic kids, worry about other things and leave my company alone, and he is sensitive about his patriotism," Moffit included.

However, the twosome forgot to ask Hansen if company advertising in this country will be repeated if the deal goes through with Russia. Each new truck that leaves Mack's assembly lines has a folder on "How to Honor and Display the Flag" in the glove compartment.

And all newly purchased trucks as they are being driven to their buyers in the United States, carry a flag poster-decal on each door which reads "Another Mack To Work for a Better U.S.A."

#### SUGAR BEET INDUSTRY FLOURISHING IN COLUMBIA BASIN

### HON. MIKE McCORMACK

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Friday, August 6, 1971

Mr. McCORMACK. Mr. Speaker, since the end of World War II the agricultural dustry in the Fourth Congressional District of the State of Washington has diversified greatly. Due largely to the impact of irrigation, many crops which could not be grown in the area previously now flourish.

An example of this diversification is the growth of the sugar beet industry in the Columbia Basin. The Utah & Idaho Sugar Co. opened a processing plant in the city of Moses Lake in 1953, and recently U. & I. announced at its annual stockholders meeting in Salt Lake City that this factory will soon become the largest sugar beet processing plant in the country.

The projected multimillion-dollar expansion of the Moses Lake plant will give it a capacity of 11,500 tons of sugar beets in time for the 1972 crop. When current construction is completed the plant's capacity will be 8,500 tons a day. When the factory went into operation in 1953, it could slice but 2,000 tons a day. Such progress is outstanding.

As U. & I. has prospered, so has the Columbia Basin and the entire Fourth District. Last year's plant expansion allowed the company to contract about 15 percent more acreage in the basin and the Yakima Valley, and prospects for the future are even brighter, especially with the recent announcement of the dramatic plant expansion.

I should like to offer congratulations to the Utah & Idaho Sugar Co., its president, Mr. Rowland M. Cannon, and the sugar beet growers of the Columbia Basin, for their remarkable progress in such a short time.



## DAY-CARE SURGICAL CENTER

**HON. JOHN G. SCHMITZ**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 6, 1971

Mr. SCHMITZ. Mr. Speaker, I think it is particularly appropriate that, as we recognize the date of the Declaration of Independence, the Nation be made aware of the steps taken by doctors to preserve the independence of the medical profession while raising the standard of health care, yet lowering its cost. I am indeed proud that these doctors as well as the President are my constituents.

I believe it is also fitting at this time to restate a paragraph of the Declaration of Independence:

That all men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these, are life, liberty, and the pursuit of happiness.

Worthy of note once more is the fact that the health industry will soon not only be the largest in the country but will surpass the Pentagon in expenditures. I therefore feel that any method of controlling costs while rendering quality medical care, yet preserving the freedom and dignity of both physicians and patients alike, deserves our thoughtful consideration.

With these thoughts in mind, I respectfully bring to your attention the program that the doctors of the Santa Ana Medical Arts Complex have and are currently in the progress of achieving along these lines.

In their existing medical arts complex of some 80 physicians and 20 dentists, they are building a surgicenter patterned after one operational at Phoenix, Ariz. This is a day-care surgical center where patients enter in the morning for surgery, are under medical observation during the day, and discharged home that night. Cases such as tonsillectomies, herniorrhaphes, dental extraction, revision of scars, cataract extraction, and so forth, are handled here. When necessary, they may be transferred to an acute-care hospital if complications ensue. Surgicenters in operation have dropped hospital costs on an average of 40 to 60 percent with no compromise of quality or safety.

Longer range plans anticipate the use of extended-care facilities which should reduce even further the costs of hospitalization. Currently, hospital room and board care costs \$57 and up daily while extended care facilities average \$37.50 a day. Many of our older patients after surgery require little more than room and board care with a minimum of nursing and medical help. Such centers conveniently located adjacent to surgicenters and physicians offices offer the promise of a considerable saving to patients financially, saving to physicians of time, and even to hospitals by preventing costly and unnecessary acute-care construction.

I might add that these same physicians are developing an association for the practice of medicine; which offers the primary care of family physician a

continued proper and important role in the private-practice, team health-care delivery system.

This association will consist of those physicians who desire to participate in a program to provide comprehensive services including hospital as well as outpatient services for a fixed prepaid annual fee. Those who prefer to continue in solo practice will not be disturbed in any way. The objective is to permit the provider as well as the consumer a choice, which, in our view, makes the program workable.

Exploratory discussions have been initiated with Blue Cross of Southern California and Bayly, Martin & Fay, Inc., a firm involved in arranging contracts with providers of health service on a direct capitation basis. These discussions have been very fruitful and all parties will enthusiastically continue to attempt to solve the problems in a rational and orderly manner.

Additionally, the establishment of a multiphasic screening facility will be available for annual physicals and for preventive health care. This facility can be utilized by physicians whose practices are not associated with the Santa Ana Medical Arts and represents a community medical service.

Slated as an even later addition to this modern health-care delivery system is a low-cost motel for ambulatory patients. This will be utilized for patients with transportation problems, those living alone and needing daily visits for a short time—change of dressing, and so forth—temporary special diet supervision—diabetics eating at the extended-care facility—and ambulatory patients requiring tests over several days time.

These physicians have long been studying the problems of the current system. Together with the hospitals and the insurance industry, they are now at the point to make changes in an orderly and systematic manner which, in their own small way, will continue to solve the health-care problems of the citizens in their community.

They are not alone. Many others are also devoting time, energy and financial resources in an all out effort to improve the health-care system.

The free enterprise system, which built the greatest health-care system in the world, is still able to improve on that system and will continue to do so. It is very important that we keep in mind the freedom of both provider and consumer in the spirit of our Founding Fathers on that July 4, of so many years ago.

## CONSTITUENTS' ANSWERS TO INDOCHINA'S INVOLVEMENT

**HON. MIKE McCORMACK**

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Friday, August 6, 1971

Mr. McCORMACK. Mr. Speaker, during recent months many Members of Congress who have been called upon to support or oppose resolutions dealing with this Nation's military involvement

in Indochina, such as setting withdrawal dates and conditions, have not really known for certain how their constituencies would want them to vote.

I have approached this problem with great concern, wanting to avoid any hasty or impetuous commitments and, while dissatisfied with the President's apparent slowness in keeping his pledge to end the war in Vietnam, being reluctant to support any act which might tie his hands unnecessarily or unwittingly force him into some compromised position. Recently, however, I sent a newsletter to each local postal patron in my congressional district and included in it a questionnaire on the subject of withdrawal from Indochina. I made every attempt to prepare questions which would not be "loaded" with catch phrases or political words or connotations. I felt that I could not, without such a poll, be reasonably certain of how my constituency in the Fourth Congressional District felt on this subject.

The response to the four questions I asked is illuminating. The questions, and the percentage of the responses each received, are listed below:

1. We should announce now that we will totally withdraw from Indochina by December 31, 1971, or sooner if possible, and totally keep that commitment—49%.
2. We should continue our present accelerated rate of withdrawal and make no announcement at this time, but attempt complete withdrawal as soon as possible after the Vietnam elections this fall—27%.
3. We should announce we will attempt to withdraw by the end of 1972—2%.
4. We should make no announcement and continue to meet military and political situations as they arise—22%.

Mr. Speaker, it is clear that the people of the Fourth Congressional District, for one reason or another, overwhelmingly favor withdrawal at the end of this year or certainly by next spring. Many who voted for option No. 2 struck out the expression "after the Vietnam elections this fall." It is also clear from many comments that the return of our prisoners of war no later than withdrawal is an absolutely nonnegotiable requirement. I have always assumed this, but many comments reinforced my assumption.

It is quite evident that the thousands of returns that I have received reflect the sentiment of the people of the Fourth Congressional District. From the first day that returns started coming in until the last, the results were essentially consistent. In addition, they were consistent from county to county in the large rural areas of southeastern Washington—allowing for slight differences from one community to the next in social and political makeup. It is also striking that these results correspond closely with the results of similar polls conducted by Gallup and Harris.

Mr. Speaker, these results from the Fourth Congressional District of Washington, a rural agricultural area in the Far West, are added emphasis that this Congress should take every reasonable and responsible step within its means to encourage and support the President in early withdrawal of all American military involvement from Indochina.

THE FISCAL PLIGHT OF  
AMERICAN CITIES

HON. HOWARD H. BAKER, JR.

OF TENNESSEE

IN THE SENATE OF THE UNITED STATES

Friday, August 6, 1971

Mr. BAKER. Mr. President, as the 92d Congress proceeds with its consideration of various general revenue sharing proposals now pending, it is of the greatest importance, in my judgment, that we try to achieve a balanced view of the various fiscal needs of various levels of government.

I recently had brought to my attention a paper prepared by the National League of Cities, the U.S. Conference of Mayors, and the International City Management Association, called *The Fiscal Plight of American Cities*. Although serious fiscal difficulties are by no means the exclusive property of the Nation's cities—all of our State and county governments are in similar straits—there can be no doubt that some of the more acute problems are to be found in major urban areas. When Mayor Gibson appeared before the Senate Subcommittee on Intergovernmental Relations during revenue sharing hearings recently, his description of the situation in his city of Newark was quite literally appalling.

Along with State and county governments, the Nation's cities clearly deserve a major share of the revenues proposed to be shared. I ask unanimous consent that this report entitled "*The Fiscal Plight of American Cities*" be printed in the Extensions of Remarks.

There being no objection, the report was ordered to be printed in the RECORD at this point:

THE FISCAL PLIGHT OF AMERICAN CITIES,  
JUNE 1971  
THE PLIGHT

A fundamental premise underlying the American federal system is the concept that government must remain close to the people it serves. Within this system it is the cities which are most directly in contact with the people and should, therefore, be the units of government most responsive to their needs. This crucial role implies that the cities have the resources—and the capabilities—for meeting these needs.

America's cities are being squeezed in a financial vice as never before since the Great Depression: one jaw of the vice is the rapidly increasing service needs of America's urban areas; the other jaw is the inability of many cities to raise the revenues required to maintain even their present degree of health.

The irony of this situation is that within their boundaries resides the economic power necessary to resolve this problem, power which unfortunately, the cities cannot tap.

The practical implications of this fiscal squeeze on cities are chillingly—though accurately—described by William Coleman, until recently Director of ACIR, as follows:

Within metropolitan areas, over 80 percent of the nation's bank accounts are located; over three-quarters of Federal personal income taxes are collected; and 80 percent or more of the value added by manufacture occurs. At the same time in these same areas local government faces its fiercest challenge with increased crime and delinquency; schools that are becoming jungles of terror; neighborhoods that are blighted; poverty and disease that are rampant and with millions of our citizens feeling completely alienated

from their local government. Above all, in these metropolitan areas, the doctrine of ordered liberty is most seriously challenged.<sup>1</sup>

As a concrete example, Newark, New Jersey, reflects the direction in which most American cities are moving. Mayor Gibson describes the severity and magnitude of the problems he faces daily:

"One out of every three residents of Newark is receiving some form of public assistance.

"14% of Newark's labor force is unemployed; another 25% is either underemployed or underutilized.

"20,000 of Newark's 400,000 citizens are addicted to drugs; rehabilitation and treatment centers care for only 7% of those addicted.

"Newark's crime rate, and our per capita incidence of venereal disease and infant mortality, are among the highest in the nation.

"35% of our housing stock is substandard."

To cope with these problems, Mayor Gibson has carefully designed his budget. Its ramifications for 1971 are as follows:

"The 1971 budget represents a 25% increase over our 1970 budget; this increase will simply maintain essential municipal services at 1970 levels.

"We must rely upon our local property tax for 65% of our revenues. In a city where we already have one of the highest and most confiscatory rates in the country, we were forced to raise the rate of taxation this year by almost 10%. This increase means that an owner of a \$20,000 home will pay about \$1,850 in annual property taxes. We have reached a point where our property tax has only hastened the flight of industry, commerce, and the remaining middle class homeowners out of Newark. The excessive rates we are forced to impose have actually been the cause of abandonment, deterioration, and a decline in our tax base. The stark reality finds buildings being abandoned at the clip of one day.

"The simple truth is that the local property tax was never designed to deal with the enormous social and economic problems which now confront urban America. Not only must we use this inelastic source of revenue to keep pace with the inflationary spiral of maintaining such essential services as police protection and garbage removal, but we must also rely upon the property tax to support major new endeavors such as drug education, rehabilitation clinics, compensatory education programs, summer recreational programs, and urban renewal."

The point is that the dilemma of Newark is not of its own making. Newark city government is not responsible for its condition; it was powerless to prevent the situation and remains powerless to rectify it.

The causes of the plight—for other cities as well as Newark—lie in large part with the programs and policies of other levels of government. The need for vastly increased municipal services, for example, has been stimulated by nearsighted federal programs:

1. The national farm policy disinherited millions of farm families, driving masses of them into already crowded cities. At the same time, the fragmentation of the national welfare system not only allowed a Southern state to pay one-sixth as much for relief as New York, but trapped many of the poor in the cities' most squalid slums.

2. FHA policies contributed to urban sprawl by subsidizing more than ten times as many units of housing in the suburbs than in the inner city.

3. The national highway program further stimulated the suburban exodus, bisecting cities with concrete, subsidizing congestion

<sup>1</sup> William G. Coleman, Executive Director, Advisory Commission on Intergovernmental Relations. Address before American Bar Association Section of Local Government Law, "Making Our Federal System Work—A Challenge for the 1970's. Excerpt from *Congressional Record*, vol. 115, pt. 23, p. 31505.

and pollution, and ignoring the need for urban mass transit.

In this way, national policies not only failed to stem the deterioration of our nation's cities, they partially caused it.

Of even greater importance—indeed the crux of the plight itself—has been the relation of the cities to their state governments. Cities are not sovereign entities as are the federal and state governments, but rather are creatures of the states. As such, they are wholly dependent upon the states for their powers—with the following consequences:

"Most . . . state governments have been hesitant if not fearful in grasping the urban needle. The road to the present urban hell was paved with many major sins of omission and commission that can be ascribed to the states. Cities and suburbs, counties, townships and boroughs alike, are after all, legal creations of the state. The deadly combination of restricted annexation and unrestricted incorporation; the chaotic and uncontrollable mushrooming of special districts; the limitation of municipal taxation and borrowing powers; the abjection of all important police powers of zoning, land use and building regulation into the hands of thousands of fragmented and competing local governments—these are but a few of the by-products of decades of state governments' nonfeasible and malfeasance concerning urban affairs."<sup>2</sup>

Cities have not, however, accepted state control without resistance. They have fought in all 50 state capitals for increased powers to tax and/or increased state financial assistance. (States have had their own problems; particularly, they are fearful of interstate tax competition). At almost every session of state legislatures, city requests have been denied. Cities have been denied relief from their states so consistently that they began to seek help from Congress over twenty years ago. Congress has since assisted them through the enactment of categorical grants-in-aid, but even this financial arrangement is not only not enough, it is missing the target.

The answer to the plight is simple. Cities need operating money: Money to hire police, firemen, and garbage men. Money to build parks and houses and sewage treatment plants. Money to feed the poor and to give them medical treatment; to hire the unemployed and to return the dope addict to the real world.

Yet, what the people need in Seattle is not necessarily what is needed in Shreveport—or New York or Little Rock or Detroit or Burns, Oregon. Each community has its own list of both operating needs and priorities among these needs.

How then can Congress design a traditional grant-in-aid program to meet all these needs in the correct proportion for each individual city in America? Clearly, it can't. A completely new approach is needed. Congress must make operating money available to cities—to be allocated by locally elected officials who—day in and day out—work closest to the needs of the people and who best make decisions concerning local demands and priorities.

IMPORTANT NOTE.—This report contains the results of the 1971 National Survey of 301 cities. This previously unpublished material provides new and updated evidence of the nation's urban fiscal problems and provides further insight into cities' current fiscal plight.

I. INTRODUCTION

The urban fiscal plight arises, on one hand, from the rapidly growing demands for municipal services and, on the other, from the increasing difficulty many cities are encountering in financing these services. More and better "traditional" services (fire, police, education, etc.) are being demanded; other new or greatly expanded services (transit and welfare, for example) are requiring greater and

<sup>2</sup> *Ibid.*



greater expenditures. Wage and salary costs are increasing in response to the trend toward equalization of local and federal wage and salary levels and to the current movement to unionization of public employees. Strong inflationary pressures throughout the economy are rapidly increasing the cost of providing all public services.

At the same time, many cities are finding it more and more difficult to raise adequate revenues to finance their increasing service expenditures. Many cities with otherwise adequate revenue bases are unable to raise sufficient funds due to economic or institutional limitations on municipal taxing and borrowing powers. For a few cities, the situation is precarious indeed: service needs are greater than their present ability to raise revenues. Current inflationary pressures, inefficient local government structure, and particular local economic conditions add further to the difficulty of raising adequate revenues to ever increasing service expenditures.

The outcome of the cities' plight has been the impairment of local government's ability to provide desired increases in municipal services or, in many cities, to even maintain existing services at their current levels. The problem thereby reduces to one of either increasing revenue from existing sources, locating entirely new resources, or curtailing the public services themselves.

The following is a more detailed analysis of those factors which have led to this urban fiscal plight. The primary components of municipal expenditures are reviewed as are their trends. Important pressures leading to even further increases in expenditures are also explained. Municipal revenues are discussed along with those factors which limit the cities' ability to fully tap their revenue potential. And finally, the problem of the resulting urban revenue gap is explained with examples of its current effects on the scope and quality of municipal services.

## II. A SURVEY OF MUNICIPAL FINANCES

### A. Expenditures

#### 1. Overview of current municipal expenditures

For the fiscal year 1968-69, city expenditures totaled \$30.5 billion. Approximately \$20.2 billion (about 2/3 of all municipal expenditures) were for current operation; another \$6.5 billion were represented by capital outlays (primarily for construction, but also for equipment and land). Debt service, insurance benefits and repayments, and intergovernmental expenditures accounted for the remaining \$4 billion.

General government expenditures (representing the primary service outlays of city government) totaled \$24.5 billion. These service outlays are outlined by function in Table I.<sup>1</sup>

TABLE I.—MUNICIPAL GOVERNMENTS' GENERAL EXPENDITURES, BY FUNCTION, 1968-69

Function	Amount (billion)	Percent of total general expenditures	
		1958	1968-69
Education.....	\$4.0	16	16
Police protection.....	2.6	10	11
Highways.....	2.3	14	9
Public welfare.....	2.1	5	9
Fire protection.....	1.6	7	6
Hospitals.....	1.3	2	5
Sewage.....	2.4	7	10
Parks and recreation.....	1.0	5	4
Housing and urban renewal.....	1.0	5	4
Other.....	6.1	29	26
Total general expenditure.....	24.4	100	100

Throughout the decade, education has taken a larger share of general expenditures

Footnotes at end of article.

than any other function.<sup>2</sup> Four municipal services (education, police protection, highways, and public welfare) have accounted for a majority (55%) of total general expenditures. Over the decade (1958-68), education has maintained its relative position in these expenditures. Public welfare and hospitals have become relatively more important; highways, relatively less.

During this period total city expenditures increased by 121% (\$16.5 billion) while general expenditures grew slightly faster (135%). Table II<sup>3</sup> summarizes this absolute growth by function.

TABLE II.—GROWTH OF MUNICIPAL GOVERNMENT EXPENDITURES, BY FUNCTION, 1958-68

Function	Amount (billion)		Percent increase
	1958	1968-69	
Education.....	\$1.6	\$4.0	150
Police protection.....	1.1	2.6	140
Highways.....	1.5	2.3	53
Public welfare.....	.5	2.1	320
Fire protection.....	.8	1.6	100
Hospitals.....	.7	1.3	86
Sewage.....	1.2	2.4	100
Parks and recreation.....	.5	1.1	120
Other.....	2.5	7.1	140
Total general expenditure.....	10.4	24.5	

With the exception of hospitals and highways, expenditures for every service at least doubled during the decade. Welfare more than quadrupled; both police protection and education also expanded substantially with increases of 140% and 150% respectively.

#### 2. Growth trend of municipal expenditures

Table II points out the substantial recent growth in city government expenditures. Spending for most municipal services has at least doubled over the past decade. A significant portion of this expenditure growth particularly for the larger, older cities, has come within the poverty-linked services of health, welfare, housing and transit.

These service expenditures can be expected to continue their rapid rise into the foreseeable future. Municipal general expenditures increased by 130% during the decade 1958-68. The 1967 TEMPO revenue study projected total city government expenditures to increase by at least 47% during the 5-year period 1970-75.<sup>4</sup> This projection is consistent with the 46% increase in State-local expenditures predicted by Joint Economic Committee of Congress for the same period.<sup>5</sup> At least one metropolitan area, Dallas, Texas, has projected total local government expenditures to 1980. The average annual growth rate of total government expenditures from 1966 to 1980 is projected to be about 10%. Total estimated growth of expenditures between 1975 and 1980 is set approximately 61%.<sup>6</sup>

Though some variation does exist among these various estimates, all forecast a further substantial continued growth of city government expenditures.

#### 3. Pressures toward increased public expenditure

There are many reasons for this expenditure growth, but city officials have stressed four in particular.

##### Assumption of services formerly provided by the private sector

In recent years, many urban services formerly provided by private enterprise have been assumed by municipal governments. These have included gas, electric power, transit, and a host of less important functions. In the past four years alone localities have assumed responsibility for 43 transit systems previously maintained by private operators, to cite one example of this trend.<sup>7</sup>

This increase in the number and scale of

these enterprises has added additional burdens to local governments. Even where these services pay their own way (revenues at least equaling expenditures), cities must still finance new equipment and extensions of their systems. Where they do not pay their own way, deficits must be made up from other city revenues.

Public transit illustrates the current magnitude and trend of this problem. Of the 43 largest cities (1968-69), 11 operate transit systems. Of these, 6 systems lost money during 1968-69 with a deficit totalling \$139.9 million.<sup>8</sup> This is most likely an underestimate of the true loss, however. New York City, for example, includes neither the amortization of equipment nor the cost of necessary police protection services as operating expenses of its transit system.

Furthermore, a definite trend toward increasing deficits is clearly evident. Table III<sup>9</sup> illustrates this trend for transit operations in the U.S. from 1960 to 1970.

TABLE III.—TREND OF OPERATING INCOME, PUBLIC TRANSIT, 1960-70

Year	Operating revenue (millions)	Operating income (millions)
1960.....	\$1,407	\$30.7
1961.....	1,390	16.7
1962.....	1,404	19.7
1963.....	1,391	.8
1964.....	1,408	(12.4)
1965.....	1,444	(10.6)
1966.....	1,479	(37.1)
1967.....	1,556	(66.6)
1968.....	1,563	(161.1)
1969.....	1,626	(220.5)
1970.....	1,707	(228.2)

Note: Parentheses signify deficit.

\$139.8 million or 64% of the 1969 deficit was incurred by the 6 cities (of the 43 largest) whose municipal transit systems lost money during the year (\$131.1 million of this deficit was generated by New York City alone!).<sup>10</sup> The remainder was incurred by smaller cities, transit districts, and private companies.

Should other municipal utilities also trend toward large-scale deficit operations (Newark and St. Louis have incurred deficits in their water supply operations as has San Francisco with its electric power utility), these cities' ability to finance necessary expenditures will be increasingly strained.

Highways present a related problem. While there is a prevailing impression that highways are paid for by highway user taxes, this is not the case at all with respect to highways within the cities. State highways, both on and off the federal aid system, are supported almost entirely from highway user taxes. City streets, however, are primarily and increasingly supported from general tax revenues. Out of \$15.2 billion in estimated state highway expenditures in 1971, only \$321 million (2%) come from general tax revenues. However, out of a projected \$3.1 billion in city highway expenditures, \$1.7 billion (55%) will come from general municipal tax revenues.<sup>11</sup> Since 1965, city contributions from general tax revenues to support highways have increased 62%.

As with deficit utility operations, these progressively increasing subsidies for highways must be financed from municipal general tax revenues—at the expense of either other city services—or higher levies on an already strained taxpayer.

##### Mandated levels of municipal services

Several occupational categories in an increasing number of cities are being affected by state mandating of hours of work, salaries and wages, employment qualifications, and fringe benefits. Table IV<sup>12</sup> summarizes the current extent of this mandating.

TABLE IV.—CITIES AFFECTED BY STATE MANDATING, BY OCCUPATIONAL CATEGORY AND TYPE OF REQUIREMENT

Occupational category by municipal function	Total	Salaries and wages	Percent of total	Hours of work	Percent of total	Working conditions and fringe benefits	Percent of total	Employee qualifications	Percent of total	Information not available	Percent of total
Highways.....	89	30	34	41	46	55	62	23	26	10	11
Police.....	365	182	50	167	46	186	51	164	45	4	1
Fire.....	336	146	44	211	63	177	53	100	30	5	2
Sewage.....	127	36	28	41	32	53	42	65	51	6	5
Sanitation.....	95	33	35	42	44	52	55	29	31	8	8
Parks and recreation.....	97	36	37	43	44	57	59	25	26	11	11
Libraries.....	80	31	35	34	38	48	54	25	28	10	11
Water supply.....	117	29	25	36	31	48	41	61	52	6	5
Other.....	40	17	35	16	33	27	55	21	43	2	4

This trend toward mandating can be expected to have varying effects upon municipal expenditures. Although many cities undoubtedly already meet or exceed the mandated levels, many others will find it necessary to raise wage and salary levels thereby increasing municipal expenditures. Minimal employment requirements and maximum hours of work limits place a lower limit upon the extent to which cities may reduce costs by increasing working hours or employing marginally qualified personnel; a city could therefore reduce employment costs only by cutting its labor force, hence municipal service levels. Lastly, the effects of increased retirement and many fringe benefits are not felt immediately, but only after some period of time. This lag thereby "builds in" an escalator to future expenditures.

**Increasing municipal wages and salaries**  
Wages and salaries of municipal employees have increased substantially over the past decade. Prior to 1966, this rate of increase—about 5% per year—was not out of line with wage and salary increases in other sections of the economy. Since 1966, however, wage and salary increases for local government employees have been much larger than for workers in other areas. From 1966 to 1969 all wages and salaries increased at an average annual rate of about 7%. The annual salary rate for teachers, however, jumped to 8.2%; for fire fighters and police, to 8.3%; and for all municipal employees, to slightly less than 8%. These increases have been due in large part to the trend toward equalization of local wage scales with Federal compensation levels, to the persistent inflationary trend of the economy, and, to a lesser degree, the unionization of public employees.

Though adequate comparable information on pay levels in state and local governments is difficult to obtain, the recent salary trends at the federal level have been generally reflected also in the payrolls of state and local government. Federal salaries in March 1961, for example, were 12% behind private enterprise salaries in the intermediate and upper levels. Since that time, however, average pay for federal white-collar workers has gone up about 74%.<sup>13</sup> Over the 10-year period, average private sector white-collar pay has increased by only 48%. Over the five-year period 1964 to 1969, average monthly earnings for full-time city employees (excluding those concerned with education) went up by 38%.<sup>14</sup>

The current trend toward unionization of public employees has also had an effect upon municipal expenditures for personal services. One recent study has shown that unionized school districts had a 1969-70 salary entry level for Bachelor's and Master's degrees of 4.5% and 4.3% higher, respectively, than nonunion districts. The same study concludes, however that the salary effect of teacher unionization has not been large—only about 7-8% of their total earnings growth in 1969-70.<sup>15</sup>

**Inflation**

Of all these factors, however, inflation is the greatest cause of increased city expendi-

tures during recent years. Between 1955 and 1970, prices paid for goods and services by state and local governmental units rose at an average rate of 4.2%, compared with 3.6% for the Federal Government and 2.7% for the economy as a whole. For the period of greatest inflationary pressure (1965-70), prices for state and local governments rose at an average annual rate of 5.8%, as compared to 5.0% for the Federal Government and 4.0% for the country at large.

The impact of inflation upon local government is even more serious than these price differentials would indicate. Despite the enormous increase in the volume of services provided (as previously indicated in Tables I and II), inflation has been the most important cause of the increase in local government expenditures.

Only 1/4 was due to workload—and less than 1/3 was accounted for by changes in scope or quality of services. The impact of inflation also varied among different municipal functions. Higher prices had the most noticeable effect upon local schools and basic urban services (accounting for 52% and 51% of expenditure growth, respectively). The proportion of the rise in outlays due to inflation was below average in the case of public welfare (30%), higher education (36%), and general administration (38%). In only two functional areas, public welfare and general administration, did change in scope or quality of services outweigh inflation.

Unfortunately, the forces which have generated these inflationary pressures may well persist for some time, thereby imposing a heavy burden on local governments at a time when population growth and the demand for improvements in public service have already placed strains upon available revenues. As a result, future required expenditures may well exceed anticipated expenditures, this increasing even further the gap between local government outlays and available local revenue.<sup>16</sup>

**B. Revenues**

**1. Overview of current municipal revenue sources<sup>17</sup>**

The latest year for which census data is available is Fiscal 1968-1969. Total general revenue raised by cities during the year was as follows:<sup>18</sup>

[In millions]	
Local taxes.....	\$12,349
Charges and miscellaneous revenue.....	4,458
Intergovernmental revenue.....	7,346
Utility revenue.....	4,576
Liquor store revenue.....	134
Insurance trust revenue.....	810
<b>Total .....</b>	<b>\$29,673</b>

Local tax revenue represents all monies raised by a city from taxation. It includes a number of varied taxes: property, income or wage, cigarette and liquor, general sales, utility, entertainment admission, license, and hotel occupancy taxes. Of these, the property tax is by far the most important, accounting for \$8.3 billion or 67% of total municipal tax revenue.

Charges and miscellaneous revenue includes monies received for the performance of a specific function, such as a charge for

water or refuse collection. In addition, it may include special assessments for capital improvements, fees, interest earned, and gross income from commercial activities such as the operation of municipal parking lots.

Intergovernmental revenue represents shared taxes, grants, loans and other funds received from another government as reimbursement for performance of governmental functions. Of the \$7.3 billion total, \$5.8 billion or 80% came from state governments. It is important to note, however, that city government received only \$1.5 billion (7%) of the \$20.3 billion federal grants-in-aid in fiscal years 1968-69.

Utility revenue is those funds derived from the operation of a utility—water, gas, electric, and transit systems.

Liquor store revenue is contributed by those communities that operate liquor stores—only a small minority of all cities.

Insurance trust revenue consists largely of employee retirement funds.

**2. The property tax: Advantages and limitations**

The *ad valorem* property tax is the traditional main source of municipal revenue, and in 1970 it still provides approximately 70% of municipalities' total taxes. It is levied upon the value of *real estate*, i.e., land and improvements (buildings, etc.), and upon *personal property* (household and personal possessions, automobiles, business inventories and fixtures). Historically, this tax was considered appropriate because most municipal services rendered (police and fire protection in particular) benefited the property owner and enhanced the value of his possessions.

This reasoning, however, has now lost much of its validity for a number of reasons. Heavy concentrations of low-income renters in many central city neighborhoods have caused a skyrocketing of demand for municipal services which do not necessarily enhance the value of the property. Large numbers of non-resident daytime workers (office and factory employees) use many city-supplied services such as transportation, streets, traffic control, police and fire protection, and water supply—while not paying central-city property taxes upon their suburban homes. Furthermore, the property tax is regressive—it does not relate to the taxpayer's ability to pay; although property is a form of wealth, it does not necessarily indicate the owner's ability to make cash payments of taxes.

From the standpoint of the local government dependent upon tax income, the property tax has a further severe disadvantage in being unresponsive to increases in income. Its revenue yield does not increase automatically in proportion to the demands made upon government as a result of enlarging population or escalating service needs.

Still further, the pattern of local government that has evolved in most metropolitan areas over the past 25 years permits many industrial properties—potentially good tax sources—to find shelter in low-tax suburbs and thereby avoid being taxed to support the need-filled populous central cities. The population shift that took place in most metropolitan areas after 1946, in which masses of

Footnotes at end of article.



people moved from the central city to the suburbs, produced a rash of new cities and towns, including several centers specializing in industry or warehousing.

Of the two types of taxable property, personal goods are the least satisfactory sources of local governmental revenue. Because of its movability, such property—jewelry, securities, business inventories, and automobiles—is difficult to discover and assess. Hence, it is often not taxed or its evaluation is arbitrarily set so low that its owners will be willing to declare it. On the other hand, the yield of taxes on tangible property (land and buildings) is relatively easy to calculate. The value base is not subject to frequent fluctuations and value increases resulting from building improvements changed land values lend themselves well to the application of systematic adjustments.

These revenue computations, so essential for effective municipal budgetmaking, may be frustrated, however, if the budget staff and the assessing authority work independently—as they often do. Property valuation for tax purposes is assigned to local officers in all states except Hawaii. In most states, however, it is the actual responsibility of county officials. Furthermore, the tax assessor is traditionally an elected official, although the number of assessment departments headed by appointed, professional officers is growing. In an effort to ensure a degree of uniformity and fairness in assessment procedures when administrative responsibility is vested in elected officials, most states have enacted detailed statutory regulations governing this work.

*The Tax Base Shrinks:* The property-tax base in most cities has been greatly eroded by a series of state-granted exemptions given to various persons and institutions. Most of these grants have laudable social purposes, and therefore receive strong political support. Properties owned and used by non-profit religious, charitable, and educational institutions are often given complete exemption in the belief that such agencies perform basic social services for the community. Allowance of an exemption from local property taxes also has been a means of avoiding the controversial issue of direct grants of public funds to non-governmental agencies.

A different issue arises in the case of partial exemptions from payment of property taxes. These grants involve individuals or families. The largest of these is the award to military-service veterans of exemptions from local property taxes on a portion of the value of their property, usually that used for home or agricultural purposes. Thirty-two states make this type of exemption. Four who show a substantial dollar-value of veterans' exemptions in the 1967 Census reports—California, New York, Massachusetts, and Iowa—are states in which there are numerous cities and towns. None reimburse their municipalities for the loss of revenues.

Homeowners in six states receive a partial exemption from local taxes on the facilities they occupy. Exemptions granted to aged persons living in their own homes are appealing extensions of the principle that retired persons with low (or limited), fixed incomes should be assisted to offset the impact of inflation upon their standard of living. Seven states—Massachusetts, Maryland, Indiana, Michigan, Oregon, Wisconsin, and New Jersey—grant such privileges. Wisconsin applies the principle in new ways by limiting the exemption to those who pay more than a certain percentage of their income in property taxes. It also gives a similar privilege to aged renters who have low incomes.<sup>29</sup>

The principal criticism of the several exemptions from the property tax is that they reduce the cities' already-limited ability to

support the services they are charged with providing. Inasmuch as most states granting these exemptions no longer tax property for state purposes, and hence suffer no loss in state revenues, their action to grant exemption of a considerable fraction of the cities' tax base from local taxation—without making in-lieu payments from state sources—seems highhanded. It is therefore not surprising that several state leagues of cities urge their states to (1) refrain from extending existing exemptions, (2) grant no additional ones, and (3) replace the revenue now lost by making payments to the cities.

Slightly less dramatic than the state-given exemptions benefiting private property is the exemption of state-owned office buildings and federal post offices, military stations, and warehouses within cities. More significant, however, is the exemption of the national government's interest in equipment and material being worked on in privately managed plants for defense and aerospace programs.

In view of local governments' dependence upon the property tax, all exemptions take on significant meanings. Of equal importance is the fact that properties receiving exemptions are not uniformly distributed among the local governments. In some communities they constitute a substantial part of the potential tax base, whereas in others they are but a minor part. In total, however, these exemptions have begun to loom as a large problem.

*Limiting the Local Taxes:* The influence of the property tax pervades almost every aspect of city fiscal policies and procedures. This results largely from state actions which limit locally elected officials in their exercise of discretion. High on the list of these restrictions are the state-imposed limits upon the tax rates municipalities may impose. Four-fifths of the state fix tax-rate limits, a policy established in the depression years of the 1930s and tenaciously retained. The restrictions are usually expressed in a formula: a maximum overall property tax rate of a specified number of mills per dollar (or dollars per hundred) of assessed value of taxable property situated within the city. Some states fix a tax limit which applies to the combination of schools and municipalities within the same community. Two states, Colorado and Oregon, permit some expansion of the local tax rate; each year's budget may exceed that for the previous one by a fixed percentage. Recognizing that tax-rate limits can be circumvented by manipulating the tax assessment roll, 14 states (Colorado, Hawaii, Illinois, Indiana, Kansas, Michigan, Mississippi, Missouri, Montana, New York, North Dakota, Oklahoma, Utah, and Wisconsin) fix their local tax limits in terms of state-equalized assessment figures.

Local property-tax limits specified in state constitutions have been almost impervious to pressures seeking repeal. However, where the restrictions have been expressed in statutes, some changes have been produced. Most of the changes permit the cities to relax the overall limit by one of two methods. One permits the city to override the rate limitation for a brief period, if the local voters approve through a referendum. Opinion is divided concerning the wisdom of this procedure. The community is given an opportunity to determine its own fiscal policies, but the referendum provision does nothing to strengthen representative government. Council members may avoid their responsibility for leadership when a light voter-turnout defeats the override proposal. Furthermore, the override method has given cities little relief; citizens have generally been unwilling to approve the override proposals.

The second alternative procedure is even

more objectionable. It permits the cities to relax the general (or overall) tax rate limit by levying a number of special taxes for single purposes, with each tax being subject to its own limit. Illinois local governments, for example, are reported to be authorized to make as many as 40 special tax levies. This type of procedure makes budgeting fantastically complicated and almost completely negates any effort to plan and review administrative programs. Moreover, it seriously restricts the freedom of the elected governing body to determine how the fiscal resources of the community shall be allocated to meet locally perceived needs.

While the tax-override referendum and the special tax levy procedures have generally proven unsatisfactory, the unrevised overall tax limits have also produced some unfortunate side effects for local governments. In several states, where urbanization has been both extensive and intensive, numerous single-purpose special districts and authorities have been organized to take over functions that the general-purpose local governments—primarily the cities—have been unable to finance because of inadequate tax revenues due to tax-rate limits. Water supply, transportation, waste disposal, and large-scale or regional parks have often been shifted to these other types of local governments. The cities have been willing to give up these functions in many instances in order to devote a greater share of their budgets to other functions. The result has been to splinter the metropolitan local governmental maps and inflate the number of taxing units. This pyramiding of taxes levied by several local governments—cities, schools and special districts and authorities—upon the same metropolitan tax base has failed to reduce the burden upon property. Instead, it has increased the number of governments the voter and taxpayer must deal with.

Even in spite of these limitations, the property tax has not been overlooked in the search to provide additional revenue for local governments. The National Survey indicates that the total property tax levy for municipal, school, state, county, and special district levies on a house presently selling for \$25,000 has increased from a median of \$488 in FY 1962-63 to \$595 in FY 1968-69 (See Table V). Suburban properties bear a heavier total burden than do those in the central city. The median total levy for the above house located in a suburban city is \$632 (FY 68-69). Located in a central city, the median total levy would be \$562. The difference of sixty-nine dollars is made up primarily of the school tax on property. Municipal, special district, and state levies on properties, on the other hand, are higher in central cities than in suburban and independent cities.

In comparing only the municipal property tax levies of central, suburban and independent cities, central cities tax their properties to the greatest degree. The median municipal level for central cities was \$175 per annum in 1968-69. This exceeded the median suburban city levy by \$74 per year and the median independent city levy by \$32 per year. Suburban cities have, however, increased their median levy faster than either the central or independent cities. Suburban cities have increased their levy by 111% since 1962-3; central cities by 106%, and independent cities by 112% in the same period. This would seem to indicate that as the suburban and independent cities also begin to feel the effects of aging facilities and equipment, inflation, increasing low income populations, increasing density, and unionization, they are forced to impose heavier property taxes in their search to develop new revenues. Their municipal rates do not yet equal those of the central cities, however.

TABLE V.—MEDIAN FIGURES ON ESTIMATES PROPERTY TAX IN DOLLARS ON A HOME PRESENTLY SELLING FOR \$25,000

	City type			
	Total all cities	Central	Suburban	Independent
Total median levy:				
1968-69.....	\$595	\$563	\$632	\$538
1962-63.....	488	490	502	451
Median municipal levy:				
1968-69.....	135	175	101	143
1962-63.....	111	165	91	128
Median school levy:				
1968-69.....	324	283	371	310
1962-63.....	254	226	285	250
Median county levy:				
1968-69.....	101	94	105	96
1962-63.....	80	79	80	69
Median special district levy:				
1968-69.....	29	36	32	21
1962-63.....	27	32	32	19
Median State levy:				
1968-69.....	8	14	7	8
1962-63.....	10	12	10	10

### 3. The search for non-property taxes

If elected city officials are to have any real opportunity to make policy decisions respecting the numerous problems facing their level of government today, new sources of revenue in addition to the property tax are required. A basic problem cities encounter in their search for non-property tax sources, however, is the all pervasive limitation upon municipal legal authority. In most states, the classic Dillon rule prevails: Cities may tax only the items permitted by state law. Furthermore, legal doctrines and politics often combine. For instance, groups of potential taxpayers are usually alert to attack efforts made in the state legislatures to expand the cities' taxing power in specific directions such as permitting levies upon income, general sales, cigarettes, or liquor.

A common complaint from the cities is that the state policy makers usually look first at the state's own institutional interests and accord local governments a low priority in their deliberations. In constitutional home rule states, for example, where charter cities have more than usual freedom to experiment with new taxes, the state government periodically preempts or withdraws for broader (statewide) use the tax sources tapped by a few charter localities. A specific example of this occurred when California took over the levy of cigarette taxes and decreed it to be an exclusive state matter.

Not the least of the problems in state-local revisions is the fact that the two most lucrative new non-property taxes—those upon general sales and individual incomes—are most effectively administered by the state. This suggests that the state should act as the taxing agent and share a portion of the revenues with the local governments. But not all state governments are prepared to adopt a statewide sales or income tax; and, moreover, some are not disposed to permit the local governments to experiment with them either.

#### Sales taxes

Viewed nationwide, the general sales tax is the most productive of the municipal non-property taxes, yielding more than 38% of total non-property tax revenue. Selective sales taxes (including taxes upon public utility gross receipts) rank second. (In third place is local income taxes, accounting for about 13% of total non-property-tax revenue).

Only sixteen states currently employ a municipal sales tax, however. Of these, fifteen are states in which a state sales tax is collected as well. In approximately half this number of the states the municipalities maintain a uniform tax rate, whereas in the

others a variety of local rates apply. Only five states—California, Illinois, Mississippi, New Mexico, and Utah—collect the local tax along with their own and transfer a share to the localities.

#### Income taxes

Municipal income taxes are not widely employed either. Only nine states—Alabama, Delaware, Kentucky, Maryland, Michigan, Missouri, New York, Ohio, and Pennsylvania—have permitted their municipalities to levy the income tax. Furthermore, of the 210 cities employing an income tax in 1968, 160 were in a single state—Ohio. It is important to note, however, that at least within Ohio, city income taxes become of considerable importance. Collections from this source totaled \$263 million in 1969, a 198% increase since 1965. For a majority of these cities, income tax receipts actually exceeded property taxes.<sup>29</sup>

Three types of local graduated income taxes are being discussed currently. The first, administered wholly locally, is the one usually employed. A second, administered by the state on behalf of the local governments as an addition or surcharge to the basic state income tax, is attractive to many cities because its administration is less complex than the first; individual cities could determine to levy the tax and request the state to add the surcharge to local taxpayer returns—or the state could set a statewide uniform rate, collecting and distributing a share to all cities. A third proposal is modeled on precedents already established in federal and state income tax procedures. It would authorize individual cities to levy and collect an income tax while the state would permit the taxpayer to credit local payments as offsets to his state tax.

Of the non-property taxes available to cities, the income tax appeals the most economically responsive source of revenue. However, states have been reluctant to allow their cities to utilize it. This reluctance is often based upon the potential effects of fluctuations in the local economy on the municipal revenue structure. If the local income tax base is not broad enough, the city's income tax revenues will suffer from strikes and layoffs in major local industries. A crisis during the General Motors' strike in Pontiac, Michigan, was, for example, brought about largely because of the city's dependence upon the local income tax for a large share of its total revenue. Furthermore, while income taxes are preferable to sales and many other types of taxes insofar as they can be structured to distribute their burden in conformity with ability to pay, they have important limitations for use at the local level. These limitations grow more compelling as the economies of the different sections of the country become more and more interdependent. Increasingly, people live in one jurisdiction and work in another. Increasingly, their wages and salaries from local sources are supplemented with investment and earned income from other parts of the state and from other states. In deference to these considerations, local jurisdictions that now use these taxes generally limit them to income from wages and salaries, thereby foregoing some of the advantages of the income tax in terms of ability to pay.

#### Other taxes

Other locally imposed non-property taxes are those levied on gasoline, motor vehicle licenses, cigarettes, alcoholic beverages, and local entertainment admissions. Four states—Maryland, Pennsylvania, Virginia, and Washington—authorize local governments to tax real estate transfers. In New York state, only New York City is permitted to do this. Such taxes, however, are producers of only minor fractions of total municipal tax revenue.

The 1971 National Survey indicates that the pressure to develop new sources of rev-

enue has also led many cities to non-property taxes for additional funds. Of 131 cities which responded to the Survey with information concerning non-property taxes, 75% have adopted non-property taxes since 1963. Sixty-five cities have raised business license taxes (measured by gross receipts) an average of 4.3 times since 1963 for a mean average increase of 56.6%. General retail sales taxes have been levied in 127 cities and raised a total of 90 times for an average increase of 98.9%. Taxes on alcoholic beverages have been levied in 91 cities since 1963. These taxes have been raised a total of 70 times for an average increase of 51.5%. Income taxes have been levied in 35 cities and raised 23 times in 18 of these for an average increase of 70.9%. The reliance of municipalities upon non-property taxes is documented in Table VI.

TABLE VI.—CITIES IMPOSING NONPROPERTY TAXES AND PERCENT CHANGES SINCE 1963

Tax	Number of cities imposing tax	Number of cities reporting increases since 1963	Average percent increase
Business license.....	131	75	57
Public utility receipts.....	133	83	69
General retail sales.....	127	58	99
Selective sales taxes.....			
Amusement.....	22	9	94
Hotel or transient.....	81	35	50
Motor vehicle license.....	72	43	54
Alcoholic beverage.....	91	44	51
Income.....	35	15	71

#### User charges

Many cities have also increased or imposed service charges since 1963. One hundred and fourteen cities in the National Survey responded that they levied service charges to support refuse collection. Eighty-three of these have increased their charges by an average of 63% over 1963. One hundred and sixty-nine cities currently levy charges for sanitary sewer support; 113 of these have increased charges by an average of 113% since 1963. Hospital charges have increased 173% in three of the seven cities which levy them. Parking charges have increased 62% in 43 cities. Airport charges have increased 105% in 23 cities.

These service charge increases are summarized in the Table VII. As the analysis underlines, municipalities have also been relying on service charges in recent years in order to develop new revenues to complement their increasingly inadequate property and sales tax base.

TABLE VII.—CITIES IMPOSING CHARGES FOR SUPPORTIVE SPECIFIC SERVICES AND CHANGES IN CHARGES SINCE 1963

	Number of cities imposing charges		Total number of cities reporting change	Mean average percent change
	Total	Post 1960		
Refuse collection.....	114	50	83	63
Sanitary sewers.....	169	60	113	113
Hospitals.....	6	3	3	173
Parking.....	102	26	43	62
Airports.....	35	10	23	105
Other.....	27	9	18	47

<sup>1</sup> These figures do not include the imposition of new charges.

#### Intergovernmental revenue

The nation's municipalities receive approximately one-fourth of their total revenues from other governments via subsidies or shared taxes. While commonly believed that cities receive large amounts of federal aid, city governments, in fact, receive very little. Most cities actually receive more aid from their state capitols than from Washington.

Footnotes at end of article.



Federal grants to the cities primarily assist programs whose major objectives are either individual or community development. Aids to education (a municipal function in several states) is primarily of the first category. Housing and community planning, airport construction, transit facilities, waste treatment and disposal facilities, and numerous smaller municipal projects clearly fall into the second.

In terms of number of projects and total dollars spent, however, the federal grant-in-aid programs have grown phenomenally over the last decade. Table VIII indicates this dollar growth.

TABLE VIII.—Federal grants-in-aid, 1961-71 (fiscal years)

	Amount
1971	* \$30.3
1970	* 24.4
1969	20.3
1968	18.6
1967	15.2
1966	13.0
1965	10.9
1964	8.6
1963	7.9
1962	7.1
1961	7.0

\* Estimate.

While the grant-in-aid programs have grown, the problems they were designed to alleviate persist. Dwight A. Ink, Office of Management and Budget explains:

"We have increased many fold the amount of public resources directed toward meeting our social needs. Ten years ago Federal aid to State and local governments, for example, amounted to \$7 billion a year. Now it is running at about \$27 billion a year. Hundreds of Federal grants-in-aid programs have emerged. Yet one is hard pressed to find an area in which the response can be looked upon as satisfactory. And in some areas we have scarcely made an imprint. We keep telling ourselves we must do more. Much more.

"At the same time, we should be reminded ourselves that money is not the full answer. Our social programs are replete with examples in which funds have been provided to carry out innovative social projects but have resulted in little or no tangible results. Unfulfilled promises have undermined the credibility of public servants in the eyes of many.

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"Virtually all the critical urban and rural problems require an integrated attack by many departments of government at national, State, and local levels. In recent years most governmental units have been desperately trying to mount such an attack. Beset by funding uncertainties and limitations, and entangled in red tape, the attack as seen by the public has somewhat resembled the slow, trial and error motion of a gigantic amoeba. Because of their inability to respond on a timely basis, all three levels of government have been bombarded with criticism of lack of concern for people who need help."

State assistance to cities shows a substantially different character than aid from the national government. The major portion of city receipts from State capitols is in the form of shared revenues from state-administered taxes. The larger percentage of this income is earmarked by State policies and can be spent by cities only for specific purposes. The lesser portion is in the form of unrestricted money that may supplement the cities' general funds and be spent as city councils may determine.

State grant-in-aid to cities follow a pattern similar to those made by the national government and are usually designated for specific programs, such as streets and highways, hospitals, public health services, or welfare administration. Most such aids are

given to encourage participation by the local governments to programs having a statewide thrust in which the local units are acting largely as agents of the State government.

Furthermore, as pointed out initially, cities are dependent for a significant percent of their revenue from other governments. This amount has steadily increased over the years. It is not however, revenue that is under the control of local government. Local officials have no power to change this amount. They must "lobby", along with all other interests, in State capitols and Washington to obtain such funds. It is not a source of funds that can be quickly expanded to meet fast rising costs due to inflation, wage increases, natural disasters, or the fiscal demands of new needs.

Assistance to the cities from other governments is heavily hedged with restrictions and directives leaving relatively little discretion to local policy-making officials. As such, local governments are largely administrative agents carrying out national and State policies. If urban local policy makers are to develop strategies for coping with their own particular sets of problems, two conditions are therefore crucial. One is to relax the numerous restrictions, directives, and hedges upon taxing and allocating funds. The other is to improve the financial resources available to the cities for dealing with the functions of local government.

#### 4. General Revenue-raising restrictions

##### Legal restrictions

Basically cities can raise and use money only as permitted by law. A city in one State may have greater latitude to meet demands for higher wages than a city in another. Indeed, cities within the same State may be treated differently. These limitations can be summarized as follows:

1. *Types of taxes and charges.* Local government is not free to raise money any way it sees fit. A local wage tax may be legal in some states but not in others. Sources of revenue utilized by the state are usually not available to local government. In most states, legislative permission must be granted before a municipal tax or charge is used. Thus, sources are severely limited.

2. *Limitation on use of a revenue source.* Tax rate limitations are often imposed. As the discussion on the property tax highlights, these limitations are set by law and are not easily changed. At the present time, many cities are approaching their legal rate ceilings.

3. *Limitation on use of money.* Many revenue sources are restricted, i.e., the tax or charge can be used only for specific purposes. Utility revenue, for example, usually has restrictions as to its use, i.e., for utility operations. In some states, property taxes are levied specifically to pay for certain functions.

4. *Approval by the people.* In some states a vote of the people is required to levy a tax or to borrow money. Where the property tax limit is at the maximum, some local governments may raise the rate only by an affirmative by referendum of the people. Elected councilmen are generally not empowered to raise taxes by council action alone.

5. *The budget year.* Unlike industry, changes in most local government sources of revenue can be made only once a year—at budget time. Thus, once a city's fiscal plan for a year is formally adopted it is hard to adjust to changing conditions.

##### Economic Limitations

A city's economic base, in simple terms, relates to its (1) property value as reflected in land use, (2) volume of trade, (3) type of business and industry within its borders, (4) average income of its people, and (5) their need and desire for services. A city with a large trading center may (assuming its legality) raise significant funds by the use of a sales tax. Another, on the other hand, might

reap proportionately greater benefits from a wage tax. Still another may effectively use a "charge" to provide one type of service, i.e., garbage collection—or may find that such a charge cannot cover actual cost without arousing undue hostility of many of its citizens. With few important exceptions, however, it is still the property tax which provides the lion's share of municipal revenues.

Property taxes have, unfortunately, proven to be relatively unresponsive to economic growth, hence have not remained abreast of steadily rising service expenditures. While state and local budgets having been increasing at a rate approximating 8% per year, the growth of the state-local tax base has been less than 4%. This "inelasticity" of tax receipts (lack of proportional growth of tax receipts in response to growth in income) is also a problem with the general sales tax and helps to explain why many cities have had to seek new tax sources to keep revenue yields up with rising budgetary requirements. Elasticity of several of their taxes are presented in Table IX.<sup>21</sup>

TABLE IX.—GROSS NATIONAL PRODUCT ELASTICITY OF THE MAJOR CATEGORIES OF STATE GENERAL REVENUE

Revenue source	Elasticity estimates	
	Low	High
Property taxes.....	0.7	1.1
Income taxes:		
Individual.....	1.5	1.8
Corporate.....	1.1	1.3
General sales tax.....	.9	1.05
All other taxes.....	6.6	.7

Property taxes, even by the "high" estimate, are at best only unitarily elastic, i.e., property taxes will grow by the same proportion as GNP. The same is true for the general sales tax. Only the income tax generates more than a proportionate increase in tax receipts for a given rise in GNP. While an increasing number of cities are adopting the income tax to help meet rapidly rising expenditures, the tax has not yet become a major revenue source for the great majority. Whether more use is made of this tax in the future is closely related to both general economic conditions and to the maze of state constitutional and statutory limitations on the power of the cities to tax.

##### Political reservations

The city government ultimately faces the test of the people as to how high local revenue sources can be raised. The politician must make the "market decision" he believes represents the view of the people, balancing cost versus services, though sometimes his constituents may vote directly on whether to ratify his decision. Whether a vote is involved or not, however, a city may run the risk of pricing itself out of the market—raising taxes so high residents and firms move into other cities or states. In such situations, the added tax levy actually may result in lower net income.

Furthermore, the question of equity with its social and political implications must also be considered. Property and sales taxes are regressive—their rates, as a percentage of income, are higher for the poor man than for the rich. From the standpoint of ability to pay, the general sales tax in its unadulterated form is an upside-down revenue measure. The burden (especially if food is taxed) declines as income rises. A family earning under \$2,000, for example, pays an estimated 3.1% or its adjusted gross income in sales tax. A family earning \$6,000-\$7,000, however, pays only 2.3% to sales tax; and a family earning over \$100,000, only 0.3%. The property tax is even more regressive and is particularly burdensome to the low-income homeowner or renter. A family earning under

Footnotes at end of article.

\$2,000 pays an estimated 13.3% of its adjusted gross income for state and local property taxes; families earning \$6,000-\$7,000, 3.9% of their income; and families earning over \$100,000, 12%. Tax policymakers are, therefore, constantly forced to reconcile to potential tax overburdens that can develop from excessive reliance on levies of a regressive character with the potential harm to their citizens that can result from short-changing public needs.

Thus, whether or not the city's ability to increase revenue is openly considered, it is a factor to be included in decisions on the level of services to be rendered. For, unlike the federal government, and to a lesser extent state government, the city's total economic power is limited.

#### 5. Attempts to enlarge taxing powers and aid

In order to raise additional revenues, many cities and state municipal leagues have attempted to both develop new and enlarge old taxing powers. The efforts of a few are summarized as examples:

##### Kentucky

During the 1970 Legislative Session, the Kentucky Municipal League supported a bill which would permit local governments to levy a one-half of one percent sales tax, with the state giving up one half of its five percent rate and returning the one-half percent portion back to the levying unit. This bill failed to get out of committee, with the reason given that the state could not afford to give up any of its current revenues.

##### Virginia

In 1970, Virginia's large urban communities, facing serious revenue gaps and disgruntled with the General Assembly's lack of substantive response to the needs of cities and urban counties, suggested a new approach to League legislative activity. Thus, Virginia's Urban 12, composed Virginia's nine largest cities and the urban counties of Arlington, Fairfax and Henrico, was born.

This group has requested that the Assembly enact, during the 1971 session, enabling legislation authorizing localities to impose, at their own option, an additional one percent sales tax and establishing a program of state revenue sharing with local governments. Their program also includes state mandates of authority to local governments enabling them to impose a local gasoline and petroleum tax.

As of March 31, 1971, however Virginia's cities had gained no new taxing powers, nor any improvement in their present tax systems.

##### Colorado

The Colorado Municipal League, on the other hand, has been more successful. It has participated in securing the following new revenues for Colorado municipalities.

1. 1965—*Amicus Curiae* in the Berman Case in the State Supreme Court, which upheld the right of home rule cities to levy and collect sales and use taxes.

2. 1967—secured legislative authority for statutory cities and towns to levy a sales tax (no use tax).

3. 1970—secured highway revenue legislation which included requiring counties to: return to each municipality one half of the proceeds of the county road and bridge levy collected within that municipality; return the first \$2.50 from state motor vehicle registration fee on most vehicles to municipalities and counties on basis of urban and rural registrations and further extend a \$1.50 special registration fee; and provide that certain state traffic fines shall be payable to the Highway Users' Tax Fund.

4. 1971—The League is advocating a state-collected, locally-shared 3% sales tax with the money to be distributed on point of collection. The outlook for this particular tax, however, is not very good.

##### Pennsylvania

In Pennsylvania, as a result of a hard campaign by the State's cities and a meeting of 35 mayors with legislative leaders, a committee of the legislature made extensive recommendations for local government tax increases. These recommendations were to double the earned income tax authorization, to double the occupational privilege tax authorization, and to increase by five mills the authorized property tax.

All three proposals were introduced into the State legislature; two passed the Senate (the property tax and the occupational privilege tax), and one the House (the property tax). In Pennsylvania, the need for additional local government revenues was recognized and promoted by a committee of the State legislature itself.

##### Tennessee

Tennessee's Municipal League has advocated improvement of the local tax base through state action to expand the non-property home rule taxing authority of local governments, amend the local sales tax law to correct inequities which have developed and increase state aid and shared taxes.

#### 6. The exceptional cases

Not all cities are in a state of acute fiscal crisis. Nonetheless, the city which does not face the fiscal problem of making revenues and expenditures balance is rare. There are wealthy suburbs, such as Beverly Hills, which have high family incomes and a strong property tax base. For the country as a whole, suburban median family incomes average \$10,114, exceeding the average central city median family income by \$1,554. However, at the same time, total municipal, school, county, special district, and state property tax levies are heaviest in these suburban cities. The combination of these taxes in these communities makes it difficult to raise the property taxes rapidly enough without strong citizen opposition to keep abreast of rising costs. It is only those suburban cities with the very highest median family incomes which can budget services with relative ease and without real concern over a revenue expenditure gap.

There are other cities which have been experiencing rapid physical growth since 1950. These cities have expanding tax bases for property and sales taxes and user fees which provide them with adequate revenues to operate effectively. These cities, however, are only in an earlier stage of development than are most U.S. municipalities. Their tax limits and revenue bases do not differ significantly from most cities. As they age and their population and density increase, they also will be faced with the same problems as the majority of cities—outdated capital facilities, demands for increased services for minorities and poor persons, worn-out equipment, inability to increase the tax base because of state restrictions, inability to exceed state debt ceilings for municipalities, citizen tax rebellions, competition with other governmental units for state and local revenue sources and a general inability to make the revenue sources stretch to fit the expenditures mandated by the state and demanded by the people.

#### III. THE REVENUE

Since 1965 several studies have projected into future state and local expenditures and revenues trends. Though these projections vary widely, one conclusion is common to all—a serious revenue gap now faces or will soon face local government. The Urban Coalition's recent projection in *Counterbudget*, for example, predicts a sizable disparity—\$67 billion between now and 1975.

**TEMPO Report:** The National League of Cities in January 1967 ordered TEMPO, General Electric Company's Center for Advanced Studies to develop an objective economic

study of the revenue gap facing cities. TEMPO found that the nation's cities face a staggering \$262 billion revenue gap—\$125 billion of which can only be closed by the federal government—over the ten year period 1966-1975. These projections were based upon data developed by the Joint Economic Council (See Table X)<sup>23</sup>

Over the next decade solutions to the problems that beset U.S. cities will require a total incremental expenditure of \$262 billion in excess of present revenues and those expected to be generated through normal economic growth.

Table X gives a year-by-year summary of the estimated revenue gaps and the recommended funding sources to fill them.

TABLE X.—ESTIMATED ANNUAL REVENUE GAPS AND RECOMMENDED FUNDING SOURCES FOR THE 1966-75 PERIOD

Year	Estimated gap (o)	Funding sources			
		Federal Government	States	Increases in city charges	Increases in net city debt
1966	\$4.5	\$1.0		\$0.5	\$3.0
1967	8.0	3.0	\$1.0	1.0	3.0
1968	12.0	6.0	2.0	1.0	3.0
1969	16.5	8.0	3.0	1.5	4.0
1970	22.0	10.0	4.0	2.0	6.0
1971	28.5	13.0	5.0	2.5	8.0
1972	34.5	16.0	6.0	3.5	9.0
1973	40.0	19.0	8.0	4.0	9.0
1974	45.5	23.0	9.0	4.5	9.0
1975	50.5	26.0	11.0	4.5	9.0
Total	262.0	125.0	49.0	25.0	63.0

Individual case studies amplify the point made by the TEMPO Study.

**Tennessee:** The Tennessee Municipal League has projected that the revenue gap facing over 300 municipalities between 1970-1974 is in excess of \$425,000,000. This study points out that the revenue gap is not confined to any one size, or type, or class of city. For towns in the 1,000-2,500 population range, over \$14,000,000 in new and additional revenues will be needed over the next four years. In terms of per capita costs, an additional \$121.00 will have to be raised for each man, woman, and child living with municipalities in this population range. For cities with more than 5,000 but fewer than 10,000 inhabitants, the study indicates a need of over \$18,500,000 in additional revenues between 1970 and 1974. This amounts to \$111.00 for each person residing in those communities.

The report states, "The issue is not merely whether these communities will be able to provide traditional municipal services—the real issue is whether or not many of these cities and towns can survive as viable political units."

**Georgia:** In December 1970, the Georgia Municipal League surveyed its cities to determine their revenue needs. The League determined that the average expenditures required to meet projected needs during the next five years are estimated to exceed average projected revenues by \$710 million.

**California:** The League of California Cities has studied the revenue gap facing its cities. The League's study indicates that its cities will need an additional \$353 million in fiscal year 1971-72 in order to continue to provide existing services. This figure is, however, conservative for two reasons. The 1971-72 revenue need figure represents the fifth year figure in a five-year estimate. Little of the additional revenue needed in the first four years was provided during those years, hence the 1971-72 estimate is understated by that amount. If presented completely, the accumulated revenue need of cities would ap-

Footnotes at end of article.



proach \$1 billion. Secondly, the League estimate includes a uniform 4% adjustment for salaries and general cost of living increases. Any review of economic growth during the past five years would demonstrate the conservative nature of the 4% figure.

The magnitude of the city revenue gap is awesome, but it is fact. It is also fact that this gap will continue to widen until new sources of revenue are added to the municipal revenue base that will permit city revenues to grow at a rate equivalent to the annual growth in expenditures for current service.

IMPLICATIONS OF THE REVENUE GAP

This fiscal gap—the overall lack of revenue—has been accompanied, predictably by a reduction in services both in quality and in quantity. Cities are cutting back existing personnel, closing facilities, and delaying capital improvements with devastating results. Basic governmental services fundamental to any society are not being provided to American citizens.

The following service reductions drawn from the 1971 National Survey serve as an example:

**Pittsburgh** closed 14 fire stations recently. **Seattle** has put off repairs on its parks, is thinking of laying off a class of police cadets, schedules less frequent street cleaning, etc. That's a big et cetera when you're dealing with the quality of life.

**Youngstown** had to close schools early last year.

**Cincinnati** is cutting back, in these increasingly complex times, its public school teaching staff; all elementary school libraries are to be closed in September; kindergarten classes will run only 10 weeks instead of 20.

**Philadelphia** will be forced to eliminate and reduce Police Department support units serving the District Attorney's office, the Sanitation Unit, Police Athletic League, the Waterfront Patrol, and the Expressway Patrol.

The Police will have to reduce patrol operations on the midnight-to-eight tour, cut the number of emergency patrol wagons, unmarked detective and patrol cars, as well as trim security details and traffic control at major events.

The streets department must reduce trash collections, cut street repairs, bridge maintenance, traffic signal and street light operations, as well as eliminate the purchase of basic streets equipment.

Welfare department caseloads will almost triple the accepted maximum. Meanwhile the Commonwealth is withholding the funds needed for this purpose. The Adult and Old Age Programs will be curtailed, putting these senior citizens in jeopardy.

**Philadelphia** will not be able to pay for maintenance of Philadelphia prisoners in State institutions, and in Philadelphia jails the food allowance will fall to 89 cents per day per inmate.

The centers for dependent and neglected children will have to cut food and clothing allowances—meaning that these unfortunate children will be forced to endure yet another rejection from a hostile society.

The center-city detention facility that was originally opened in reaction to an emergency caused by overcrowding will be abandoned.

**Hamtramck, Michigan**, is near bankruptcy. Mayor Wojtowicz asked HUD's regional office not to send more grants. The City does not have the revenue to supply the matching funds.

**Boston**: Mayor White has effected a 1% cut in pay for all city department heads in the city.

**Newburyport, Massachusetts**: The mayor has set a "no-hire" policy.

**Hartford, Connecticut**, has stopped making street repairs.

**San Francisco**: Mayor Alloto says: "We can't go on like this. Even the Capitalistic

system is not going to survive the way we're going."

**Detroit**: In fiscal year 1971, a \$20 million deficit forced the mayor to lay off over 600 city employees. As of June 1971 more than 2,200 budgeted positions are not filled. That's one vacancy for every 10 authorized jobs.

In Detroit's budget for fiscal year 1972 almost 1,000 more jobs will be dropped and several traditional activities of City government will be completely eliminated. Detroiters will no longer have the benefit and the protection of weights and measures inspection, industrial hygiene programs and social hygiene services. If the County or the State do not assume these responsibilities, they simply will not be available to 1½ million Detroiters.

Moreover, the budget represents numerous other reluctant decisions to indefinitely postpone or immediately diminish essential City services. These programs held out the hope of reducing crime, stemming drug abuse, providing improved services in the municipal hospitals, and making the City a better place in which to live and work.

Unfortunately, even this does not describe the critical nature of the situation. In spite of the austerity approach to the budget, the City of Detroit will need over \$26 million in new revenue to perform at this drastically reduced service level—26 million new dollars just to stand still!

If the City does not receive these funds, hundreds of additional jobs and the services they represent will have to be cut. The mayor has appropriately labeled this a "Disaster Plan."

**St. Louis, Missouri**: In a speech to the St. Louis Board of Aldermen on April 30, 1971 Mayor A. J. Cervantes stated, "Having delivered several budget speeches over the years, I know you will say that every year is another crisis. Today, however, the situation is even more desperate than in the past, and we must face up to the fact that we are scraping the bottom of the revenue barrel.

This is the last year the City can make a budget which will come anywhere near adequately meeting the needs of our citizens. Working under the limitations of state constitution and state law, there are no other viable means of local revenue, in my opinion."

The following functions were eliminated from the City of St. Louis' budget: The Metropolitan Youth Commission, the Regional Industrial Development Corporation, the Meramec Hills Home for Delinquent Girls, and the Challenge of the 70's. In addition, the following areas were drastically curtailed: Fire Department, Street Department, Human Development Corporation, the Recreation Division, the Forestry Division, the Child Guidance Program, the City Hospital budget, the Maintenance program for municipal buildings, and the Traffic Division.

**Los Angeles** is planning to curtail street sweeping and to start charging for refuse collection and sewer services.

**New York City**: Unemployment in New York is 4.7%, only two-thirds of the national average. Yet one out of seven New Yorkers, mostly women, children, and unemployables, are on welfare. Though this ratio is higher in some other cities, in New York City one out of seven means one million people and a cost to the city (mandated by state and federal law) of \$600 million.

**Cleveland** is struggling to remain viable. Since last December, because of inadequate local revenues from declining property taxes and municipal income taxes, the City has been forced to lay off 1,300 city employees and severely curtail basic services in the areas of health, recreation, garbage and rubbish collection, and street resurfacing. It has had to shut down the police academy and eliminate the police cadet program.

Further cutbacks in personnel, programs

and services are imminent. Perhaps as many as 800 additional city employees will have to be laid off, and a four day work week instituted for many of those who remain. It is unlikely that the city will be able to spare the safety forces, the policemen and firemen, from layoffs in this new round of the City's bout with its financial crisis.

These reductions in city personnel must be accompanied by a denial to City employees of some combination of items negotiated with their union representatives and agreed upon last year in principle—longevity pay increases (which already have had to be denied), increased paid hospitalization benefits, and wage benefits. The prospect of a strike by City employees is not at all remote.

The Recreation Department will not be able to open nine new facilities in fiscal 1972, and this will be added to the 23 recreational facilities already under caretaker status. This inevitably will mean that maintenance of playgrounds and recreation centers will decrease. There is already a serious vandalism situation.

Furthermore, this recent sampling of U.S. cities reveals the extent of these reductions in capital improvements and existing services. Of 247 cities responding to the sample questionnaire, 193 (over 70%) indicated that they had reduced services or delayed capital improvements since 1963 because of a revenue shortage. The scope of the reductions covers the entire range of city services. (See Table XI.)

In better than 70 percent of the cities answering the questionnaire, one or more programs, including street and highway construction and maintenance, urban renewal, construction or expansion of city governmental facilities, water and sewer programs, equipment replacement programs, park and recreation programs, police and fire systems, libraries, refuse collection and disposal, hospitals, human relations and school programs, were reduced.

Outright service reductions are a measure of absolute service declines in relation to the population of municipalities. Reductions in departmental requests for service improvements during the municipal budget preparation process are a partial measure of relative declines of services to the citizens of local governments. In maintaining a balance between revenues and expenditures in the face of unionization, inflation, and citizen demands for services, on the one hand, and state constitutional and statutory limits on municipal taxation and debt and citizen tax rebellions on the other, cities have had to reduce their attempts to finance adequate programs to meet both the old and new problems confronting them.

TABLE XI.—CITY SERVICES AND CAPITAL IMPROVEMENTS REDUCED SINCE 1963 (BY AREA OF REDUCTION) (193 CITIES REPORTING)

	Reason for reduction			Total
	Lack of funds	Bonding problems	Tax restraints	
Expressways.....	9	0	11	20
Street construction and maintenance, widening, resurfacing, etc.....	60	8	2	70
Lighting, traffic control.....	14	1	0	15
Urban renewal.....	4	0	2	6
Expansion of city government facilities.....	41	6	2	6
Water and sewers.....	67	3	0	70
Parks and recreation..	76	8	3	87
Police (legal system)..	51	4	1	56
Fire.....	55	3	1	59
Libraries.....	17	4	3	24
City government services.....	47	0	0	47
<b>Total.....</b>	<b>441</b>	<b>37</b>	<b>25</b>	<b>503</b>

## FOOTNOTES

<sup>1</sup> Department of Commerce, *City Expenditures in 1968-69*, p. 1; *City Expenditures in 1958*, p. 6.

<sup>2</sup> This is true even though educational spending is by a small number of city governments (including New York City, Baltimore, and Washington, D.C.) that directly administer local public schools. In most cities, public schools are administered by independent school districts. Financial data for these districts is not included in Table I.

<sup>3</sup> Department of Commerce, *City Expenditures in 1968-69*, p. 5; *City Expenditures in 1958*, p. 6.

<sup>4</sup> TEMPO, "Options for Meeting the Revenue Needs of City Governments", p. 6.

<sup>5</sup> ACIR, *Fiscal Balance in the American Federal System*, Vol. I, P. 65.

<sup>6</sup> National Planning Association, *Goals for Dallas: Economic Potential, Handbook*, 1970, p. III-37.

<sup>7</sup> American Transit Association, *Transit Fact Books, 1966-1971*.

<sup>8</sup> Department of Commerce, *City Expenditures in 1968-69*, p. 62-63.

<sup>9</sup> American Transit Association, '70-'71 *Transit Fact Book*, p. 4.

<sup>10</sup> Department of Commerce, *City Government Finances in 1968-69*, p. 62-63.

<sup>11</sup> U.S. Department of Transportation; Federal Highway Administration, FHWA-531, *Highway Receipts and Disbursements, 1968-71*.

<sup>12</sup> ICMA, *Urban Data Service*, March 1969, Vol. 1, #3, p. 35.

<sup>13</sup> Department of Labor, *National Survey of Professional, Administrative, Technical, and Clerical Pay*, June 1970, p. 4.

<sup>14</sup> UCMA, *Urban Data Service*, June, 1970, Vol. 2, #6, p. 2.

<sup>15</sup> Material abstracted from "Remarks to Public Employment Symposium on Some Wage Effects of Local Government Employee Bargaining." By Paul T. Hartman, Bureau of National Affairs, May 10, 1971.

<sup>16</sup> Material abstracted from "Inflation, Private Spending, and the Provision of Public Service" by Andrew F. Brimmer, Member, Board of Governors of the Federal Reserve System, delivered at the Commencement Exercise of Middleburg College, May 30, 1971.

<sup>17</sup> The best single source for data on city finance is *City Government Finances* published annually by the U.S. Bureau of the Census. This publication provides both aggregate data and individual data for cities over 50,000 population, listing sources of revenue and expenditures for each.

<sup>18</sup> Department of Commerce, *City Expenditures in 1968-69*, p. 5.

<sup>19</sup> Maxwell, James A., *Financing State and Local Governments*, The Brookings Institution, 1969, p. 150-52.

<sup>20</sup> Statement of John P. Coleman, Executive Director, The Ohio Municipal League, January 19, 1971, p. 1-2.

<sup>21</sup> ACIR, *Fiscal Balance in the American Federal System*, p. 122.

<sup>22</sup> *Ibid.*, p. 123.

<sup>23</sup> TEMPO, "Options for Meeting the Revenue Needs of City Governments", p. 7.

## THE CONVERSION RESEARCH AND EDUCATION ACT OF 1971

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 6, 1971

Mr. EILBERG. Mr. Speaker, the following is the text of my statement before the Subcommittee on Research and Development of the House Committee on Science and Astronautics given during recent

hearings on H.R. 34, the Conversion Research and Education Act of 1971:

### THE CONVERSION RESEARCH AND EDUCATION OF 1971

Mr. Chairman, I appreciate the opportunity to appear before your Subcommittee to comment on H.R. 4122 and H.R. 5204, both of which I am co-sponsoring.

#### SOME OPENING THOUGHTS

Whether we like it or not, we live in a world of relentless international competition, one in which the lion has yet to lie down with the lamb. Nations either sustain their world position and leadership or they decline and suffer the fate of second rate powers. And much of position and leadership in world affairs depends upon and reflects a nation's standing in and application of modern science and technology. Likewise in internal affairs, a nation's strength these days depends heavily upon the work of its scientists, engineers and other technological personnel, and upon what is done with the fruits of their labors. Our primary resource then is the stock of trained and experienced minds of our scientists and technologists. As a primary resource, it is to be fostered and conserved. What sets man apart from the animals is his ability to think. What sets one nation apart from other nations is its ability to marshal the brain power of its technologists for the attainment of national objectives.

Given the validity of this chain of thought, I find it almost incomprehensible that the United States should stand idly by and witness, as though it were happening in a distant, backward nation, the dissipation of an essential part of its most talented brainpower. I refer, of course, to the plight of the scientists and engineers unemployed in the defense and aerospace industries because of reductions in Federal spending. That is why I support the proposed Conversion Research and Education Act and the National Economic Conversion Act. If this Nation is to hold on to its position of world leadership, it must quickly show that we are capable of a planned, intelligent response to our man-made problem, that we will not simply defer to the indefinite, uncertain and probably unsatisfactory workings of mindless economic trends and factors to prevent the dissipation and loss of our brainpower. Obviously we can, indeed we seem to be opting towards a laissez-faire approach in the expectation that an economic upturn will generate jobs for all unemployed, including the scientists and engineers. But is this in the national interest? From the number of bills introduced in this Congress, as your committee print so usefully points out, many Members apparently believe that deliberative, planned action is needed.

#### SOME ECONOMIC DIMENSIONS

Before commenting on H.R. 4122 and H.R. 5204, I would like to share with you some thoughts about the economic implications of providing new jobs in research and development for the now unemployed scientists and engineers.

Taking their number at 60,000, and assuming as a goal the creation of research jobs in laboratories of industry for one third of them, we will need 20,000 new jobs in research and development. According to the National Science Foundation, to employ a scientist in an R&D laboratory costs his employer about \$50,000 a year including salary, fringe benefits, overhead, etc. Thus to employ 20,000 scientists and engineers productively in laboratories would cost someone \$1 billion a year. Now according to NSF figures, high technology American industry on the average spends about four percent of net sales for research and development. So to finance \$1 billion a year to employ 20,000 scientists and engineers would require additional net sales of \$25 billion. Still further, accord-

ing to the NSF, Federal funds in 1969 financed 47 percent of research and development performed in industry. On that basis, additional Federal outlays of \$470 million would be needed to finance the Government's share via direct contract support, or the purchase of \$11.75 billion more in high technology products, four percent of which could then go to finance R&D.

While these figures are large, to put them into perspective I note from the Economic Report of the President that average monthly sales for U.S. manufacturers during 1970 came to \$56 billion, so that if all U.S. industry were to devote four percent of sales to research and development, an increase equivalent to about half of one month's present manufacturing sales in principle could finance the work of 20,000 research scientists and engineers.

#### SOME POLICY IMPLICATIONS

These figures suggest to me that our conversion goal cannot realistically promise reemployment in laboratories for all of the unemployed scientists and engineers. Nor, for that matter, is it clear that all of them were displaced from the laboratory bench. Many undoubtedly were displaced from desks in the overhead structure of the defense and aerospace industries. These figures do suggest that conversion must be closely coupled with other efforts, such as those of H.R. 5204, to stimulate the willingness and ability of business to develop and market new products and services with a high technological content; and of the financial community to provide the risk capital for such ventures, some of which will not be successful. We may well wish to push for national policy to foster the development of new high technology products and services rather than leave their appearance to random chance. Indeed, if we are to maintain our competitive position with Japan, West Germany, and even France, Congress may soon have to intensify its present interest in strengthening our national position in competition for foreign trade.

Coming back to conversion and the problem of unemployed scientists and engineers, the Subcommittee may wish to consider how much priority in the proposed programs should be directed towards enabling those scientists and engineers who wish to convert from the laboratory bench to technical sales, marketing, service, customer relations and all the other work that is necessary to generate the sales of new products and services which can pay for the future work of their colleagues in the laboratories.

#### SUPPORT FOR H.R. 4122

Rather than examine each part of the proposed Conversion Research and Education Act, I would direct your attention to those parts that for me are particularly important if the goal of conserving and utilizing our unemployed scientific and technical manpower is to be met.

*Implications for business management.*—Of the several parts of H.R. 4122, those dealing with business and management are of special interest to me because there is not much to be gained by opening conversion education opportunities if no jobs are waiting at the end of the process. Whether or not there will be jobs depends greatly upon the imagination of management, its understanding of what it takes to successfully market a new technological product or service, and its attitude towards scientists and engineers retreaded from the defense and aerospace industries. Title III of the legislation is an important measure to cultivate a receptive outlook among members of management. Its authorization to fund training of management personnel can improve their receptivity to employment of scientists and engineers who go through the retraining contemplated in H.R. 4122. Likewise the authority under Section 203 to train government



personnel is directly pertinent. In addition to education for management, H.R. 4122 also provides needed authority to help with financing of non-defense related research and development that will give preference to unemployed scientists, engineers and technicians from the defense industries. This is important because many financiers are very conservative when it comes to financing high risk ventures.

*The research and educational component.*—The provisions of H.R. 4122 for research into the conversion process and education to deal with it over the long term can strengthen our understanding of the factors that work for and against the diversification of firms and the conversion of individuals. In connection with this research, I would hope that the administering agency would take the time to define and state the problem which this research is to solve. All too often we seem prone to start running a race before the course is laid out. While the sense of "doing something" may be pleasant, it can be very wasteful if unplanned, and perhaps disastrous to those who discover too late that they are running in the wrong race.

The provisions for developing educational approaches to conversion should produce near term benefits. But for these to be useful in conserving the competence of our unemployed professionals, the administering agency will have to give priority to and expedite this work. Deciding what educational approaches to follow and develop also will require, if they are to be effective, well thought out definition of the problem.

Recently I came across a study of transferability and retraining of defense engineers. This study was produced in 1967, by the Stanford Research Institute, years before the present professional employment crisis was upon us. According to this study, industrial managers were generally optimistic about transferability, but were less optimistic about the ability of commercial industry to absorb large numbers of defense engineers. The Institute analyzed the attitudes of manager's towards the transferability of engineers from defense to commercial work. These attitudes underscore the need for educational and retraining assistance to introduce the defense scientist and engineer to and acclimate him to a new society: that of commercial R&D.

#### SUPPORT FOR H.R. 5204

The conversion research and education legislation, as our mathematical friends would say, is a necessary but not a sufficient condition. More is needed. H.R. 5204 can help to fill much of that need.

The proposed National Economic Conversion Commission can provide a strong, continuing impetus to keep Federal agencies concerned moving in step towards the goal of effectively, intelligently managed transition from defense to commercial activities of firms and of individuals.

The mandatory economic planning is necessary for past experience after Korea and after the shift from manned bombers to missiles and space vehicles demonstrates that we cannot rely upon corporate management voluntarily to do so. And the financing of an economic conversion reserve from profits provides the monetary muscle to activate these plans.

#### SOME PERTINENT QUESTIONS

At a recent symposium on human resource allocation the subject of conversion, diversification, redeployment, was mulled over. Out of one panel's thinking came four guiding questions that I think would be of value to those who will organize and carry out the activities authorized under these two bills. Briefly, the questions asked:

1. What, in clear operations terms, are the definition of specific civil problems in areas such as criminal justice, pollution control and abatement, public transportation, safety, highway traffic and housing?

2. What retraining might be required for available manpower? For what phases of the work might retraining be required?

3. What kind of funding is required to attack the civil problems and where will it come from? (Answering this question will define the market for scientific and technical personnel.)

4. How is the work on civil problems to be managed? Is there a requirement for national centers of excellence—that would coordinate this work, disseminating information and preventing duplication of effort? (These centers could make use of organizations, facilities and personnel already available in the defense and aerospace industries.)

#### CONCLUSION

These two bills—H.R. 4122, the Conversion Research and Education Act, and H.R. 5204, the National Economic Conversion Act—can provide much of the necessary legislative framework to conserve and effectively utilize our scientific and engineering talent. They are necessary because in this highly competitive world we simply cannot afford to write off these men and women when national problems confront us that will make immense demands upon our scientific and technological capabilities. That is why we should get on with the job of protecting the Nation's investment in and need for this now unemployed brain power.

### MAKING THE UNITED NATIONS WORK: A FITTING TASK FOR THE U.N.'S 25TH ANNIVERSARY YEAR

#### HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1971

Mr. MATSUNAGA. Mr. Speaker, it is time for us to admit, despite our frequent platitudes, that the United Nations has been overtaken by a kind of multiple sclerosis. That it needs a major dosage of reform and new strength to fulfill its promise as a stabilizing force for world peace, there can be no doubt.

One of our own House subcommittees has already debunked the U.N. as "ill-equipped" for its future, "impotent" in the face of threats to peace, "cumbersome" in its structure, and "peculiarly inefficient" in its method of operation.

That is why, earlier this year, I joined my friend and colleague from Missouri (Mr. HUNGATE), and a number of other Members of the House, in sponsoring a resolution calling for a review of the United Nations Charter. As we mark the 25th anniversary of the United Nations, we must turn to the task of improving that organization's effectiveness.

The Nixon administration's new overtures toward Communist China render our reassessment of the U.N. even more timely and especially relevant. Toward this endeavor, I strongly recommend to my colleagues the following penetrating analysis, offered by our former Ambassador to NATO, President Harlan Cleveland of the University of Hawaii, in a paper prepared for a United Nations conference at Stanford University earlier this year.

#### CAN WE REVIVE THE U.N.?

(By Harlan Cleveland)

We are, it seems, at another of those moments of history when, as Churchill wrote of the days before a Great War, "every man had only to do his duty to wreck the world."

The Secretary General of the United Nations, in a short speech ending the General Assembly "debate" on the U.N.'s 25th Anniversary, harked back to an earlier Englishman, Edmund Burke, and a similar sentiment: "The only thing necessary for the triumph of evil is for good men to do nothing." And commenting on the worldwide environmental crisis, U Thant captured a mood of desperation which only served to dramatize how far mankind still is behind its declared aspirations:

"As we watch the sun go down evening after evening through the smog across the poisoned waters of our native earth, we must ask ourselves whether we really wish some future universal historian on another plane to say, 'With all their genius and their skill, they ran out of foresight and air and food and water and ideas'; or, 'They went on playing politics until their world collapsed around them'; or, 'When they looked up, it was already too late.' If the United Nations does nothing else, it can at least serve a vital purpose in sounding the alarm."

But the United Nations under new leadership will have to serve a more vital purpose than crying havoc. It is not man's last best hope, because if we cannot revive the U.N. we will have to do something else. But the other options all require us to start from scratch in building an international order to avoid the scourge of war, so we had better start from where we are.

Where we are is not on the brink of disaster; there is still some elbow room. The caution induced by possession of thermonuclear weapons has almost ruled out war among the major world powers; military stalemate of the NATO-Warsaw Pact variety is not the most attractive kind of peace, but it is proving a durable kind. "Little" wars are likely to continue, more in the developing world than among industrialized nations. And it is precisely in "little" war peacekeeping that we the members of the United Nations have some relevant experience. How are we going to build on that experience? Let me first suggest a good red-blooded American reason for doing so.

#### I

The trouble with the United Nations is that it became indispensable before it became possible. Our problem now is to make it a practical proposition. Because the U.N., or some facsimile thereof, is paradoxically the best chance to develop an American foreign policy that works.

The war in Vietnam has been our last, our longest, and our bitterest experience with what must now be counted the first principle of world politics—that unilateral action, even by the strongest powers, is increasingly likely to be inconclusive abroad and unpopular at home. Peacekeeping, peaceful settlement of disputes, aid-giving and the control of global technologies—the lesson of experience since the Second World War is that, with few exceptions each is better tackled through international organizations than unilaterally, better legitimated by international consensus than by domestic decision-making, better symbolized by an international flag than by the Stars and Stripes. And this is so despite the rigidities, inefficiencies, and hesitations of international organizations in general and the United Nations variety in particular.

The lesson of this lesson is that it is heavily in the U.S. national interest to invent, nourish and lend our power to international organizations, buying specialized results by burying general rivalries, trading some of our discretion for legitimacy, attracting partners by swallowing our pride and prejudice.

The technological imperative to world-wide organizations gets more obvious as each new proud technical achievement turns out to be also an ecological threat. Perhaps it was natural that a nation like ours, which has the capacity to act on the world stage and to affect by its own decisions that world envi-

ronment, should be slow to think transnationally—just as the smoker in a roomful of nonsmokers does not think of himself as a polluter while others do.

But everybody knows now that the air we breathe is an international resource. How much the content of carbon dioxide in the atmosphere is being increased by the burning of fossil fuels, or what foreign particles are being introduced into the air we share, cannot even be estimated, let alone controlled, by nations acting alone. Oil dumping and waste disposal in the oceans are choice current examples of issues that will be sorted out internationally or not at all. And the power to modify other people's weather, redirecting the winds and changing the pattern of precipitation at human command—that would certainly be an outrageous form of power for one or a few scientifically advanced countries to arrogate to themselves.

The internationalizing imperative is equally evident in development aid, the transfer of resources and technique from rich countries to poor countries. We have been through it all in the twenty-five years since the first relief and rehabilitation programs after World War II, and we know that national "foreign aid" does not—as most people used to think—provide more control, elicit more gratitude, or produce better results than aid administered through the World Bank and the U.N. Development Program. They are not very efficient, but neither are the unilateral aid programs. And in terms of domestic political support, unilateral "foreign aid" is consistently in hotter water than U.S. support for international organizations. If there is not a lot to choose between them for effectiveness, why take the political fallout abroad and the annual political trauma in Washington, that "American-flag" operations seem to entail? The Peterson Commission, without explicitly asking this question, has drawn the obvious conclusion in advocating as much multilateral aid as possible. (It is of course a "safe" recommendation, since the parallel reluctance of other contributors helps ensure reasonable limits on what we have to do.)

When it comes to peacekeeping the lesson of experience is even more striking. We were able to withdraw from the Congo because the "we" that were engaged was the United Nations. Deeply enmeshed though we are in the Middle East, the presence for a time of U.N. observers and until now of a U.N. mediator has enabled us to avoid taking a unilateral responsibility for keeping an uneasy truce and making an almost impossible peace. In the Cuba missile crisis, we managed to engage two international agencies, the Organization of American States to sponsor our blockade and bless our overflights, and the U.N. Secretary General to urge a Soviet pullback and propose international inspection in Cuba. (The published histories of this crisis have missed how multilateral was the diplomacy that legitimated the threat to use our military power to get rid of those missiles; for example, Castro's refusal to consider U Thant's inspection proposals provided the justification for continued aerial surveillance of Cuba by the United States acting for the OAS.)

Even in the Dominican Republic intervention, when President Johnson acted unilaterally, the peacekeeping operation was converted in time to OAS sponsorship, which certainly helped us get out in about a year instead of staying around to become involved in the local aftermath. And where United States forces have had to stay for protracted defense—in NATO Europe and in South Korea—international consultation and command have helped protect American involvement from ineffectiveness abroad and unpopularity at home.

The contrasting case is of course Vietnam. Our efforts in the 1960s to tackle that peacekeeping job unilaterally has to be counted a

major strategic error. Taken together with the early American belief in conventional military force as a counter to unconventional attack, and the later illusion that escalation by imported armies and bombing by American planes could lead to a negotiated peace, the unilateralism of our approach guaranteed an inconclusive outcome. This has been the most unilateral, the most unsuccessful, and the most unpopular war in American history; there is clearly a correlation among these superlatives.

In his addresses to the U.N. General Assembly last Fall, Andrei Gromyko said of Vietnam that "by its aims and its nature the war is still an American war." The irony of our involvement is that most Americans, both those who have supported the war and those who have opposed it, would have to agree with Gromyko.

If operating unilaterally is the worst foot forward in international politics, and equally a dead-end street in U.S. domestic politics, it is quite natural that the Vietnam experience has produced a widespread yen to cut back on U.S. commitments and ambitions, indeed a turning away from foreign policy in favor of concentration on domestic issues—race, poverty, the cities and the environment. The danger in this sudden shift of priorities is that future peace-and-security crises will find us no longer willing to face unilateral involvement and not yet able to work through effective international peace-keeping machinery—because it doesn't yet exist.

During recent "peace games," in which possible future crises are played out by responsible officials or their surrogates, the players representing the United States Government have been much inclined, when the crunch comes, to rule out the use of U.S. military power on the ground that, after Vietnam, the American people could not be brought to support of another overseas adventure. They are probably right; the slogan "No More Vietnams" has very wide support today across the American political spectrum. If the option is unilateral adventure or none, the mood of America in the 1970s might well dictate a kind of isolationism. But if the options also include U.S. support to a multilateral operation, legitimated by some reputable international organization and shared in by a number of other countries, Americans are likely to reject both lonely withdrawal and Lone Ranger activism, and join an international patrol instead. And one result of acting multilaterally is to require us to consult internationally before acting; in some cases this might have the effect of substituting a political settlement process for military intervention. Again, the Vietnam experience teaches us how important it is to keep that option open.

If in order to make sense of American foreign policy we need multilateral options so badly, can we revive the U.N.? That it needs a major injection of both strength and adrenalin, there can be no doubt.

I will not rehearse for this sophisticated audience the multiple sclerosis which has overtaken the United Nations in its less than three decades. The detachment from reality of much General Assembly debate, the frozen procedures of the Security Council, the underfinancing and overbureaucratization of the Specialized Agencies, the demoralization of the U.N. executive and the growing timidity of its aging leadership—these are the familiar complaints, no less justified for being familiar.

A House of Representatives subcommittee was surprisingly gentle in referring to the U.N. as "ill-equipped" for its future, "impotent" in the face of threats to the peace, "cumbersome" in its structure and "peculiarly inefficient" in its method of operation—and even gentler in its summary finding that "the overall record of United States' participation in the United Nations has been less than satisfactory." Gromyko, in the U.N.

speech already mentioned, was equally circumspect: "... we feel it can safely be concluded that the task of keeping and strengthening the peace has been growing increasingly more complicated, but the requirements for successfully coping with this task have been developing even more rapidly and to a greater extent."

The circumspection illustrated by these two quotations may itself be part of the problem. The almost universal stake in pro-U.N. rhetoric discourages frank analysis of the Organization's reparable deficiencies. Thus, for example, it is often said that there is no nourishment in reviewing the United Nations Charter to look for ways of changing it. "If we renegotiated the Charter, we would not come out with as good a document as we have already." You have heard it said many times; I used to say it myself when I had some responsibility for U.S. participation in the U.N. The judgment is probably true of the Preamble and the first two Articles; they still stand as eloquent statements of universal human aspirations. But is it equally true of the fifty pages of procedure that follow the Charter's five pages of philosophy? Is the mind of man incapable of inventing processes that move more quickly to consensus about action instead of disagreement about words?

The Charter is essentially an expression of Western democratic philosophy. In consequence the machinery it establishes reflects a devotion to two-sided parliamentary procedures which just may be out of place in dealing with the "increasingly more complicated" tasks of peacekeeping and peacemaking, which almost never have just two sides. Certainly the emphasis in U.N. bodies on choosing up sides, and on voting, has often reduced the Organization to absurdity, forcing nations to record rather than negotiate their differences, and producing outcomes which merely harden in their intransigence the holders of minority views.

The North Atlantic Council, by contrast, rarely takes a formal vote—because it is obvious that there is no point in outvoting the Scandinavians on how to defend Scandinavia or outvoting the Germans on how much money they will contribute, or outvoting the United States on how many troops it will retain in Europe, or outvoting the French on whether France will cooperate in NATO defense. These are real-world decisions, and everybody involved knows by instinct that if they cannot achieve a consensus by persuasion, dramatizing the disagreement by a vote doesn't help—and may even hinder a further effort to achieve consensus later on.

The U.N. way, at least in the General Assembly, is more often the opposite: the majority outvotes the nations whose policies are at issue (the colonial powers on colonial issues, the rich countries on money questions, the Communist countries on questions of Communist behavior). This fails to persuade the dissenters, and may even harden them in their dissent. The only thing it clearly accomplishes is to dramatize the impotence of the General Assembly to affect the real world by voting. In the Security Council, smaller numbers, more urgent issues and the veto threat combine to produce negotiations that better reflect the facts of power; when a vote is finally taken after long nights of bargaining, it sometimes reflects real *quid pro quo* accommodations among the member nations.

It would be foolish to suggest that the only trouble with the U.N. as peacekeeper and peacemaker is its formal machinery for making decisions by voting. At least one of its chief executives, Secretary General Dag Hammarskjöld, found ways to get executive action launched that jolled or shamed national governments into following his lead. The record of U.N. agencies in promoting economic and social development provides some evidence that the awkwardnesses of parliamentary diplomacy need not inhibit major execu-



tive actions by international organizations, if there is a will to action on the part of the relevant national governments. Other less-than-global organizations, notably the North Atlantic Treaty Organization and the European Economic Community, have also demonstrated the capacity for large scale executive activity.

But what are the common factors in these comparative successes? Without reviewing here the evidence for my conclusion, I would say that the most effective international organizations are those which have (a) eschewed votes in their governing bodies, operating as much as possible by consensus procedure, and (b) placed the major responsibility for initiative in their international executives.

The promise of the United Nations was always, and still is, its capacity to act—as a mediatory force in the politics of nations, and as the source of law and the organizer of its enforcement. Yet the structure of the Organization requires such an overwhelming concentration on hearing the nation's differences aired (and therefore widened) in public, that the leadership is not available to plan and administer even the executive actions that all nations would acknowledge to be in the general interest. It is certainly dysfunctional for the Secretary General to sit on the General Assembly dias, listening to predictable sentiments in five languages, when he could be developing from his unique vantage point some executive initiative to deal with the multiple crises of our time.

### III

Less irrelevant voting and more executive leadership—what would these two principles of growth imply for changes in the United Nations? Here is a checklist—each item is worth a full lecture by itself.

1. *Streamline the General Assembly.* It is arguable that the General Assembly is now too far gone to be useful for anything but blowing off steam. But the amount of diplomats' time it requires can certainly be reduced by permitting statements for the record (as in the U.S. Congress), exercising birth control on new membership by micro-states, doing more of the work in expert groups, and encouraging the Secretary General to take more of the leadership in organizing the debate and posing the questions than can usefully be addressed by such a body. The notion of expert groups is especially constructive; apart from the General Assembly, no parliamentary body in the world does nearly all its committee work in Committees of the Whole.

2. *Make the Security Council work.* The key to international legitimacy for peacekeeping operations is the Security Council. The U.N.'s experience shows that it works best when the Secretary General is taking the initiative—as in the Congo, Cyprus, and pre-1967 Mideast operations. A special place should be made for powerful but non-nuclear powers—such as Argentina and Brazil from Latin America, Australia, India and Japan from the Asian region, Nigeria and Egypt from Africa, Poland, Sweden and Germany (when admitted) from Europe, and Canada and Mexico from North America. There are ten nonpermanent members on the Security Council now; five or six seats might well be reserved for those which—as the Charter contemplated—could make a greater contribution to the maintenance of international peace and security. The People's Republic of China will sooner or later take over the China seat on the Council; the puzzle will be to accomplish this shift without losing the Republic of China from the General Assembly.

3. *Encourage the Secretary General to engage in fact-finding in peace-and-security disputes, without waiting to be told by some legislative body to do so.* New observation technologies may make this a far more important power than heretofore: for example,

we are just around the corner from reconnaissance satellites which can monitor a visible happening on earth (say, launching of a missile), and televise it in real time to whomever controls the satellite. But quite apart from modern technology, the U.N. executive's ability to send a competent fact-finder or mediator into a complicated situation is still one of his main powers—if it isn't used in too gingerly a manner.

Moreover, the United Nations provides a sponsor for peaceful settlement which combines the pressure of latent big-power intervention with the facilities for keeping it latent. If most "little" wars are likely to be fought or threatened in non-Western regions, we need local and regional machinery for settling disputes in which Westerners (Russians as well as Americans) do not have to be involved. The initiative of the U.N. executive, however, can be an "outside" factor that is politically acceptable to peoples which can't settle their own disputes yet don't want to turn their problems over to external Big Brothers to settle for them. The U.N. has hardly begun to realize its potential as sponsor of regional conciliation machinery.

4. *Establish a real standby force.* So far, the earmarking of national forces for U.N. employment has been good symbolism but has not provided the U.N. executive with any real discretion in emergencies. A modern force actually available, equipped and with at least a minimum airlift capability of its own, has become an indispensable part of the Secretary General's "third man" role in international disputes. A permanent international peacekeeping staff, with the capacity to plan, train for, and execute peacekeeping missions, should be located in the Secretary General's office; it might be supplemented with a special group of Undersecretaries who, whatever called, would be effectively in touch with the permanent members of the Security Council to maximize the Secretary General's freedom of action.

How big a standby force? Twenty or thirty thousand well-trained men, with the requisite airlift to get around in a hurry and the arrangements to call forward further national forces promised by member nations, would be large enough to ensure that the U.N.'s mediatory role is taken seriously—and not so much as to threaten the security of the nations whose military restraint is ultimately the key to peace in every region. To the cynical question, "How many divisions has the U.N. executive?" the answer should be "One for sure, and it can be there the day after tomorrow."

Much smaller peacekeeping responsibilities brought the U.N. to a condition of financial crisis during the 1960s. Can a major peacekeeping force be financed internationally? The answer, as always, is in the will of the nations to pay—or to contribute forces, equipment, and airlift in kind. The cost is certainly small by the grotesque standard of current military budgets; even a billion dollars for international peacekeeping would be a fraction of one per cent of world defense spending. New U.N. leadership and a new system for command and control, backed by an unprecedented American willingness to pay for a force which would be subject to some U.S. influence but not to U.S. control, might make a voluntary peacekeeping fund possible—especially since most of the expenses for troop pay, material and airlift could probably be contributed in kind and thus count as national security spending rather than as eleemosynary contributions. We can readily abandon the notion of paying for standby forces through every-member assessments; the General Assembly has already demonstrated that it is not willing to back its taxing authority with two-thirds of its votes.

5. *Develop a consortium of the concerned.* There is a growing body of opinion to support the notion that the United States should take the lead in developing a working com-

munity of those nations which would be willing to go farther than others in building up an international executive to keep the peace and mediate disputes of less than global magnitude. Such a consortium, constituted within the framework of the Charter's purposes but outside its established machinery, with its own arrangements for fact-finding, mediation, and quick mobilization of peacekeeping forces, might well be a useful pressure on the U.N. executives and the Security Council to act, for then the alternative to U.N. intervention would not be inaction but action by a smaller number of members in the Charter's name. The same group of nations might develop among themselves procedures for settlement and adjudication which would provide a quicker reference to the World Court or to conciliation processes of disputes among the members of the self-constituted inner circle.

6. *Sponsor a formal review of the Charter.* The Charter cannot be changed without U.S. consent. It is worth a year or two of intensive multilateral diplomacy to see if the procedures of parliamentary diplomacy cannot be streamlined and the U.N. executive given more discretion to act in, or to avert, emergencies.

7. *Fill the coming vacancies carefully.* The 26th General Assembly, on the recommendation of the Security Council, will elect a Secretary General. U Thant, who has proved himself a conciliator of quality and sometimes courage, is almost certainly not the kind of international executive required for the revival and extension of the U.N.'s peacekeeping and peacemaking role that is here projected. A shift is moreover required to symbolize a new era of U.N. revival; or to put it another way, the re-election of U Thant would betoken a continuation of the trend toward atrophy of the U.N.'s political and security role—and encourage groups of nations to take more of the peacekeeping law into their own hands.

The higher levels of the United Nations Secretariat are heavy with men in their sixties and seventies who in most organizations would be past the date of mandatory retirement. It is a distinguished array of talent: Paul Hoffman, former leader of the Marshall Plan and longtime Administrator of the U.N. Development Program and its predecessors; Undersecretary General Ralph Bunche, winner of the Nobel Peace Prize, who has worked for the U.N. ever since the late 1940s; Philippe deSeynes, the Frenchman who has presided over the U.N.'s work in economic and social affairs; Constantin Stavropoulos, long-time legal adviser and now Undersecretary General for General Assembly affairs. Together with C. V. Narasimhan, the Indian who is U Thant's closest assistant (and who, being younger than the others, can provide a welcome continuity in the 1970s), these men have provided the top leadership of an enterprise which is no longer sparkling with ideas or exuding a sense of destiny. The coincidence of top vacancies presents an enormous opportunity to engage first-rate younger people who have the personal force to bring to life the forgotten genius of the Charter—the U.N.'s capacity to act for peace—not just talk about it. Such men can also more easily face up to new issues, such as the deterioration of our world environment, which were not in the minds of the men who drafted the Charter a generation ago.

The filling of these half-dozen prospective vacancies, including the Secretary General's office, should be taken as one of the 1971's most important international negotiations.

If 1971 is going to be U.N. Personnel Year, we would also do well to have a new look at the concept of U.N. careers. A generation ago, the need to protect U.N. staff from undue national influence produced the notion of an international civil service. We can see now that lifetime employment in an in-

ternational bureaucracy produces the same Parkinsonian tendencies, and the same cautious time-serving, that are so evident in national career services. For many categories of position, and especially in the policy-making roles, the member nations might well be better served by a reasonably frequent turnover of U.N. functionaries. At a minimum, future appointments to middle level and higher positions should be limited to term contracts lasting not more than five or six years.

8. Give the U.N. major jobs to do. Throughout the life of the Organization, nations (including ours) have justified unilateral action by saying the U.N. was too fragile for major peace-and-security tasks, and would collapse under the strain of a Berlin or a Vietnam. But institutions grow in strength and relevance because they must—and not until they must. And in Southeast Asia especially, an international solution, internationally monitored and enforced, seems the only alternative to an American commitment indefinitely prolonged.

As long as we are not nationally responsible for the outcome, there is a wide range of outcomes possible in Southeast Asia. Any of them will probably mean some sharing of authority and territory between Communists and non-Communists, and the many shades in between. Our interest lies in turning back to the Southeast Asians the bickering and politicking and governance for which we have unilaterally assumed too much responsibility these past few years. It is hard to imagine an outcome worked out under U.N. sponsorship that would be worse from the point of view of the American interest than a continued massive commitment in Vietnam, Laos and Cambodia.

Preceding a new "Geneva conference," it might well be possible to induce a number of countries, representing an acceptably wide spectrum of political orientation, to take on the peacekeeping task after a settlement is reached. The Russians would have to agree, of course; but they may have some interest in keeping the foot in the Southeast Asian door which we have made possible by our involvement there. The mainland Chinese would also have to agree; but a package large enough to include their full participation in the United Nations, including the China seat on the Security Council, might turn out to be negotiable if we wanted it badly enough. The Chinese and Russians both agreed to the Laos settlement of 1962; of course it wasn't a very good deal from our standpoint, but we have not won the war in Vietnam and we won't be able to have the peace all our own way either.

Given the projected American withdrawal and a willingness on our part to share the burden of masterminding Southeast Asia's future with the widest possible community of nations, the natural venue for the question "After Vietnam, What?" is the Security Council of the United Nations. The aftermath will go on for a decade or more; any settlement will be ragged. If the results of U.N. involvement are not then to our taste, we still have to ask ourselves—would we have done better taking on the post-war settlement as an American responsibility? Experience in the Congo, Cyprus and the Middle East is instructive: multilateralism is often messy, but still, better than direct confrontations of major powers.

In his 25th Anniversary speech to the General Assembly last October 23rd, President Nixon gave assurances that we want neither a Pax Americana nor an American Century. But the alternative he there described is equally undesirable—"a structure of stability and progress that will enable each nation to chart its own course and make its own way without outside interference, without intimidation, without domination

by ourselves or by any other power." The world of independent sovereignties, from which words like these have been handed down from Administration to Administration, was never a good description of the probable, and is now a description of anarchy. What we need is a structure of stability and progress which rests on the close, organized cooperation of nations who know they are interdependent, and have learned to stop talking about independence. U Thant, criticizing the tendency of nations to use the United Nations "to promote their own national policies," was closer to the mark when he went on to advocate "a new kind of organization in which the nations of the world in cooperation could forge and execute (the italics are mine) solutions to world problems. . . ."

#### THE PHILADELPHIA NAVAL SHIPYARD

#### HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1971

Mr. EILBERG. Mr. Speaker, ships have been constructed in Philadelphia since the 18th century. In testimony before the House Armed Services Committee in 1970, Rear Admiral Dolan—Naval Ship Systems Command—described the shipyard:

The Philadelphia Navy Yard, the forerunner of the naval shipyard, was not authorized until 1799, as one of six navy yards and actual establishment was in 1801. The yard originally consisted of 11 acres located at the foot of Federal Street near the center of the city. This site was much too small for the yard's increased responsibility during the Civil War. Therefore, in 1862, Congress authorized acceptance of League Island from the city for \$1 for naval purposes. Development of the new Navy Yard began immediately, but it was not until 1876 that transfer of all operations was completed. The island is now joined to the mainland. The naval shipyard is part of the port of Philadelphia, the second largest port in the United States and the largest freshwater port in the world. Although approximately 90 miles from the open sea, the shipyard is accessible to the largest combatant ships via a 40-foot deep channel with 187-foot bridge clearance, ample for all naval ships.<sup>1</sup>

The yard employs approximately 9,000 civilian personnel.

The number of civilian employees has dropped rapidly in the past few years. According to the Defense Department, yard employment has been:

June 1969	12,314
June 1970	10,777
June 1971 (est.)	8,700

The effect of this drop of over 3,500 employees on the local economy extends beyond those individuals no longer employed. In Philadelphia, each million dollars of investment results in the employment of about 55 men in shipbuilding and RAC. This direct employment, moreover, results in the further employment of another 40 to 45 persons.<sup>2</sup> Thus, the loss of the Federal expenditures at the yard has far greater consequences than simply the loss of 3,500 jobs.

The Philadelphia Naval Shipyard has the mission to—provide logistic support

to ships and ship systems in accordance with the assigned optimum capabilities—air warfare system, anti-air warfare system, submarine—diesel—warfare system, and surface new construction.<sup>3</sup>

In order to perform these functions, the shipyard has a capital investment of over \$200 million. Its replacement cost would be almost \$600 million. When the New York Naval Shipyard was closed in November 1964, Philadelphia was given that yard's responsibilities.

Since that time the Philadelphia Shipyard has overhauled the *Saratoga*, one of our largest attack aircraft carriers, and has constructed three tank landing ships, an amphibious force flagship, and converted several destroyers to modern guided-missile type. It also reactivated the battleship *New Jersey* for the ship's abbreviated role in Vietnam. The shipyard is also the lead yard for conversion of guided-missile frigates.<sup>4</sup>

Different shipyards have different characteristics and capabilities. While to some degree these overlap, each yard differs sufficiently from the others to be considered almost unique. Philadelphia has certain capabilities which are not shared by other east coast shipyards.<sup>5</sup> For example, Philadelphia has a new gantry crane for moving steel plates to the fabrication shop. This allows for a more efficient use of plate and fewer man-hours expended. Before the introduction of the gantry, it was necessary to store the plate vertically.

Much of the machinery now being introduced is numerically operated. This means that it is controlled by computer. Through the use of more numerically controlled equipment, there are fewer bottlenecks, less waste, more efficient use of materials, and generally speaking, a better end-product. It is hoped that eventually more of the industrial plant at Philadelphia can be modernized.

#### SOME OF THE BASIC PROBLEMS

The problems that beset the Navy shipyards are to some extent the result of public policy. For example, the decision to build a large number of destroyers in one private shipyard means that a substantial amount of Federal money is going to be expended on one project with little left over for others.

#### NEW CONSTRUCTION

Since fiscal year 1968 no new construction of naval ships has been initiated in public shipyards. This is in contrast to the previous 20 years during which \$450 million, or approximately 20 percent of the money for new construction, was expended annually in the public yards.<sup>6</sup>

Understandably, the private shipyard operators were pleased that new construction was shifting to the private shipyards. Edwin M. Hood, president of the Shipbuilders Council of America, in testimony before the House Defense Appropriations Subcommittee—June 10, 1971—stated:

Nearly ten years ago, it was my privilege to appear before you in the context of a rather comprehensive set of hearings concerned with the subject of shipwork distribution between private and naval shipyards. As a consequence of data developed at that time, the Subcommittee decided, in its wisdom, that inbred policies of the Navy inimical to the

Footnotes at end of article.



concept of private enterprise should be changed—and they were changed.

You may remember that a 1962 industry-sponsored study by the accounting firm of Ernst and Ernst concluded that "shipwork accomplished in naval shipyards (was) estimated to be 20 percent to 28 percent more costly than at private yards."<sup>7</sup>

While it is not the purpose of this report to examine the capabilities of the private shipyards, it should be noted that they may soon be greatly expanding their construction of privately owned vessels. The discovery of oil deposits on the North Slope of Alaska—and the consequent removal of that oil—will require a large fleet of ships. Since Federal law requires that ships operating between American ports be constructed in the United States, there is a good chance that the private shipyards may desire to concentrate on tankers rather than naval construction. In such an event, it might be worthwhile to conduct some naval construction in the public yards.

#### REPAIR, ALTERATION AND CONVERSION (RAC)

Over the past few years, the division of work for RAC between the public and private yards has been:<sup>8</sup>

Fiscal year	Total amount	Private share (percent)	Public share (percent)
1965.....	\$676,182,000	32.6	67.4
1966.....	1,047,413,000	35.4	64.6
1967.....	1,163,082,000	40.8	59.2
1968.....	1,272,402,000	37.4	62.6
1969.....	1,186,043,000	32.9	67.1
1970.....	1,144,989,000	31.7	68.3
1971.....	1,405,745,000	38.8	61.2
1972.....	1,437,130,000	31.5	68.5

<sup>1</sup> Current estimated division according to Navy Department.  
<sup>2</sup> Budgeted amount.

<sup>3</sup> Projected division according to budget submitted to Congress.

Source: Leggett, Robert L., letter to L. Mendel Rivers, Apr. 6, 1970.

In some ways, the division of expenditures for RAC between the public and private yards has generated more disagreement than has the concentration of new construction in the private yards. In his testimony before the Seapower Subcommittee, Adm. Nathan Sonenshein, Commander, Naval Ship Systems Command, testified:

While private shipyards have received all of our new ship construction work for the past few years, we have traditionally spread most of the combatant ship overhaul and repair work among the naval shipyards so that we can maintain their unique capabilities for fleet support.<sup>9</sup>

From time to time, legislation has been proposed to require some division between the public and private yards. Indeed, as late as 1965, a requirement that at least 35 percent of RAC be conducted in private shipyards was written into the Defense Appropriations Act.<sup>10</sup> The House Armed Services Committee opposed a mandatory division of expenditures, preferring to allow the Navy to allocate funds at its own discretion. As is evident from the table cited above, approximately 35 percent of RAC funding has been expended in private yards.<sup>11</sup>

Proposals to revive the principle of a mandatory 65-35 division have been made from time to time. Usually the proposal has not called for a division of all

RAC spending but for just one segment, such as repair. For example, W. C. Brigham, president of the Western Shipbuilding Association, in a letter to Representative Leggett, wrote:

We ask your help in these trying times to support the private yards in their effort to regain the 35-65 percent ratio of naval repair work that was established as a matter of law during the early sixties. In asking this support, however, we would also like to explain that there should also be some means of determining where the workload is going. For instance a single nuclear ship, or aircraft carrier, overhaul contract can use up a good portion of whatever percentage is allocated to private yards and it is to be noted that nuclear ships and aircraft carriers are not repaired, converted or overhauled in the private yards on the West Coast.<sup>12</sup>

Naval shipyard representatives are very much opposed to a statutory 65-35 division. Lewis Bogdanoff, vice president of the Joint Committee for Yard Development of the Philadelphia Naval Shipyard, in his statement before the House Defense Appropriations Subcommittee, stated:

I appreciate the opportunity of appearing before you representing the Joint Committee for Yard Development of the Philadelphia Naval Shipyard. I must admit, however, that I'm extremely sorry to be here as I had thought, or at least devoutly hoped, that 65-35 was dead and buried forever.

But bad pennies do insist on turning up again. The arguments against 65-35 six years ago are just as valid and need only to be touched on very briefly. They are mainly that most repair work is generated after the ship is brought into a shipyard, opened up and inspected. This means that once the ship is in a private yard and torn apart it cannot be moved so the government would be "over a barrel" and forced to pay whatever the private shipyard asked for the job. In addition, private yards do not have the trained men and sophisticated equipment on hand. They would probably have to put much work out to subcontractors which would vastly increase the time as well as the money required to do the job.<sup>13</sup>

By and large, however, the 65-35 split that Bogdanoff opposes has come into effect without legislation. Admiral Sonenshein stated:

I think it is interesting to note that without any legislation, through the free play of the market, through the operational schedules and needs of the service, a pattern has evolved which I would think is a satisfactory one.<sup>14</sup>

In general, the Navy divides the RAC according to the capabilities of the shipyards available to do the work. Admiral Sonenshein agreed with Bogdanoff that the public yards had more sophisticated capabilities than the private ones. He noted that the—

Bulk of our repair work, at least on complex combatants—which constitutes the greatest dollar value—will continue to be performed by naval shipyards. Moreover, most of the smaller private shipyards do not have the facilities or skills to complete successfully the larger, complex ship projects.<sup>15</sup>

Sonenshein also complemented Brigham's contention that one large contract can take up a large portion of the private share of the RAC market. Admiral Sonenshein stated that—

Although Navy shipbuilding and conversion programs are expected to remain con-

stant in dollar value, they will be so limited by their nature—nuclear, multiyear—that a small number of shipyards will work on them. The projected increase in MARAD [Maritime Administration] subsidized and private non-subsidized shipbuilding tends to offset the change in the Navy programs.<sup>16</sup>

Furthermore, such programs as the DD-963 Spruance class destroyers, under construction by Ingalls—Litton—are so huge that probably only two or three companies could effectively bid on them.<sup>17</sup> The award of this contract to only one shipyard explains to some extent the plight of the Government and small private shipyards. Admiral Sonenshein highlighted some of the general problems:

In the past we have followed the practice of ordering a few ships from a number of shipyards, accepting nonstandardized ships at more than the possible minimum cost, so that we could maintain private shipyards with their skilled workers as a mobilization base, while at the same time spreading the work—"economic diversity" as the economists says. However, we must now reexamine these two philosophies—mobilization base and economic diversity—for three reasons: dependency on long lead-time items, the speed of building new shipyards, and the increased cost of nonstandard ships.<sup>18</sup>

#### OTHER SIGNIFICANT PROBLEMS

There are other problems affecting the public yards that either result from or impinge upon current shipbuilding and RAC assignments. One of the major ones is manpower. Admiral Dolan stated:

I want to dispel any thought that because of the time spent on physical facilities, we are trying to say that these are our foremost assets. This is far from the truth; our greatest asset is the highly skilled and experienced shipyard work force. These experienced and skilled people enable the naval shipyards to handle any emergency situation as well as routine matters. This in-depth experience of the work force is evidenced by the fact that most shipyard employees have between 15 and 20 years of service, thus creating a very stable work force.<sup>19</sup>

While the work force has been stable, the work supply has not been. This has led to some severe fluctuations in demand for manpower. Admiral Dolan described this particular facet:

In concluding my remarks on naval shipyard utilization, there is one aspect of manpower management that is particularly pertinent. Today's complex ships with their larger work package create substantial peak manpower workloads during their overhauls. However, these loads neither occur during the same period of time nor are of the same magnitude for each of the trades.

The result is that the demand on each specific trade fluctuates rather widely. The ideal solution is to assign sufficient work, properly scheduled, so that the various skilled craftsmen can move effectively from ship to ship. Since this is not always possible, forced leave, loans of manpower, working men in secondary skills and other devices, and, in some cases, selective reductions in force and necessary management actions to balance manpower against workload.<sup>20</sup>

To some degree this problem has been met—for the near future—in the Philadelphia shipyard. Philadelphia has been designated the lead yard for the conversion of guided missile frigate—DLG's. In a letter to Senator RICHARD SCHWEIKER, Secretary of the Navy Chafee said:

The Philadelphia Naval Shipyard is rapidly gaining expertise in the DLG Anti-Air War-

fare Modernization Program. USS Farragut (DLG 6) and USS Preble (DLG 15) successfully completed modernization at Philadelphia this past year. The USS Dewey (DLG 14) and USS Luce (DLG 7) are presently in the shipyard undergoing their programmed modernization. Present plans call for the remaining five ships of the DLG 6 class to receive the same industrial work at the Philadelphia Naval Shipyard during the next few years. We currently intended to fund two DLGs in FY 1972, two in FY 1973, and one in FY 1974.<sup>21</sup>

In the long run, however, the DLG work represents only a stopgap. A long-term solution would be more advance planning of RAC and shipbuilding. The Seapower Subcommittee concluded that "each naval shipyard should have some lower priority new construction use as a buffer between crash emergency surges."<sup>22</sup> Unfortunately, this may run counter to the need to build uniform—standard—ships.<sup>23</sup> In other words, we are presented with a genuine dilemma: are the needs of national security better met by standardized—and less expensive—ships or by nonstandard ships which come from a number of shipyards—thus keeping the shipyards operating and modernized? It is not the purpose of this report to attempt to answer that question. However, some answer will probably have to be found before debate over the utilization of public and private shipyards can be resolved.

## FOOTNOTES

<sup>1</sup> U.S. Congress. House. Committee on Armed Services. Seapower Subcommittee. Status of Shipyards. Volume I. P. 10433.

<sup>2</sup> Zumeta, Bertram W. How many jobs can one job make? Federal Reserve Bank of Philadelphia Business Review. October 6, 1969. P. 90.

<sup>3</sup> Status of Shipyards. P. 10442.

<sup>4</sup> Ibid.

<sup>5</sup> In the interests of national security, the Navy tries to duplicate shipbuilding and RAC capabilities on each coast. Thus, each coast is capable of supporting its respective fleet.

<sup>6</sup> Over the past century, public law has often requested a certain amount of new construction in the public shipyards, reflecting a concern to develop modern shipbuilding capabilities in the public yards. Sometimes, the lead ship of a class would be built at a public yard; sometimes alternate ships would be constructed in navy yards. Also, in the interest of national security, the Navy desired to insure the shipbuilding capabilities of the west coast and Gulf coast shipyards. Therefore, public law often required that some construction be performed in shipyards at those locations.

<sup>7</sup> Hood, Edwin M. Statement before the House Defense Appropriations Committee. June 10, 1971. According to the Shipbuilders Council, that same firm is conducting an updated study which should be available in late 1971 or early 1972.

<sup>8</sup> Status of shipyards. p. 9997.

<sup>9</sup> Public Law 88-446, Section 539. The Secretary of Defense was allowed to override this requirement if he believed it to be in the national interest.

<sup>10</sup> Before 1965, the private yards had averaged only 15 percent of RAC expenditures.

<sup>11</sup> Brigham, W. C. Letter to Representative Robert L. Leggett, November 27, 1970.

<sup>12</sup> Bogdanoff, Lewis. Statement before the House Defense Appropriations Subcommittee on June 22, 1971.

<sup>13</sup> Status of shipyards. P. 10001.

<sup>14</sup> Status of shipyards. P. 10000.

<sup>15</sup> Ibid. P. 10005.

<sup>16</sup> The Ingalls Shipyard won the contract to

construct 30 ships on a mass production basis. The only other competitor was Bath Iron Works (Maine).

<sup>17</sup> Status of shipyards. P. 9993.

<sup>18</sup> Status of shipyards. P. 10585.

<sup>19</sup> Ibid. P. 10091.

<sup>20</sup> Chafee, John H. Letter to Richard S. Schweiker of February 24, 1971.

<sup>21</sup> U.S. Congress. House Armed Services Committee. Report. Status of shipyards. P. 2298.

<sup>22</sup> It may also run counter to a recent requirement announced by the Chief of Naval Operations. In the interest of improving personnel conditions, Navy ships are to undergo RAC in or near their homeports whenever possible. The homeports of the ships of the Atlantic Fleet are Newport, Norfolk, Charleston and Mayport. Philadelphia is not a homeport for active ships. If this requirement is strongly enforced, over the long run Philadelphia will work on fewer ships than at present.

BAN ON PLAYING OR SINGING OF  
"DIXIE"

HON. HARRY F. BYRD, JR.

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES  
Wednesday, September 8, 1971

Mr. BYRD of Virginia. Mr. President, it was with disbelief that I read recently that a Federal district court in Alabama had banned the playing or singing of "Dixie" at local school functions.

This decision, which obviously is grounded upon a total lack of historical awareness, is discussed in an editorial published in the Richmond News Leader of September 2, 1971.

I ask unanimous consent that the editorial, entitled "A Fixed Star Sets," be printed in the Extensions of Remarks. The editor of the editorial page is Ross Mackenzie.

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

A FIXED STAR SETS

In a decision that eventually may affect every school in the South, a U.S. District Court judge in Huntsville, Alabama, has banned the playing or singing of "Dixie." He also has banned display of the Confederate flag, and the use of any "symbols," "regalia," or "indicia" of the Confederacy at any school function in Huntsville or in any school under the authority of the Huntsville board of education.

The judge explained his ruling by saying that the Confederate flag represents a symbol of "white racism in general." It is "a symbol of resistance to school integration." It equals the Black Panther flag in extremism, and "none of these flags are constitutionally permissible in a unitary school system where both white and black students attend school together." The use of the flag or any C.S.A. symbol "is no way to eliminate racial discrimination 'root and branch.'" Their use also represents "the school board's or its employees' desire to maintain segregated schools," in a contradiction of Federal court decrees.

This singular line of reasoning perpetuates the myth that the War Between the States was fought over slavery, when in fact the right of secession and tariffs were the primary issues at stake. Yet despite these issues that provided the major causes for the war, popular belief still holds that slavery was the only cause, and therefore everything connected with the South and the war had

to be racist. And so now a Federal court, in effect, outlaws the Confederate flag, all emblems and regalia of the C.S.A., and even the football team's nickname of "Rebels."

As Alabama Senator James Allen points out, ironies abound: "Dixie," of course, was written by Daniel Decatur Emmett, an Ohio Negro who used it in a minstrel show. At that time, it went by the title of the "Hurrah Song." It was one of President Lincoln's favorite tunes; on April 10, 1865, he ordered it played for him at the White House. The song, he said, was one of the lawful prizes the Union had won in the war. But now it is a racist song, to be banned, censored, and removed from musical memory.

And throughout the South, memories of the war have been made manifest in any number of ways. Many schools and other buildings carry the names of Southern generals and officials, and many school teams call themselves Rebels, Raiders, and other names derived from Southern fighting units of the war. Their bands often dress in Confederate uniforms. The history books used in Southern schools—and other schools throughout the nation—describe battles that the South won, as well as those it lost. Is all of this to be eliminated overnight, by judicial decree?

The issue of free speech and First Amendment rights seems overlooked in all of the rush to outlaw everything pertaining to the Confederacy. Not long ago, the U.S. Supreme Court ruled that the Florida legislature could not impose an oath of loyalty upon Florida teachers. "If there is any fixed star in our constitutional constellation," the high court ruled "it is that no official, high or petty, can prescribe what shall be orthodox in politics, nationalism, religion, or other matters of opinion."

Nonetheless, a Federal District Court judge can decree that the Confederate flag is as obnoxious as the Black Panther flag, and summarily forbid its display. Demonstrators against the draft can desecrate the American flag and flaunt four-letter words on their clothing in the name of free speech, but a high school football team cannot call itself "Rebels." Antiwar protesters can scream obscene, anti-American slogans in their marches, but cheer-leaders at a pep rally cannot lead the audience in the singing of "Dixie." If the Huntsville decision stands, and its application becomes more widespread, it would appear that the fixed star cited by the Supreme Court in the Florida case finally has set.

SOLDIERS OF THE PRESS

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1971

Mr. EILBERG. Mr. Speaker, in recent months the freedom of the press and protection of that freedom has been the concern of many of us here in Congress. Because of my particular concern, I was especially interested in an article written by Albert Blank of the Philadelphia Bulletin, one of my constituents. The article, which appeared in the June edition of the Pennsylvania Newspaper Publishers Press, describes the historical foundation of our concern for the maintenance of this basic freedom and offers strong encouragement.

On several occasions, I have had the pleasure of including Mr. Blank's articles in the RECORD because of their appeal to our common interests. It is for this reason



that I commend this article to my fellow Congressmen and the Nation today. With the unanimous consent of my colleagues, I enter Mr. Blank's article in the RECORD:

[From the PNPA Press, June 1971]

SOLDIERS OF THE PRESS FIGHT FOR PEOPLE'S RIGHT TO KNOW

(By Al Blank)

This is dedicated to the soldiers of the American Press who have gone to war not merely for freedom of the press, but for the people's basic freedom in their right to know. . . . The cause of the decline and fall of the Roman Empire lay in the fact that there were no newspapers in that day. Because there were no newspapers, there was no way by which dwellers in the far-flung nation and the empire could find out what was going on in the center" . . . H. G. Wells.

Although James Franklin, younger brother of Benjamin Franklin, was put in jail for defying government regulation of the press in 1721 with his publication, the New England Courant, we of the press are inclined to make the glorious August 4, 1735, as its particular Independence Day.

That is the day Philadelphia lawyer Andrew Hamilton defended and won a triumphant acquittal for John Peter Zenger, editor of the New York Weekly Journal, on charges of seditious libel against the government of New York.

Andrew Hamilton asserted the truth of Zenger's publication and demanded the right for him to submit proof to the jury. The State denied the right and Hamilton then made his historic plea to the jury, denying the right of the Government by decree to determine the fact of sedition or to maintain a censorship over the press, and Zenger was acquitted.

This marked an epoch for freedom of speech, and freedom of printed utterance.

The cause was essentially freedom of the press, the declaration of a principal that was full complement to the freedom of speech. It was a challenge to the power of the Government to control the voice of the newspaper press as the voice of the people.

It is ironic that Andrew Hamilton died in Philadelphia August 4, 1741, coinciding with the date of the Zenger trial.

The signers of the Declaration of Independence and the framers of our Constitution realized the importance, nay the necessity of a free press for the very reason that we today do not.

They lived under a government-controlled press.

They were not interested in a free press for the newspaper's sake. They were interested in a free press to protect their own individual liberties. No good cause shall lack a champion and evil shall not thrive unopposed because the weapon of every free and honest journalist is the indestructible Truth.

Let us remember freedom of religion, freedom of speech, and freedom of the press are synonymous, that we can't have one without the other.

#### SOVIET LEAD IN LONG-RANGE MISSILES

### HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Wednesday, September 8, 1971

Mr. THURMOND. Mr. President, it is my hope that all Members of Congress will take note of the annual report issued September 3, 1971, in London by the International Institute of Strategic Studies.

The institute has reported that the Soviet Union is now far ahead of the United States in intercontinental ballistic missiles and is rapidly drawing equal to us in Polaris-type submarines.

Mr. President, this report from an unbiased group should serve to enlighten the Senate, which at times appears determined to reduce our military strength to a risky level.

Mr. President, I ask unanimous consent that an article discussing the institute's annual report, and published in the Washington Daily News of September 3, be published in the Extensions of Remarks.

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

[From the Washington Daily News, Sept. 3, 1971]

#### RUSSIA HAS HUGE LEAD IN ROCKETS

LONDON.—Russia is now far ahead of the United States in intercontinental rockets and is closing the gap in Polaris-type submarine missiles, the International Institute for Strategic Studies here said in its annual report today.

The institute said the Soviets now have 1,510 land-based intercontinental ballistic missiles against the United States' 1,054.

The Russians now have operational 280 of their latest giant 25-megaton SS9 rockets which may have a triple warhead system.

Soviet submarine-launched ballistic missiles have trebled in the past two years to 440. The speeded Soviet nuclear submarine program of seven to eight a year "could wipe out the present American lead of 216 SLBMs by 1974" the report said.

#### QUALITY PROGRESS

Only two years ago the Americans had a four to one lead.

The United States missile force has remained numerically unchanged over the past five years. But the institute said U.S. qualitative progress in multiple and independently targeted warheads will double the targets Minutemen rockets can hit and triple the warheads—from 1,500 to over 4,500—deliverable by American Polaris and Poseidon missiles.

Experts fear the greatest danger presently comes from the SS9, which could threaten the U.S. Minutemen sites. American efforts to get the Russians to agree to a freeze in the current strategic arms limitation talks (SALT) in Helsinki have met with no response.

The institute said: "Soviet nuclear forces appear to be designed primarily to deter an American strategic attack on the Soviet Union."

The report also said Russia now has more men under arms than the United States—3,370,000 against America's 2,700,000.

#### WARSAW PACT

In Europe "the marked numerical disparity between NATO and the Warsaw Pact remains," with NATO having little more than a third of the operational Red tanks—16,000 against 5,500.

The West also has 2,500 fewer tactical aircraft.

Since 1962 American land, sea and air forces in Europe have fallen from 434,000 to the present 300,000.

The 26 Soviet divisions in Eastern Europe before the Czech invasion have now increased to 31.

Communist China now has 2 operational missiles with a range of up to 1,000 miles, apparently deployed mainly against Russia and Japan, the report said. China also has enough fissionable material for some 120 nuclear weapons.

#### VOICES FOR DEMOCRACY

### HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1971

Mr. FINDLEY. Mr. Speaker, a few days ago I received an eloquent letter from a former official of the Greek Government and professor in the University of Athens who has been one of the most eloquent voices of criticism against the regime now in control in Greece.

I had a long discussion with this man, John Pasmazoglou, in August 1969. The favorable reaction he has to the action of the House of Representatives on the question of military assistance to Greece convinces me that the text of his letter, together with the declaration signed by him and many of his colleagues, warrant publication in the RECORD at this point, as follows:

ATHENS,  
August 9, 1971.

HON. PAUL FINDLEY,  
House of Representatives,  
Washington, D.C.

DEAR CONGRESSMAN FINDLEY: You probably remember a long evening we spent with common friends in the yacht club outside Athens in August 1969. We were trying to answer your questions and brief you on Greek-American relations and on their impact on the traditional ties of friendship and cooperation between the Greek and American people.

I am now writing to express our deep appreciation of your stand and initiatives during the recent discussions and deliberations on Greece in the House of Representatives. The formal insistence on the reestablishment of democracy in Greece does not constitute an interference in our domestic affairs; on the contrary, it implies the elimination of any such interference since it stresses the obvious principle that authority is legitimately exercised only by a government freely elected and controlled by the people. As opposed to other countries with an absolutist tradition Greece has had a long standing democratic tradition. This has been stressed in the enclosed declaration which we, about 130 Greek citizens, have made on March 23, 1971 on the occasion of the 150th anniversary of the Greek war of independence. The Greek people fought and suffered extensive sacrifices in the struggle against totalitarianism during the second world war and joined NATO in 1952 as a democracy to protect its institutions of freedom. The so-called strategic considerations, on which cooperation with and support of the present regime is founded, quite apart from the fallacies on which they rest, imply that the liberties and the dignity of the Greek people should be sacrificed to the alleged interests of other nations. This is repulsive to the Greek people, as indeed to all honest men. No truly realistic policy can ignore this fact.

I take this opportunity to stress that the view expressed in the past by American officials, to the effect that progress is being made towards constitutional order is false and misleading. There are about 500 Greek citizens in jail, in detention or exile. Most of them are labeled "criminals" (and thereby not considered as "political prisoners") because they were convicted by special military courts for acts of protest for the abolition of liberties in our country. Many of those imprisoned are Greeks with outstanding war record, academic performance or professional standing. Several Greek officers who fought with allied

armies and distinguished themselves during the second world war or in Korea have been for years, and some of them still are, either in prison or in exile, or have been deprived of their citizenship because of their opposition to the regime.

I can assure you that the principal forces in Greece are in fact and despite repression and continued intimidation, united more than ever in their determination to oppose the present regime or any other illiberal situation which might emerge out of it. These forces are also determined to work together for the restoration and constructive application of constitutional democracy in Greece.

This message addressed to you and through you to your fellow congressmen, who contribute with their vote to the restoration of freedom in Greece, reflects the feelings of the overwhelming majority of the Greek people. I am authorized to convey it by a large group of friends and associates, many of whom are in prison. You can make use freely and publicly, of the content of this letter and quote me, at your discretion.

Yours sincerely,

JOHN PESMAZOGLU,

Former Deputy Governor of the Bank of Greece, Former Professor in the University of Athens.

#### DECLARATION

On this 150th anniversary of the Revolution of 1821, we are impelled to recall its true nature and its ideological content: that it was an uprising of the people against tyranny; that its simultaneous and indivisible aims were national independence and sovereignty of the people; that it renewed the age-old democratic tradition of the Greeks.

It is a fundamental precept of 1821, expressed in the constitutional texts of the War of Independence, that a nation is truly free only when all its citizens are free.

During these 150 years, the Nation's most glorious exploits were nearly always achieved under unrestrictedly democratic institutions, and they were always linked with the attachment of the Greeks to the democratic ideal. It was under parliamentary government that the greater part of our unredeemed territories were freed. It was under parliamentary government that all major reforms were carried out, such as the agrarian and the educational reforms, and that the country made progress in all directions. It was the functioning of democracy that revealed the outstanding personalities who have passed naturally for all time into our history.

Today it is our duty to formulate those basic principles which will ensure that Hellenism's national features will be preserved, which will lead it to truly fruitful ventures and which will serve the permanent interests of the People. These principles have their roots in the ideals of the Revolution and are as follows:

1. *The sovereignty of the People* resting upon the equal and responsible participation of all citizens in public life. This applies as much to local as to central administration, for local self-government is basic to democracy.

In democracy no group may claim a monopoly of patriotism, nor allege identity with the Nation, nor act as the authentic interpreter of the national will. The Nation has no will distinct from that of the People, expressed according to the rule of the majority and through freely elected representatives.

2. *Safeguarding human rights* as defined in the European Convention of 1950. Observance of these rights ensures freedom and equality under law, releases the citizen from fear and threats, favours the growth of the creative forces of the People in peaceful times and its fighting spirit in times of danger.

The suspension of the People's sovereignty and of human rights arrests the fruitful flow

of national life, opens the way to other constitutional deviations, deprives the country of normal renewal of its political forces, and leads it to spiritual and political withering.

The suspension of democratic institutions in our country today means, moreover, that a considerable number of Greeks—among them many distinguished for their services to their country and to its allies—find themselves in prison or in deportation either for their beliefs alone or for acts inspired by their devotion to freedom. It is a national imperative that that state of affairs should be terminated without delay.

3. *An educational system truly universal, alive and up to date*, with one of its fundamental aims the formation of free and responsible citizens imbued with mutual respect and accustomed to confronting problems with an open mind and to settle differences through persuasion.

A democratic society has the further duty to keep up a sustained effort for the educational development of all Greeks irrespective of age, sex or profession. The best means of making them familiar with more general problems and broadening their outlook are free public discussion and a use of mass media designed to raise the cultural standards of all citizens and to protect them from one-sided influences.

4. *Genuine linking of Greece to Europe*, and the development in our People of a deeper and lasting European consciousness. Greece's incorporation into Europe is first and foremost a matter of freedom and institutions. The community of Europe rests upon a certain spiritual heritage, a democratic ethic and human values.

In conformity with these principles, we declare:

That the Greek People belongs to the family of the democracies, as it has proved through its struggles for their common ideals;

That freedom is indivisible, and that it is inadmissible that the liberties and the dignity of the Greeks should be sacrificed to the alleged defence requirements of other free countries;

That only with the restoration of its liberty will our country revert to its historical tradition and recover the place that belongs to it in the community of nations.

March 22, 1971.

#### SIGNATORIES

(According to the Greek alphabetical order)

A. Athanassopoulos, lawyer.  
 E. Alexiou, writer (Mrs).  
 N. Anagnostakis, critic (Mrs).  
 M. Anagnostakis, poet.  
 K. Antypas, painter (Mrs).  
 H. Apostolakis, pianist (Mrs).  
 G. Apostolidis, lawyer.  
 A. Argyriou, critic.  
 B. Vakalopoulos, architect, former assistant, High Polytechnical (Mrs).  
 Th. Valtinos, writer.  
 G. Vilaras, lawyer.  
 P. Voulgaris, film producer.  
 N. Vouros, lawyer.  
 P. Gavallas, journalist.  
 N. Gazis, lawyer, former Dep. Governor, National Bank of Greece.  
 A. Gallopoulos, philologist (Mrs).  
 G. Gheralis, poet.  
 E. Gheroulanos, archeologist (Mrs).  
 H. Ghiotopoulos-Sissilianos, historian, formerly of the High Pedagogic Institute (Mrs).  
 C. Goufopoulos, lawyer.  
 Eur. Dimitracopoulos, librarian (Mrs).  
 P. Dimopoulos, Major-General ret. honorary Army Inspector.  
 P. Efstratiadis, pianist (Mrs).  
 Gr. Efstratiadis, engineer.  
 D. Zannas, lawyer.  
 Em. Zahareas, Professor, Michigan University.  
 C. Zahos, former Professor, High Polytechnical.

G. Zongolopoulos, sculptor.  
 Thodoros, sculptor.  
 D. Iatropoulos, poet.  
 G. Gavounidis, form. Director General, Ministry to the Prime Minister.  
 C. Cazoleas, lawyer.  
 A. Callianessis, publisher (Mrs).  
 E. Calligas (Mrs).  
 A. Calligas, employee.  
 P. Calliotsos, writer.  
 A. Calyterakis, lawyer.  
 I. Cambanellis, playwright.  
 S. Canas, journalist (Mrs).  
 P. Cansilakis, lawyer.  
 Chr. Capralos, sculptor.  
 J. Caravidas, Rear-Admiral ret., former Minister.  
 Chr. Carras, painter.  
 L. Casdaglis, writer (Mrs).  
 N. Casdaglis, writer.  
 N. Castrinakis, engineer (Mrs).  
 St. Castrinakis, lawyer.  
 V. Catrakis, painter (Mrs).  
 G. Catrakis, University lecturer.  
 P. Gatselis, theatre director.  
 L. Gatsiaris, former Judge of the Court of Appeal.  
 C. Catsoulas.  
 V. Kilakos, former Judge of the Court of First Instance.  
 S. Knithakis, engineer.  
 M. Kokkinidis, painter.  
 Th. Colyvas, journalist (Mrs).  
 F. Condyllis, writer.  
 A. Contopoulos, painter.  
 M. Contostavlou (Miss).  
 M. Cotzamanis, journalist (Mrs).  
 A. Cotzias, writer.  
 L. Cotsiris, actor.  
 M. Coumandareas, writer.  
 G. Coumandos, lawyer, University lecturer.  
 Ch. Courouklis, businessman.  
 T. Coutsouflakis, (Miss).  
 T. Coufopoulos, writer.  
 C. Crocodilos, educator (Mrs).  
 E. Kyriakos, journalist (Mrs).  
 N. Constantineas, lawyer.  
 N. Constantinidis, sculptor (Mrs).  
 G. Constat, former President of the Court of First Instance.  
 O. Lazaridis, journalist.  
 H. Lambros, critic (Mrs).  
 Chr. Leontis, composer.  
 D. Lefkoritis, poet.  
 T. Loumiotis, lawyer.  
 N. Louros, hon. Professor of Athens University, Member of the Academy.  
 E. Lykiardopoulos (Mrs).  
 G. Mangakis, lawyer.  
 J. Mazarakis-Ainian, former Nomarch.  
 K. Macris (Mrs).  
 N. Mamangakis, composer.  
 A. Mandikian, singer (Miss).  
 G. Migadis, painter.  
 T. A. Michailidis, film director.  
 N. Morfis, employee.  
 K. Moustakas, psychologist-educator (Mrs).  
 L. Myrivilis, businessman.  
 J. Negrepontis, poet.  
 G. Xenakis, former Prosecutor.  
 A. G. Xydis, art critic and historian, former Ambassador.  
 Chr. Ikonomou, journalist.  
 N. Paleologos, business consultant.  
 M. Papadopoulos, former Ambassador.  
 An. Peponis, former Director General of Greek Broadcasting.  
 J. Pesmazoglu, former University Professor, former Deputy Governor, Bank of Greece.  
 A. Procos, former President of the Court of First Instance.  
 V. Rafailidis, film director-critic.  
 R. Roufos, writer, former Counsellor of Embassy.  
 A. Roussopoulos, lawyer (Mrs).  
 N. Roc-Melas, businessman.  
 A. Samarakis, writer.  
 A. Sgourdeos, former Ambassador.  
 G. Seferis, poet.  
 J. Sifalakis, University lecturer.



Takis Sinopoulos, poet.  
 G. Sissilianos, composer.  
 C. Scallioras, journalist.  
 A. Scilros, lawyer.  
 El. Stefanakis, lawyer.  
 Em. Stefanakis, lawyer.  
 A. Stefanou (Miss).  
 A. Synodinou, actress (Mrs.).  
 A. Tassos, painter-engraver.  
 C. Tahtsis, writer.  
 S. Tzannetis, Major-General ret. honorary Army Inspector.  
 C. Triantafyllidis, journalist.  
 A. Tripas, former Prosecutor.  
 S. Tsirkas, writer.  
 K. Cicellis, writer (Mrs.).  
 V. Tsouderos, publicist (Mrs.).  
 H. Tsouhlos-Freris, film producer (Mrs.).  
 A. Floros, former Judge of Supreme Court.  
 Ant. Floros, former Prosecutor.  
 Th. D. Frangopoulos, writer.  
 E. Freris, painter.  
 N. Hatzimichalis, architect.  
 A. Hatzistefanou, employee.  
 Chr. Hatzis, lawyer.  
 A. Hatzidakis, engineer (Mrs.).  
 G. Himonas, writer.  
 J. Houliaras, lawyer.

### ALTERNATIVES TO WARS OF ATTRITION

#### HON. HUBERT H. HUMPHREY

OF MINNESOTA

IN THE SENATE OF THE UNITED STATES

Wednesday, September 8, 1971

Mr. HUMPHREY. Mr. President, Mr. Irving Brown, Executive Director of the African American Labor Center, recently delivered a paper on "Alternatives to Wars of Attrition" in which he dealt with the role of democratic forces in a political solution to international tensions. That paper was delivered to the National Strategy Information Center Conference, and I have just had it brought to my attention.

Members of this body know Mr. Brown as a distinguished representative of organized labor who has had an extensive and intensive experience in representing American labor in its dealings with the organized labor movement in all parts of the world. His insights can be of immense assistance to us as we pursue the goal of America's self-interest in preserving and extending peace and freedom in the world. The ideas expressed by him are challenging. Those who have the conviction that the idea of America remains the revolutionary one as a force in the world today and as a force for freedom would do well to examine Mr. Brown's comments.

I ask unanimous consent to have the paper printed in the Extension of Remarks.

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

ALTERNATIVES TO WARS OF ATTRITION: THE ROLE OF DEMOCRATIC FORCES IN A POLITICAL SOLUTION

#### SUMMARY

There could have been alternatives to Vietnam in the past. There should be alternatives in the present and future. Whether this happens or not depends upon whether we have learned the lessons of the past.

What was the alternative to a major war in

Vietnam itself? Prior to the involvement of great masses of American troops and officers in a war to maintain the rights of people to their own kind of self-determination, the Western World could have supported the nationalist movement in those early days and helped them to attain their independence in a peaceful and democratic manner. This meant a political solution at a very early stage—at a stage when the communists were not in complete control of the nationalist forces.

The West's failure to continue the war for freedom against the Nazis into the post war political (and colonial) arenas provided an opportunity for the communists to identify with the nationalists, against colonialism, and support the all-out demands of extreme nationalists.

The Allied victory in World War II was won against an aggressor who was attempting not merely to conquer in a military sense but also impose an ideology on Europe and the world; it was an ideological struggle involving the promise of fundamental change. Political forces including labor unions in the enemy and occupied areas were employed to facilitate military plans and the resistance. After the enemy occupation, these same movements were used by the Communists, speaking in the name of anti-fascist unity. The Communists attempt to take power in France and Italy, by sabotaging the Marshall Plan and NATO were met by democratic anti-communist labor unions, who, with the help of American Labor, confronted the CP strong arm methods, defeated the paralyzing general strikes and unloaded the ships. It was the support for and the strength of these indigenous democratic forces, backed up by their governments, which proved decisive in preventing a civil war, or a 1948 Czech-style coup, or possibly military intervention. Unfortunately, the colonial powers and the U.S. did not pursue the political solution by supporting democratic indigenous forces in the rest of the world, particularly Asia and Africa. Thus, the Communists took over these movements, forcing us into a dependence on the military in Vietnam, to stop an aggressive communist threat in Vietnam.

Today, if support could be given to genuine nationalist movements, and to internal democratic forces, especially labor and youth groups, in areas such as Southern Africa, we might avert continuing "wars of liberation." If not, we are doomed to repeat the Vietnam experience. The Communists will continue to exploit the issues and organize deeply in the political and social life of these countries through their "non-governmental" operations, winning control over legitimate indigenous forces.

Today, in Vietnam, as the U.S. prepares to leave militarily, the political issue of the immediate post World War II period returns to haunt us. South Vietnam will have to rely on internal democratic forces in the cities and the countryside (such as farmer-labor groups) and their strength (and our support for them) will determine the outcome against amply supported external Communist forces.

The West can cope with this propaganda onslaught and can itself exploit the issues, based on a sympathetic attitude toward nationalism and self-determination (which is not necessarily Anti-west) and support for groups dedicated to the ideals shared by the Americans and French in their own revolutions.

There could have been alternatives to Vietnam in the past. There should be alternatives in the present and for the future. Whether this happens or not depends upon whether we have learned the lessons on the past. If not, as Santayana has said, we are doomed to repeat the past.

What was the alternative to a major war in Vietnam itself? Prior to the involvement of great masses of American troops and officers

in a war to maintain the rights of people to their own kind of self-determination, the Western World could have supported the nationalist movement in those early days and helped them to attain their independence in a peaceful and democratic manner. This meant a political solution at a very early stage—at a stage when the communists were not in complete control of the nationalist forces. In fact the early post-World War II years, prior to 1953, was a period in which many nationalists were breaking with the communists.

These were the years when men like Tran Quoc Buu, the present leader of the South Vietnamese labor movement, were refusing to go along with Ho Chi Minh and his cohorts while remaining nationalists dedicated to the struggle for independence. What appeared to be America's identification with French colonialism prevented a more active American policy of seeking out and encouraging the democratic mass movements within the country, who were not yet committed to the communists.

It was quite clear in the immediate post-war years that international considerations would relate not only to reconstruction and rehabilitation in the war devastated areas but to the colonial areas where the rise of nationalism, the drive for self-determination would overshadow all other considerations. In these developing areas of the world the freedom slogans of the war became the slogans of the national liberation movements.

These indigenous movements were not merely instruments of communist propaganda or the creations of external powers. Many of these movements in their inception looked to the West and especially to the USA for support and, in their early beginnings, the demands were moderate and perfectly consistent with a democratic way of life. The international communist movement sought to win over these movements. But it was not always true that the communists and the nationalists were in agreement. In fact, the early post-war years were replete with conflict between the nationalists and the communists not only in Vietnam but in many other areas like Algeria. The communists in Algeria, in close collaboration with the French communists, opposed the final objectives of the nationalist movement and voted along with the French communists in the National Assembly to support proposals that meant the continuation of French control over Algeria as a department of France. French governmental policy forced the Algerian nationalists to work with and through the French communist trade union movement (the CGT), since the Algerians were not allowed to have their own trade union movement, separate and distinct from Metropolitan France.

The early relationships of American labor with these nationalist, non-communist groups became a source of irritation for both the French government officials and the Communists who desired the retention of Algeria as a department of France. The communists were unable in the early years of the Algerian nationalist trade union movement to secure any important or significant relationships with this nationalist movement. American labor and the free international labor movement had created strong ties, which embraced support for the national liberation movement and a rejection of all forms of colonialism—old and new. It was in these early critical years that the Free Labor Forces worked with these very indigenous forces of the new countries which in the long run could determine the forms of government and foreign policies of these nations. The fact is that most of the nationalist trade union movements (Algeria, Morocco, Tunisia, Vietnam, most of Africa, Asia and Latin America) did not join or remain with the Soviet controlled world labor movement but

did affiliate with the free labor forces of the world.

This inability to understand that the national liberation movements were not necessarily directed against the free world was a fatal flaw in those years when it might have been possible to prevent major wars of attrition or, at least, have mass support against any communist uprising or aggression. In those early post-war years, what Wilkie termed the "reservoir of good will" for the USA and the West was a reality. Most of the nationalist leaders saw their ideals and movements as a continuation of the original ideas and ideals of the Western nationalist and revolutionary movement of the 18th and 19th centuries. Many who had been communists in the thirties had become disillusioned and broke with the communist parties of Europe. Their eyes were turned to the West, not to the East—it was Washington, London and Paris not Moscow or Leningrad. It was the failure to continue our war for freedom against the Nazis in the post-war political arenas that began the process and provided an opportunity for the communists to identify with the national liberation movement and support the all-out demands of the extreme nationalists. It was the failure in the West to realize that if war is a continuation of politics by other means, then politics can become the continuation of war by other means. And this is what began to happen in the Third World.

This last war (1939-1945) which in a sense was born in the maelstrom of the depression years and was finally touched off by the Nazi-Soviet pact reveals more than any other war in history the close connection between politics and war, between ideology and power. It was a war which Roosevelt said was one of survival for us but which for the Nazis and the Soviets—each in their own way—was one to transform the world into their "New Order."

The ideological, political factor influenced most of the post-war political and trade union leaders. Former resistance leaders, C. P. cadres, socialists and Christians, the anti-colonial leaders—they all had a concept of what the future world should be and they hoped and believed that the victory over the Nazis would usher in a new deal for them. Although much was achieved through the Marshall Plan, NATO and Truman Doctrine, to reconstruct, to rebuild and protect Western Europe against possible aggression, there was a failure to cope with these ideological and organizational challenges of the post-war world.

This aspect of the post war world can be understood if we realize that allied victory was won against an aggressor who was attempting not merely to conquer in a military sense but also to impose an ideology on Europe and the world. The Nazis were not concerned merely with attaining a military victory to rectify borders, national injustices, or to satisfy extreme expansionist and nationalistic aims but to reorganize Europe and eventually the world on the basis of their National Socialist ideology. World War II is therefore to be viewed in the light of an ideological struggle involving the promise of fundamental changes.

This objective carried over into the post-war years. Even though the Nazis were defeated by an Alliance, one of the Allies—the USSR—has been playing this kind of a role in the whole postwar period right up to the present. Even in the very period of the Alliance against the Nazis, the Soviets were planning in terms of their own political, ideological and geographical objectives in both the industrial and developing world.

Already political and ideological factors had influenced relationships between the military and political forces. World War II was a perfect example of how political forces, organizations in the enemy and occupied countries, were employed to facilitate mili-

tary plans. In this respect the labor movements in Europe—especially in transport—were a source of very important information about the movements of trains and ships by the Germans. The organization of a labor department in OSS was extremely valuable in this respect and the International Transport Workers Federation became one of the important instruments for the organization of various forms of resistance to the Nazis in France, Germany and Austria.

These same labor movements became the essential targets for the communists as soon as the war was coming to an end in Europe—especially in the West. While the Soviets consolidated their position in Eastern Europe and used the trade unions there to nail down their power and eliminate all forms of opposition, the Communists in the West drove to take power, especially in France and Italy, by taking over whatever remained as symbols of the trade unions, after years of Nazi occupation, and continued to speak in the name of antifascist unity despite the fact that the war with the Nazis was practically over.

What was beginning was the political war of the Communists to try to take power in Western Europe or, at least, deny power to the democratic forces who were now dedicated to the rebuilding of their destroyed economies. The lack of political policy on the part of the Western armies permitted the C.P. to come back into control of the trade unions under the myth of Allied Unity, the slogans of anti-fascism and with the material assistance of our Armies in France and Italy. Military commanders were without any political understanding and guidance on how to deal with labor unions, youth organizations, political officials, etc. in order to distinguish between those who were truly nationalists and the communists who masqueraded as nationalists.

A new resistance began as the former ally, the USSR, unleashed its communist forces in Western Europe in an attempt to sabotage first the Marshall Plan and then the NATO. It was at this critical juncture, 1947-1948, that the democratic trade union forces split away from the united trade union organizations—CGT in France and CGIL in Italy. It was this decisive move that may have prevented these countries from going the way of Czechoslovakia in 1948, or at least, prevented what may have become a military or para-military operation right in the heart of Europe.

When the communist forces launched general strikes in France and Italy, they were stopped. The organization of a separate trade union force dedicated to the rights of workers but unalterably opposed to the communists was a decisive factor in preventing France and Italy from being plunged into what could have been a serious civil war and the possible eventual intervention of outside military forces.

These same labor organizations after the defeat of the general strikes, played a leading role unloading the ships coming from the States during the period of the Marshall Plan and NATO. In 1949 the French communists had declared openly in an official communique that they would launch an "international campaign to prevent the loading and unloading of arms and equipment in the ports of all the countries of Western Europe."

The unloading of arms in the French and Italian ports was accomplished in spite of this communist attempt to obstruct our orders from Moscow. The creation of the Committees of Vigilance in the major Western European ports under the banner of the International Transport Workers Federation (ITF) confronted and defeated the strong arm methods of the Communist Party. These organizations, primarily indigenous in France and Italy, were however linked to an international effort in which the American trade unions played a leading role.

This was a bitter pill for the communists to swallow and their propaganda campaign at that time reflected their frustration and momentary defeat. The communists have always concentrated on winning over trade union organizations as instruments to be used in achieving political ends. As early as 1919, Lenin proclaimed his 21 point program as the basis for the Communist International. In this program there are two paragraphs outlining what trade unions mean for the Bolsheviks. The trade union movement is one of the instruments through which the communists expect to achieve power outside the Soviet orbit in order to either paralyze the operation of constitutional, democratic governments or eventually seize power, as in Czechoslovakia where the communists armed the works council, which they controlled, and pitted them against the legally constituted government of Benes.

In France and Italy, however, the sweep of communist strikes in 1947 and 1948 did not end in the taking of power—in fact these were the years when the communists were ousted from the governments of France and Italy. Underlying these political events was the breaking away of the democratic trade unionists from the "united" trade unions which the respective Communist Parties controlled. These were the years when the minority in the CP controlled organization really represented the great mass of people who wanted unions but not communist revolution. Perhaps, this was an early example of a "silent majority" backed up by strong actions of the governments in power that prevented the "minorite agissante" from overwhelming the nation with its agitation, propaganda and finally "direct action" and the implicit threat of sabotage and paramilitary action. They were defeated in their final objectives because entrenched national labor organizations rose up and refused to take the final step of a general strike which leads only to the destruction of the state or the decline and destruction of the trade unions. Ever since this defeat, the CP has never been able to mount the same kind of militant, anti-governmental force that they achieved in the winter of 1947-1948. And even though the non-Communist forces have remained an organizational minority, no major strikes can succeed in France if the non-communists refuse to support them. What is more the whole idea of trade unionism has become somewhat tarnished by the Communists and whereas in 1947 the CGT in France had close to 7,000,000 members, there are no more than 2,000,000 in the entire French trade union movement which is now split in four or five different central organizations.

In addition to the French and Italian experiences, there has been a struggle for power in Germany which reached its highest point in Berlin in 1949. The Berlin airlift, a land-mark in the post-war resistance to Soviet communist aggression, could not have succeeded without the decisive action of the free German labor forces working in close cooperation with American labor and the Allied authorities in the besieged city. General Maxwell Taylor, the Berlin Commandant at the time, testified to the fact that the military equipment shipped by rail to Berlin over a stretch of 100 miles in the Soviet Zone could not have reached its destination without the cooperation of the German railway trade unionists. Through their vigilance, preparation and organization, the planned attempts of sabotage were countered by these organized railway workers who manned the trains and guarded the rails. Furthermore, the splitting of the united Berlin unions which had included the communists and the creation at that time of the Free and Independent Unions of Berlin (UGO) blocked the Soviet supported attempt to launch a general strike which would have nullified the airlift. Here was an example of



the unions playing a positive role in supporting the military effort to break the communist blockade. This constituted one phase of what was an overall effort in Germany to prevent the communists from taking over the labor movement of Western Germany. It was the building and creation of a positive, democratic labor movement which permitted also the kind of miraculous economic recovery of Germany. Although the early mistakes of the military in occupied Germany could have led to disastrous results, American labor's support of the German free trade unions and intervention with the military and political authorities blocked not only the German communists but their allies and fellow travellers in the occupation government. It was this kind of political and ideological strength of both German and American labor that prevented a repetition of the French and Italian experience in Germany.

It is most unfortunate that trends in Western Europe today—and especially in the labor movement—are moving once again back to the 1945-47 period of labor unity with the communists, along with their political counterparts. The present rapprochement policy of the German government is having deteriorating effects in the labor movement. Once again American labor is speaking out on this question and is appealing to those in Western Europe who oppose this trend to attempt to convince these official leaders not to repeat the disastrous errors of the early post-war period. The outlook at the moment is not very brilliant but the Polish and Czech events plus the usual CP "dizziness with success" to use Stalin's words, should reinforce what must be continuing efforts on our part—private and governmental—to break away these movements and their leaders from a new worldwide united labor front and eventual coalition governments with the Communist Parties. The latter development would only be a prelude to the eventual communist takeover of power—and recent events in Chile have shown that communist tactics today include the possibility of taking over by "constitutional" means.

Are we not faced today with situations that are potentially new Vietnams? Are there not once again in Africa, Latin America and Asia new budding "wars of national liberation" if the rising political nationalist movements do not get some hearing and support in the West? What are we ready to do or say on the Southern Africa situation? Do Dean Acheson and George Kennan really believe that Apartheid in South Africa can be ignored and that we can once again repeat in South Africa what was done immediately after World War II, denying our own revolutionary tradition, as well as what is going on in our own country? If we wish to avoid an eventual war over South Africa in the future, then it depends on what we are ready to do in relationship to the nationalist movements of Southern Africa. It means support to the liberation movements and to those leaders who are still devoted to the principles of a democratic society.

At the recent Singapore Commonwealth Conference on January 18, 1971, President Milton Obote of Uganda said: "If Prime Minister Heath decides to sell arms to South Africa, he will have given an open invitation to the Russians to go in and replace the British in East Africa." This warning, and others, of African leaders sound like echoes of the statements of nationalist leaders from North Africa and Indo-China some twenty years ago. In fact, just prior to the Geneva conference on Indo-China in 1954, three nationalist leaders, Dr. Dan (Indo-China), Bahl Ladghan (Neo Destour, Tunisia) and Abdelali (Istiglal, Morocco) issued a joint statement condemning French colonialism and warning against the rise of Soviet colonialism.

Time is running out as we see once again

that the "moderate" democratic leaders are losing momentum and means to carry on while the Soviet world is not only supplying material means and propaganda but counting on an eventual war in Southern Africa in which Soviet trained African cadres can overwhelm the existing regimes and reverse the whole peaceful, constructive and stable development in most of Black Africa.

There is a real danger that the non-communist forces will be unable to cope in the future through lack of support from the West. Any weakening of the democratic forces increases the chances of violence and aggression, involving the rest of Africa, while opening the door to the very forces threatening the peace of the world through so-called "wars of national liberation."

Unless we are ready to re-examine our position on nationalist movements in Southern Africa (and I would add also Portuguese Africa), we shall be doomed to repeat the Vietnamese experience. Whether we like it or not—in spite of our vote at the United Nations—we shall be linked with the British and French and their concept of purely military security. Certainly we should be concerned over the Soviet military maneuvers in the Indian Ocean but can one ignore completely the peoples of these areas and their expectations. For, in spite of certain national differences, Southern Africa today represents the kind of problem that Vietnam was some years ago before it became necessary to involve over 500,000 troops in a war of attrition. There is still a chance but are we ready and capable of dealing with this challenge? Unless we are, it is certain that sooner or later this part of the world shall become another area of blood and violence.

While sounding this alarm there is still I believe a chance to avoid a violent upheaval which can only benefit the Soviet and Chinese communists. A challenge and a real opportunity exist for the Western world to achieve a peaceful and democratic solution. It involves not only action on the part of the American Government but primarily on the part of American investors in South Africa. They can strengthen a process of economic development which is already underway in South Africa and which has the potential for great social changes, in spite of the legal restrictions of the Apartheid system. The very economic growth and expansion of the South African economy imposes de facto measures which are in contradiction with the law and doctrines of Apartheid. South African economic expansion can no longer rely solely on Europeans as a source of manpower. The need for black African labor is becoming more and more necessary and decisive. For example, in one industry alone, we find that two-thirds of the workers are black, namely in the garment industry. In time this may be true of most industries in South Africa.

If American investors begin to realize the permanency of African workers in the South African labor system, then they must realize along with all employers that not only must black workers be recruited but that they must be trained for skilled jobs and upgraded into supervisory positions. It is no longer only a question of humanitarian considerations but a practical requirement for investment. Any trade or business outfit dealing at all with South Africa must begin to establish to some degree labor standards and practices already existing in the West. To the extent to which this can be done, it could not only benefit the economy of South Africa but could contribute to the political process of eroding and dispelling the system of Apartheid. In order to achieve this objective, there should be a greater initiative of a private nature but supported by American government and other Western governments urging these private investors to:

a. Extend trade union benefits like collective bargaining to all workers. (Let me point out that even though collective bargaining is

restricted to the white or European workers, black workers are beginning to participate in this process).

b. The inclusion of black workers in pension schemes which are still of a voluntary nature.

c. The inclusion of Africans in training and apprenticeship programs and schemes of upgrading which is the key to the eventual democratization of South Africa.

To the extent to which the Polaroid company's experiment has become a reality involving contributions to training programs and the care of the black workers of South Africa, to that extent private American firms should be encouraged to engage in similar programs. This could constitute at least an intermediary program until such time as the frontal political issues are posed. This it seems to me is the least we could undertake as part of a positive program rather than negative or indifferent approach which cannot achieve any real substantial change in the South African picture.

At this point I wish to deal with the problem of propaganda and organization, especially the anti-communist activities of legitimate, national organizations. For communists and their allies what is fundamental is the organization (the apparatus, as the Russians say) and not the propaganda per se. While engaging in propaganda or in any attempt to cope with CP or Soviet propaganda, it would be a serious mistake to envisage this problem as merely a battle of leaflets or posters. These are end products and not things in themselves. The force of any propaganda is in direct proportion to the strength of the sponsoring native organizations. CP propaganda is a factor only to the extent that the roots of its organizations are really deeply imbedded in the national economies, as well as the political and social life of the respective countries. CP propaganda is not necessarily good but the issues which the CP exploits are! There is no substitute, there is no artificial means possible to replace legitimate organizations whose national and native character is beyond dispute. There is, however, on the other hand a need to work with and strengthen those organizations engaged in the fight and help reduce the inequality of means between them and their enemies. This was a partial lesson of the French and Italian developments in the late forties and early fifties.

During this period, especially the early fifties, an example of a propaganda failure was demonstrated by the famous poster and leaflet campaign of the French Deputy, Jean Paul David. No one could help but be impressed by the competence, humor and irony of the anti-communist literature that literally inundated the towns and villages of France, which involved tremendous sums of money. In many ways, the literary products turned out were quite superior to anything done by the Communists. But the Jean Paul David movement without any real legitimate organizational roots petered out and the Communists continued, in spite of some dissidence and political errors, to maintain their organizational position. On the other hand, the democratic labor forces, even though smaller than the CGT and weak in propaganda, maintained sufficient organizational strength to prevent the C.P. from realizing their objective of taking state power.

Another characteristic of the post-war situation was the great expectations for the future that most people nurtured. This was especially true of the great masses of people in the colonial areas. The inability or the refusal of the Western powers to come to grips with the rising expectations permitted the communists to exploit not only the issue of colonialism but to take advantage of what appeared to be all-out American support of the former colonial regimes. It is somewhat ironical to note that in spite of all the sup-

port America gave to France in these early postwar years, there was very little recognition or gratitude. And, in fact, America was still regarded by the French as anti-colonialist and anti-French while, in recent years, the French government has suddenly taken on a righteous "anti-colonial" attitude and preaches sermons to "colonialist" America about Vietnam. Thus we lost the advantages of both positions and did not strengthen any long-time ties with the part of the world that seems to be closing in our little world of urbanized, industrialized areas. The failure to capitalize on our original assets by building ties to the new awakening nationalist forces pushed us inevitably and without choice into a complete dependence on the military factor in order to stop what did become an aggressive, communist military threat in South Vietnam.

It should be emphasized, however, that this aggression in Vietnam was the culmination of a long process of building up internal and external political and social forces in order to back up what was first a war of partisans and later an all out war of attrition. The communist military leaders were first politicians and their original training was in political and labor movements of Southeast Asia—it was not primarily military and special service schools.

In emphasizing this anti-colonialist, political aspect of the war in Vietnam, it is not with any intention to deny the necessity of military support after the Geneva agreements and especially after the rise of the VC in 1958. For what has been going on in one country, Vietnam, is of decisive, perhaps vital, importance for the future of the world and the war may be as decisive as any war in the history of this century. No one can question that the war has already gone beyond the frontiers of Vietnam and that a defeat—militarily and politically—could accelerate the communist seepage throughout the area, but in the long run would not be confined to that area. As one able and experienced British observer and expert on communist warfare has said: "The strategic concept of revolutionary wars, of using the 'countryside of the world' to encircle the 'cities' (North America and Europe) would be several steps nearer fulfillment. Vietnam needs to be considered therefore in the context of grand strategy and one of the aims in this regard must be to give hope and encouragement to all peoples of those 'countryside' areas..." I would add at this stage in world history one would have to enlarge on this thesis and apply it to the kind of indirect aggression going on in the cities which reaches its extreme in the form of urban political and/or partisan warfare. The need for military security—whether USA or Vietnam or both—is essential to create a peaceful city and countryside situation for some years to come.

After having gone through all these years of military struggle, however, we have returned to the original question: How to achieve a viable, secure democratic state? Since no one is opting for all out military victory, there must be an eventual political solution, which depends on internal, national, indigenous movements, primarily political and trade union organizations. Thus we have come the full circle in Vietnam to substantiate my original thesis. To sum it up, let me recapitulate what appears to have developed into a history of four stages.

1. The revolt in Indo-China began as a political nationalist movement in a struggle to throw off the colonial system. At an early stage in 1944 and 1945, a political solution could have been in the making if we had devoted the same amount of political intelligence and energy to non-communist nationalists that we had devoted militarily to the support of all nationalists in the struggle against the Japanese.

2. Having failed in the early period of separating out the true nationalist forces and supporting such movements as the trade unions, especially those that began to develop in the farm areas—we became identified with the French and then failed to be able to check the excesses of the Diem regime, which started out with so much hope and promise. In fact, the rise of the VC coincides with the destruction of the free trade union forces by Diem's brother in 1957-58. Prior to this, the CVT (the Vietnamese Confederation of Labor) had been a dynamic organization with tremendous influence in the farm areas. Diem recognized this in the early years of his reign and worked closely with Tran Quoc Buu, supporting the idea of the Tenant Farmers Unions and recognizing this indigenous force as a major barrier to the communist controlled insurgents.

3. After the events of 1958 and especially after 1961, the military stage became predominant and this has continued and reached its peak during the Tet offensive of 1968.

4. Now, in this year of 1971, as the USA prepares to leave Vietnam militarily, the political issue of the immediate post World War II period returns to haunt us. It is not being solved by what is called "pacification" for sooner or later, Vietnam will have to rely on international democratic forces; on those who have contact with and support from the city and the countryside. The major force must be the city and country labor organizations of the CVT with their "Water-Buffalo" insignia now to be seen all over Vietnam. For they have rebuilt and reorganized their movement, especially amongst the farmers. The CVT has now become the major support for a political organization which recently secured one-third of the votes in the provincial election. On January 16 and 17 the founding congress of a Farmer-Labor Party took place in Saigon. And if our aim is to establish a South Vietnam which is free, united, independent, politically stable and economically expanding, how can we not come to realize that these very indigenous forces like the CVT must not only be permitted to grow and expand but encouraged. In this respect it is important to note that President Thieu has not been adverse to this political development. Support must be forthcoming for this new political endeavor. One can be sure that the other side is receiving and will receive all out support from outside, external forces. It is the type of Soviet indirect aggression for the communists which will be operating through all kinds of front organizations—political, religious, youth, women, etc., receiving all out support from the Soviet side.

In dealing with the problem of propaganda and the making of foreign policy, account must be taken of the fact that the rise of the Soviet Union to a world position has changed fundamentally the nature of diplomacy, especially as related to the non-governmental areas, where propaganda and organization problems are intimately connected. The Soviets in their non-governmental operations (WFTU, Communist Parties, Women and Youth organizations) appear not as the representatives of a country but as the symbol of incarnation of an idea which has taken root amongst great masses of people. The Soviet Union is a symbol not of a geographical unit or entity but a great idea, no matter how deformed or degenerate that idea has become over the last fifty years.

On the other hand, American operations in the field of information and propaganda tend to appear as a defense of a country, of a geographical unit irrespective of or almost hostile to any ideological concept. Purely governmental issued information cannot compete with indigenous organizations speaking and working for an ideology. In fact we have seen how far this is going in our country on the campuses and in uni-

versity classes, where not only students but the faculty have taken up the cudgels for an all-out ideological offensive against America in the international arena.

Even the recent reverses in world opinion of the communists due to the events in Poland, Czechoslovakia and Leningrad have resulted in a curious trend, whereby the communists, especially in France and Italy, appear as the champions of a "liberalized" form of communism and have criticized the Soviet action. Of course, this is due to internal pressures and world opinion which have affected large masses of people in their respective countries. It highlights at the same time the ineptness of the West to exploit these propaganda issues. In fact, it almost appears as though the communists were making a successful effort to take "anti-communism" away from the anti-communists. What seems to be happening is the reverse of the famous Edmund Wilson article appearing in the New Republic in the Thirties entitled: "Take Communism Away from the Communists."

Can America or the West in general cope with this kind of a propaganda and organizational situation in the world today? Is it possible to meet the revolutionary and ideological offensives which have become more diverse, less monolithic in appearance but yet totalitarian and aggressive in spirit and act? I believe it could be possible to counter with both an organizational and ideological offensive if we could proceed along the following lines:

1. National liberation, self-determination, anti-colonialism are not necessarily directed against the West. Rather the opposite is true, namely, that the source of the ideals of the anti-colonialists can be traced to the West, to the revolutionary ideas and actions of the 18th and 19th Centuries.

2. The world conflict is not between two geographical and national units, the USSR and the USA, but between free, open societies as against dictatorial, closed ones. Nor is this a struggle between two absolutes but between relative freedom and absolute dictatorship.

3. The major issue in the world is not primarily a conflict between "capitalism" and "socialism." In other words, it is not between free enterprise and collectivism. For, as General Clay once said: "We Americans believe in a system of free enterprise but believe even more in Freedom and Democracy."

4. Work with and support national organizations abroad, especially in the labor and youth sectors, to combat the Soviet-communist degeneration of the original ideals of the Russian Revolution. The West must carry on the fulfillment of the original ideals of the American, English and French revolutions while exposing the Soviet regime as having destroyed its revolutionary ideals but physically liquidated or exiled most of their Founding Fathers.

Many will say that what I am advocating cannot be done. Yet the greatest confirmation of my proposition has been brilliantly set forth by a Frenchman, Jean-Francois Revel, in his recent book, "Ni Marx Ni Jesus," which has already become a best seller in France. He affirms the idea of America as a revolutionary idea and force in the world today. Revel, who is a leading writer for L'Express and Le Monde opens his book in the very first sentence by affirming "La revolution du vingtieme siecle auro lieu aux Etats-Unis. Elle ne peut avoir lieu que la." (The revolution of the 20th Century will take place in the U.S.A. It can only take place there.)

Can we have less insight than Revel as regards the revolutionary challenge of America in the world today? Perhaps one of the first things that we could do to put into action what I have been advocating is the



mass distribution of Revel's book in every possible language throughout the world.

NATIONAL STRATEGY INFORMATION CENTER, INC.

The National Strategy Information Center is a nonpartisan, tax-exempt institution organized in 1962 to conduct educational programs in national defense.

The Center is privately supported and espouses no political causes. Its funds derive from foundations, corporations and individuals. It has no government contracts, nor does it operate with government funds. It is not associated with the defense industry.

NSIC's Directors and Officers represent a wide spectrum of responsible political opinion from liberal to conservative. What unites them, however, is the conviction that neither isolationism nor pacifism provides realistic solutions to the challenge of 20th century totalitarianism.

NSIC exists to encourage civil-military partnership on the grounds that, in a democracy, informed public opinion is necessary to a viable U.S. defense system capable of protecting the nation's vital interests and self-fulfillment.

MRS. WILLIAM KEY: THE AMBASSADOR FOR EDUCATION

HON. ROMANO L. MAZZOLI

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1971

Mr. MAZZOLI. Mr. Speaker, all of us in the House of Representatives have run into lobbyists representing one cause or another. Each has his own style, his own mission, and each meets with his own degree of success.

One of the most successful, humorous, and best-liked "lobbyists" for education in the Louisville area is Mrs. William L. Key. For the past 23 years, she has acted as an ambassador for her children, and the children of other concerned parents, at PTA meetings around the city.

During these years, including some as president of high school and district PTA's, Mrs. Key has followed the philosophy that you can catch more flies with honey than with vinegar.

Her presentations are often humorous and always gracious. Despite—or perhaps because of—her own lack of formal education she has been totally dedicated to providing the very best education in the Louisville area.

Mr. Speaker, education could use more supporters like Mrs. Key. This lady is doing a great job.

For the benefit of our colleagues, I wish to insert into the RECORD an article by Linda Raymond of the Louisville Times about Mrs. Key. It is entitled "What the PTA Has Going for It Is Mrs. William Key."

The article follows:

WHAT THE PTA HAS GOING FOR IT IS MRS. WILLIAM KEY

(By Linda Raymond)

Those who groan and moan and curse at the thought of attending a Parent Teachers Association meeting might consider the case of Mrs. William L. Key.

She's been known to attend as many as five PTA meetings in a single day. And, she says, she's never been unhappy about going. Never. "I just love organizational work . . .," she says. "I can truthfully say I've never been too tired to attend the PTA."

So she's been going to PTA functions for

23 years now, first as a young mother ladling soup into granite cups at John C. Strother Elementary School and later as the president of the Shawnee High School PTA and then as head of the whole Fifth District Council.

The work has taken her to state parent-teacher meetings, local school board meetings and to every one of the city's schools.

That's not an easy feat for a woman who doesn't drive a car.

"I can really tell you better where a bus line runs to a city school than I can do anything," she says.

All that bus riding has given her a sympathy for Crescent Hill area students who have to take two different buses on a round-about route to get to Atherton High School. Getting a new high school for the Crescent Hill area where she lives has been one of her most recent projects and the reason for some of her latest appearances before the city school board.

Some petitioners raise a rumpus when they want something for their neighborhood, school board members say, but Mrs. Key is different. Her presentations are often amusing, usually fun.

"She's really a very gracious lady," says board member Scott C. Detrick. "She does it in such a nice way."

What's her secret?

"I think that if you let them know that you have a genuine feeling for what you're talking about . . . they will respond to you," she says.

That's not an approach Mrs. Key saves only for the school board; she uses it with everybody.

When young parents with limited education say that they aren't qualified for PTA work, Mrs. Key tells them she knows different. As a girl, Mrs. Key had to drop out of school to go to work and she never did get a high school diploma.

"I've never felt it's a handicap . . . because I believe that you can educate yourself if you want to," she says. "And if you're interested enough in something, you'll find the answers and if they come hard, that's your tough luck. You just keep digging until it becomes a matter of information."

Someday, maybe when her youngest daughter finishes high school, she'll go back for that diploma, Mrs. Key says. In the meantime she figures she's learning plenty from her involvement with the PTA.

"This is why I say that PTA has done as much for me, if not more, than I have contributed to it. It has been an education. I just can't say enough for it."

FBI STATISTICS SHOW NEED FOR ACTION TO IMPROVE CRIMINAL JUSTICE

HON. VERNON W. THOMSON

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1971

Mr. THOMSON of Wisconsin. Mr. Speaker, the rate of crime in this country rose another 11 percent last year according to the FBI's Uniform Crime Reports for 1970 released recently. The slowed rate is encouraging, but the total amount of criminal activity reported represents an indictment of our present system of criminal justice. From arrest to trial and then through the process of correctional treatment, our system of criminal justice regularly exhibits uneven efficiency and frustrated justice.

More than 5½ million crimes were reported last year. At least an equal number of crimes were not even reported. Of more than 10 millions crimes, then, what

becomes of the criminals? An estimated 12 percent are arrested; that is, 1.2 million. Half are then convicted—600,000. And, only 150,000 or 1½ percent are actually imprisoned. That sounds like pretty good odds for a would-be criminal: 67 to 1 against imprisonment for a serious crime.

But the actual tragedy is just beginning. While our police and courts, by the statistical evidence, are not disposing of the problems, our correctional institutions may be working more harm than good with the small percentage incarcerated.

Few prisoners die in prison. Most will return to the general community to take up useful lives or, in too many cases, to resume careers in crime. Roughly 80 percent of all felonies are committed by recidivists, those who have already been "corrected" in public institutions.

Our society depends on peaceful stability to guarantee its cherished personal freedoms. As we search for solutions to the problem of crime in modern American society, we should keep in mind that "law and order" are not catchwords for racism or repression. They represent man's finest instincts for civilized progress.

As we seek to better arm our policemen to apprehend lawbreakers, to streamline the archaic and clogged court system, and to return our correctional institutions to their mission of preparing criminals for productive lives, let us use this reminder that human suffering attends every delay.

JUNIOR LEAGUE OF KNOXVILLE

HON. JOHN J. DUNCAN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1971

Mr. DUNCAN. Mr. Speaker, this year is the golden anniversary of service to the Knoxville, Tenn., community by the Junior League. Formed during World War I, the league sets up projects to help the soldiers. As new needs arose, league members took on many assignments, assisting in hospitals, schools, libraries, and health and recreation centers. One of their latest undertakings has been drug education, alerting parents and students to the dangers and perils of drug abuse.

A local newspaper, in paying tribute to the league's 50th year, carried a good summary of its progress and contributions. The following comes from the February 28, 1971, Knoxville News-Sentinel:

JUNIOR LEAGUE OF KNOXVILLE

The year is 1917. The country is at war. Wanting to help in any way they can, a group of young Knoxville women organize the Girls' Relief Corps and became active in war work and community service. Four years later, in 1921, the Girls' Relief Corps becomes the Junior League of Knoxville. It is the third league in the South to be accepted as a member of the Association of Junior Leagues of America.

From the very beginning to the present day, the keynote of the Knoxville Junior League has always been action. A League

member is no Lady Bountiful with a food basket. She is a hard worker, very much involved in the life of her community.

**EDUCATION COMES FIRST**

The purpose of the Junior League is "to promote voluntary action; to develop the potential of its members for voluntary participation in community affairs; to demonstrate the effectiveness of trained volunteers."

For the League member, action begins with education. Before beginning her volunteer work, she takes an intensive training course which takes her to all parts of Knoxville. She learns to know its physical and industrial makeup, its population characteristics, its government, its educational facilities, its public and private health, welfare, and cultural organizations. She becomes aware of her responsibilities as a citizen, and through her volunteer work becomes an active citizen.

Her training continues throughout her active membership. Through speakers, workshops, local and national conferences, and, most of all, experience, she will obtain the information necessary to do a good job in the community.

**MANY PROJECTS ESTABLISHED**

For the Junior League of Knoxville, action means pioneering. For the past fifty years, the League, usually in cooperation with other civic organizations, has been initiating projects in the areas of education, health, welfare, and cultural activities. Many League projects, such as the East Tennessee Hearing and Speech Center and the Dogwood Arts Festival, are now long-established in the life of the community.

A League project begins with research: Finding an unfulfilled need in the community and then finding the best way to fill that need.

Financial assistance from the League, either total or in conjunction with another civic group, helps to launch the fledgling project. This assistance is continued until the project has proven its value to the community and has its own means of support.

**VOLUNTEERS ARE DEDICATED**

The second way in which the League supports its projects is with volunteer service. League volunteers do anything that needs to be done—administrative work, clerical work, assisting the professional staff after taking training courses. Each member works. What she does is her choice, but she is encouraged to try her hand at a variety of volunteer jobs. Through a variety of volunteer experiences she learns more about her community, its people, its problems, its resources.

With fifty years of volunteer action behind it, the Junior League of Knoxville now looks ahead to another equally active fifty years of working together with other concerned organizations in a common cause: Seeing what needs to be done in the community, and then helping to get it done.

Now headed by Mrs. Robert Skinner, the Junior League of Knoxville is busy with its fall schedule and planning an enlarged program of service in 1972.

**CIVILIAN PERSONNEL REPORT,  
JULY 1971**

**HON. GEORGE H. MAHON**  
OF TEXAS

IN THE HOUSE OF REPRESENTATIVES  
Wednesday, September 8, 1971

Mr. MAHON. Mr. Speaker, I include a release highlighting the July 1971 civilian

personnel report of the Joint Committee on Reduction of Federal Expenditures, together with a summary of Federal civilian employment costs changes during fiscal year 1971, ended June 30, 1971:

**THE MONTH OF JULY 1971**

Total civilian employment in the Executive, Legislative and Judicial Branches of the Federal Government in the month of July was 2,943,622, as compared with 2,923,168 in the preceding month of June. This was a net increase of 20,454, due primarily to increases in regular seasonal employment and summer employment of the "disadvantaged" under youth opportunity programs.

**Executive branch**

Civilian employment in the Executive Branch in July totaled 2,903,171. This was a net increase of 20,166 as compared with employment reported the preceding month of June.

Total employment in civilian agencies of the Executive Branch for the month of July was 1,743,126, an increase of 14,497 as compared with the June total of 1,728,629. Total civilian employment in the military agencies in July was 1,160,045, a decrease of 5,669 as compared with 1,154,376 in June.

The civilian agencies in the Executive Branch reporting the largest net increases were Agriculture with 6,582, Interior with 3,948, Department of HEW with 2,397, and Treasury with 1,779. These increases were partially offset by a decrease of 4,117 in Postal Service.

In the Department of Defense the largest increases were reported by Army with 3,479 and Navy with 1,888.

Total Executive Branch employment inside the United States in July was 2,714,105, an increase of 19,566 as compared with June. Total employment outside the United States in July was 189,066, an increase of 600 as compared with June.

The total of 2,903,171 civilian employees of the Executive Branch reported for July 1971 includes 2,523,758 full time employees in permanent positions—an increase of 1,557 from the preceding month of June. (See Table 2 of accompanying report.)

The Executive Branch employment total of 2,903,171 includes some foreign nationals employed abroad, but in addition there were 97,645 foreign nationals working for U.S. agencies overseas during July who were not counted in the usual personnel reports. The number in June was 97,682.

**Legislative and Judicial Branches**

Employment in the Legislative Branch in the month of July totaled 32,557, an increase of 124 as compared with the preceding month of June. Employment in the Judicial Branch in the month of July totaled 7,894, an increase of 164 as compared with June.

**Disadvantaged persons**

The total of 2,943,622 reported by the Committee for July includes 66,320 disadvantaged persons employed under federal youth opportunity programs, an increase of 6,518 over the preceding month of June. (See Table 4 of the accompanying report.)

**SUMMARY OF FEDERAL CIVILIAN EMPLOYMENT COSTS FOR FISCAL YEAR 1971 (ENDED JUNE 30, 1971)**

For many years the Committee, in its statement accompanying the monthly civilian payroll cost for June (the last month in the fiscal year), has compared the annual cost with the totals for previous years. The following comparison continues this practice.

The cost of civilian employment in the Legislative, Judicial and Executive Branches of the Federal Government in fiscal year 1971, ended June 30, totaled 29,547,000,000. This was 2,286,000,000 higher than in the pre-

ceding fiscal year; and it was an all-time high. At the same time, average employment for all three Branches for the full 12 months of the fiscal year decreased 99,714 compared with average employment in fiscal year 1970.

Payroll for the Legislative Branch in fiscal 1971 totaled \$370,000,000, an increase of \$32,000,000 over the previous year. Payroll for the Judicial Branch in fiscal 1971 totaled \$98,000,000 over the previous year.

**Executive Branch**

Within the Executive Branch payroll in fiscal year 1971 totaled \$29,079,000,000, an increase of \$2,245,000,000 over the previous year. The following tabulation shows Executive Branch payrolls, broken between civilian and military agencies, for fiscal years 1961 to 1971.

**IN EXECUTIVE BRANCH—FISCAL YEARS 1961-71**

(Dollar amounts in billions; in rounded amounts)

Fiscal year	Civilian agencies	Defense Department <sup>1</sup> (Civilian employment)	Total
1961.....	\$7,546	\$6,026	\$13,572
1962.....	7,898	6,318	14,216
1963.....	8,659	6,603	15,262
1964.....	9,297	6,818	16,115
1965.....	10,043	7,102	17,145
1966.....	10,875	7,732	18,607
1967.....	11,727	8,668	20,395
1968.....	12,919	9,395	22,314
1969.....	13,840	10,298	24,138
1970.....	15,621	11,213	26,834
1971.....	17,480	11,599	29,079

<sup>1</sup> Excludes pay for foreign nationals not on regular rolls (\$452,000,000 for fiscal year 1971).

Civilian employment in the Executive Branch during fiscal year 1971 averaged 2,857,014 as compared with 2,958,364 in fiscal year 1970. This was a decrease of 101,350 in average employment.

The average Executive Branch employment total of 2,857,014 for fiscal year 1971 includes an average of 2,526,088 full time employees in permanent positions; the total of 2,958,364 for fiscal year 1970 includes an average of 2,592,549 full time permanent employees. This was a decrease of 66,461 in average full time permanent employment.

The following tabulation shows average civilian employment for the Executive Branch, broken between civilian and military agencies, for fiscal years 1961 through 1971.

**AVERAGE CIVILIAN EMPLOYMENT BY FEDERAL AGENCIES IN EXECUTIVE BRANCH—FISCAL YEARS 1961-71**

Fiscal year	Civilian agencies	Defense Department <sup>1</sup> (Civilian employment)	Total
1961.....	1,323,567	1,037,356	2,360,923
1962.....	1,373,485	1,058,676	2,432,161
1963.....	1,417,937	1,063,720	2,481,657
1964.....	1,434,104	1,042,552	2,476,656
1965.....	1,443,376	1,024,482	2,467,858
1966.....	1,500,349	1,074,080	2,574,429
1967.....	1,605,919	1,234,474	2,840,393
1968.....	1,654,973	1,280,853	2,935,826
1969.....	1,655,976	1,305,664	2,961,640
1970.....	1,694,157	1,264,207	2,958,364
1971.....	1,694,897	1,162,117	2,857,014

<sup>1</sup> Excludes foreign nationals not on regular rolls (averaging 100,550 for fiscal year 1971.)

In addition, Mr. Speaker, I would like to include a tabulation, excerpted from the joint committee report, on personnel employed full time in permanent positions by executive branch agencies during July 1971, showing comparisons with June 1969, June 1970, and the budget estimates for 1972:



FULL-TIME PERMANENT EMPLOYMENT

Major agencies	June 1969	June 1970	July 1971	Estimated June 30, 1972 <sup>1</sup>	Major agencies	June 1969	June 1970	July 1971	Estimated June 30, 1972 <sup>1</sup>
Agriculture.....	83,425	82,912	84,486	87,300	National Aeronautics and Space Administration.....	31,733	31,223	29,415	28,400
Commerce.....	25,364	25,427	28,422	29,600	Office of Economic Opportunity.....	2,856	2,387	2,171	2,500
Defense:					Panama Canal.....	14,731	14,635	14,017	14,900
Civil functions.....	31,214	30,297	30,220	31,300	Selective Service System.....	6,584	6,665	5,603	6,500
Military functions.....	1,225,877	1,129,642	1,062,621	1,061,600	Small Business Administration.....	4,099	4,015	4,012	4,200
Health, Education, and Welfare.....	102,941	102,297	105,439	102,100	Tennessee Valley Authority.....	11,987	12,657	13,685	13,300
Housing and Urban Development.....	14,307	14,661	15,985	16,700	U.S. Information Agency.....	10,500	9,989	9,770	9,900
Interior.....	58,156	59,349	57,498	59,100	U.S. Postal Service <sup>2</sup> .....	562,381	565,618	563,373	590,500
Justice.....	35,106	38,013	43,064	46,800	Veterans' Administration.....	147,606	148,497	158,442	160,800
Labor.....	9,723	10,217	11,476	12,100	All other agencies.....	26,200	27,420	29,585	31,200
State.....	24,658	23,618	23,375	23,700	Contingencies.....				10,000
Agency for International Development.....	15,753	14,486	13,347	11,100	Subtotal.....	2,633,762	2,552,571	2,521,710	2,589,300
Transportation.....	60,386	63,879	68,644	71,900	Public Service Careers.....			2,048	
Treasury.....	79,982	86,020	90,620	100,400	Total.....	2,633,762	2,552,571	2,523,758	2,589,300
Atomic Energy Commission.....	7,047	7,033	6,917	7,000					
Civil Service Commission.....	4,970	5,214	5,314	5,900					
Environmental Protection Agency <sup>2</sup> .....			6,001	8,900					
General Services Administration.....	36,176	36,400	38,207	41,600					

<sup>1</sup> Source: As projected in 1972 budget document; figures rounded to nearest hundred.

<sup>2</sup> Established as of Dec 2, 1970, by transfer of functions and personnel from Interior, HEW, Agriculture, Federal Radiation Council and Atomic Energy Commission.

<sup>3</sup> Formerly Post Office Department; redesignated U.S. Postal Service as of July 1, 1971, pursuant to Public Law 91-371, dated Aug 12, 1970.

DEATH PENALTY EXAMINED

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1971

Mr. EDWARDS of California. Mr. Speaker, I would like to take this opportunity to share an editorial which appeared in the Washington Post this last August 27. "Putting People to Death" is a blunt, interesting analysis of the death penalty and well worth the attention of all Members of Congress since legislation to suspend the death penalty is now pending in the Judiciary Committee and may soon be considered on the floor.

The article follows:

PUTTING PEOPLE TO DEATH

The last time we counted, there were 675 men awaiting extinction at the hands of their fellowmen in various prison death rows around the United States. This congestion, or surfeit of supply for the assortment of electric chairs, gas chambers and gallows which are available in the several states, grows out of the development of a certain amount of squeamishness among Americans about killing human beings. This squeamishness is not unbecoming to a civilized society. It has been going on for quite a while and perceptibly growing in intensity. Some of the men on death row have been waiting for a dozen years because the officials responsible for ordering their execution can't quite bring themselves to do so. For the past four years there have been no executions at all in this country, owing to an expectation that the Supreme Court may soon call them unconstitutional.

There is nothing else, however, to prevent these executions from taking place as soon as any governor has the hardihood to go ahead with them. About 100 men are in line for extinction in California alone. Dealing with them all at once would be, perhaps, a little too gruesome. But they could be dispatched in groups of say ten or a dozen so as to get the thing over with.

When one thinks about capital punishment in this way, it becomes really unthinkable—does it not?—at least among people of any sensibility and imagination. What, then, is to be done about it? The Supreme Court of the United States has agreed in its next term to hear arguments in four cases

raising the question whether the death penalty is a cruel and unusual punishment forbidden by the Eighth and Fourteenth Amendments to the Constitution. It may solve the problem for us. In May of this year, however, the court concluded in two death cases before it that it found it "quite impossible to say that committing to the untrammelled discretion of the jury the power to pronounce life or death in capital cases is offensive to anything in the Constitution." The truth is that there are many forms of barbarity and folly from which the Constitution affords no safeguard at all.

The best way to deal with the enormity of the death penalty is to reject it through the political process. Identical bills have been introduced in the two houses of Congress—by Senator Hart and Representative Celler—to prohibit any executions in the United States for two years. In 1961 Britain's Parliament suspended the death penalty for a five-year period and then, in 1965, after viewing the results of that experiment, it abolished capital punishment permanently. Whether Congress, under the American federal system, has power to do this raises another constitutional question. But a sense of Congress resolution against the death penalty would no doubt have great influence. Ideally, state legislatures ought to deal with the problem by abolishing capital punishment within their own jurisdictions.

The argument in favor of capital punishment rests entirely on two contentions. One is that the punishment of death satisfies a human need for stern retribution, the taking of a life for a life. If there is such a need among human beings it is surely a primitive one, justifiable perhaps when men lived in a state of savagery but repugnant to civilized standards and to the sense of humanity. Dangerous men must be confined for the protection of the community; but to punish them with death is as barbarous as to punish them with physical torture.

As for the deterrence argument, it has long since been refuted by the facts, and very few people really believe in it. If it were seriously supposed that fear of the death penalty could lead rapists and murderers to reflect on the dread consequences or their crimes and thus to refrain from committing them, governments would conduct their executions in public—as, of course, they used to do as a means of warning others against crime. But public executions, even of the most brutal and sanguinary sort, proved to have no deterrent effect whatever. They merely disgusted or debasted the people who watched them. And

so they were carried indoors and conducted in relative privacy out of a sense of shame at their being done at all.

That sense of shame was a symptom of civilization. It should now carry Americans to a total rejection of this denial of the sanctity of human life. If a community wants to deter killing, it had best begin by foregoing killing on its own part. Respect for life is best taught by the observance of it.

SEAPOWERS REPORT OF AMERICAN SECURITY COUNCIL

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Wednesday, September 8, 1971

Mr. THURMOND. Mr. President, last month and several times in the past year I have warned the Nation that U.S. dominance of the seas is being seriously challenged by the Soviet Union.

In the last few weeks the highly respected London publication called *Jane's Fighting Ships* has reported that:

By any standards the Soviet Fleet now represents the super-navy of a super-power.

This Nation must meet this challenge by accelerating the modernization and size of our Navy to a degree that our superiority of the seas will not be questioned.

This effort must be made largely by Congress. In this regard, Managing Editor Duane Thorin of the American Security Council has published a statement entitled "Who Rules the Waves?" published in the August 30, 1971, issue of the Council's newsletter.

Mr. President, I 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:

WHO RULES THE WAVES?

"By any standards the Soviet Fleet now represents the super-navy of a super-power. . . ."

"The size and relative capabilities of the United States Navy continue to decline. . . ."

—from foreword of *Jane's Fighting Ships*, 1971-72 edition.

For the past several years warnings have been sounded by naval and military experts at home and abroad that unless the United States took steps to substantially augment and update its naval forces, the Soviet Union would shortly surpass us in the vital realm of seapower. The most recent edition of *Jane's Fighting Ships* indicates—by its statistical content even more than by its above editorial assessment—that the day of Soviet superiority on the high seas may already have arrived.

In all elements of seapower except attack carriers, Jane's now rates the Soviet Navy ahead of the United States. Most alarming is their lead in ships armed with tactical surface-to-surface missiles (SSMs). The Soviet Fleet now has some 273 vessels so equipped; 11 cruisers, 37 destroyers, 160 patrol boats, and 65 cruise missile submarines. The United States Navy still has none! (The so-called "missile" ships in the U.S. surface fleet have only SAM, surface to air, capability, not the SSM, anti-ship weaponry.)

These alarming developments should come as no surprise. As Jane's points out:

"Every year for the last decade or so a new class of rocket cruisers, missile destroyers, submarines, escorts, minesweepers, missile boats and/or torpedo boats has appeared in the Soviet Navy and most western observers have been impressed by their sophistication and novelty."

The Soviet submarine fleet, already much larger than our own (by a ratio of about 3 to 1) is still growing; with construction schedules and operational construction potentials far greater than in the United States.

#### THE DESIGN GAP

Part of the reason for U.S. fallback in seapower, viz-a-viz the USSR, is the fact that the Soviets have been building their deep water forces entirely anew—incorporating from the outset all they can of most recent technology. Meanwhile, the U.S. Navy has been expected largely to "make do" with vessels left over from the pre-nuclear and pre-missile era.

But even in its new construction of surface vessels, the U.S. has been in some respects shortsighted. Nuclear propulsion—in which the U.S. certainly has led the way—has proved its merit for major warships. But except for a few seaborne SAMs (surface-to-air missiles) the armament of our nuclear-propelled surface ships other than carriers has remained quite antiquated.

There is good reason also to question the wisdom of continuing to build surface warships so large as were needed in the past. In this connection, the editors of Jane's have noted:

"... The diminutive missile boats with surface-to-surface systems will give smaller navies an offensive power out of all proportion to their modest overall size.

"In fact, viz-a-viz a country with a much greater fleet of larger warships without missiles the smaller country with missile boats could hold the balance of deterrent power and exert a containing influence. And with all the missile boats are cheaper and quicker to build, easier to maintain and much more economical in manpower."

#### THE NUMERICAL EQUATION

The Soviet Fleet, which includes many such "diminutive missile boats", is anything but modest in its overall size. Jane's 1971-72 edition summarizes for the USSR as follows:

"It is estimated that the strength of the Soviet Fleet now comprises 83 nuclear powered submarines, 318 conventionally powered submarines, 2 cruiser helicopter carriers, 26 cruisers including missile ships, 100 destroyers including missile-armed vessels, 130 escorts of the small frigate and corvette type,

270 coastal escorts and patrol vessels, 320 minesweepers, 125 missile boats, 325 torpedo boats, 125 amphibious ships and 75 smaller landing craft excluding minor LCMs. Support ships, auxiliaries and service craft run into thousands."

With respect to major vessels in the U.S. Navy, Jane's summarizes: "The force levels of the Fiscal Year 1972 budget reduce several categories of warships to their lowest strengths for over a decade. The situation is evident in the planned force of 13 attack carriers (one with a mixed attack/anti-submarine air wing) compared to 16 attack carriers three years ago; 160 cruisers, frigates and destroyers, decreased from 240; and 93 attack submarines, a drop of ten boats since 1969."

Numbers of vessels, to be sure, are not the sole criteria for judging effective power. For example, despite the Soviet lead in numbers of submarines, the U.S. still has for the moment a considerable edge in submarine launched strategic missiles.

On the other hand, with regard to surface power, Jane's editors say: "In some respects the characteristics and capabilities of the Soviet ships obviously are superior to those of their U.S. Navy counterparts."

#### ATTACK CARRIERS—U.S. HOLE CARD

The Soviet Navy has no "counterpart" of the U.S. Navy's venerable stalwart—the aircraft carrier. Hence Jane's editors allow that "the only category of warships in which the U.S. Navy now and for the near future maintains a decisive advantage is the aircraft carrier."

Overlooked in the Jane's assessment—and apparently by many others—is the fact that the mere absence of the same type of warships in the Soviet Naval Force does not mean that the continued presence afloat of 13 (or even more) attack carriers automatically provides the U.S. with a "decisive advantage."

It is unquestionably true, as the Jane's editors mention, that "no other ship or even combination of surface ships can match the versatility, striking power and range, or endurance of the modern attack carrier and her 80 to 90 aircraft." But that unmatched power can be relied upon only providing that the carrier is able with reasonable certainty to be defended against any and all potential attackers, or that it continues to have immunity from attack by virtue of strategic considerations on the part of the enemy.

The U.S. Chief of Naval Operations, Admiral Zumwalt, told a Congressional committee this year that the advantage of our carriers "is currently negated by the offensive strike capability [i.e., anti-ship missiles] of the Soviet ships trailing ours. . . . Programs to provide missile defense systems . . . are being accorded high priority. However, progress is limited by the amount of money we can make available. The adequacy of the U.S. carriers in 1972 and later is a function of the rate at which fleet missile defense and other combat systems are improved relative to Soviet offensive weapons systems."

It would be premature to write the big aircraft carriers off as being entirely obsolete. If other elements of our naval and strategic power can be brought back into balance favorable to ourselves, they could serve useful purposes for some years to come.

But in the allocation of essential resources—money, materials and manpower—to most quickly bring our naval strength up to what it now needs to be, we must hope that the justly proud sailors who brought the aircraft carriers to their full glory in the past will not let nostalgia get in the way of their good judgment for the future.

Or, putting it another way—if anyone wants still to look upon our big aircraft carriers as a pot-winning ace in the hole, they had better come up in short order with some-

thing to show which will at least match the Soviet Navy's face-up flush.

#### FILLING OUR HAND

Strengthening our own naval forces to cope with the Soviet naval buildup does not necessarily mean matching them ship for ship or weapon for weapon in every respect and detail. But a willingness to follow their lead in new concepts or designs, when appropriate, would certainly make sense. As the editors of Jane's expressed it, "the Soviet Navy . . . has pointed the way to the ascendancy of the missile boat over much larger orthodox warships."

Application of U.S. technological talent and productive capacity in the direction which the Soviet Navy has in this case pointed, could bring about a more rapid and more economical reascendancy of our own seapower than appears possible by any other construction program.

Within reasonable limits it appears that the smaller the vessel the greater the economy (in terms of money, materials, manpower and time), and also more seapower for the money. At least Germany must think so. As reported by Jane's: "Abandoning what seemed to be a firm project to build four guided missile frigates of 3,500 tons, the German Navy is instead to build ten guided missile boats of 350 tons and 20 guided missile boats of 250 tons."

If Germany can thus amplify her effective seapower, creating 30 missile-armed vessels out of resources originally allocated to only four, consider the potential for the U.S. Navy of allocating to smaller, ocean going missile-ship construction the materials—and manpower—which enter into construction and operation of just one aircraft carrier. Moreover, several of those smaller warships could be operating with the fleet before the carrier's construction had progressed much beyond the laying of the keel.

Finally, in keeping with the Nixon Administration's doctrine that our allies must assume a bigger share of the mutual defense burden, a reordering of the U.S. Navy's new construction toward smaller missile-armed ships would make it far easier for less affluent countries to provide naval units which fit into joint force with our own.

#### THE "OCEAN STRATEGY"

Besides better meeting our purely "seapower" needs, as counter to Soviet efforts to achieve actual dominance of the oceans and strategic waterways, the advance of our surface fleet fully into the missile age would open the way for economically increasing the Navy's contribution to Strategic Deterrence. This prospect disturbs Soviet leaders. In a recent Pravda interview the Chief of the Soviet Navy, Adm. S. G. Gorshkov said:

"It is appropriate to draw attention to the 'ocean strategy' which is now being publicized in the United States and which envisages the transfer of the main nuclear potential from dry land to expanses of the ocean. The militarist U.S. circles give priority to the development of submarine missile systems, considering them to be less vulnerable than missiles on land or underground. By locating a large quantity of strategic missiles on the expanses of the ocean, the U.S. militarists cherish the dream of deflecting a considerable number of possible (in the event of their launching a war) retaliatory strikes away from U.S. territory. Vain hopes! No strategy, including the so-called 'ocean strategy', will save from crushing retribution any aggressor who would risk going to war against the USSR and the other countries of the socialist community."

Setting aside his hypocritical diatribe about U.S. "militarists" and "launching a war," Admiral Gorshkov may have done us an unintended favor. His crude attempt to discourage the idea highlights the fact that extension (rather than "transfer") of additional strategic deterrence forces to the "expanses of the ocean" may be the best



answer to our most pressing problem of the moment—restoring our lost leverage in the strategic power balance, *quickly and economically!*

Such a strategy has in fact been suggested by some U.S. experts, but the reasons for it and reasonings of it have not in fact received the publicity they deserve. The Soviet Naval Commander has expressed quite well two good reasons for it (even though he did so in distorted phraseology): If a major portion of the additional deterrent missile forces which we now must have is dispersed on the expanses of the ocean, this would indeed make them less vulnerable to a preemptive strike by the Soviet Union and at the same time, in the event of such a strike, draw a considerable number of those Soviet first strike missiles away from inhabited territory. (Gorshkov neglected to mention that wide dispersal of U.S. nuclear deterrence at sea, even on readily visible surface vessels, would make immensely more difficult, any Soviet effort to knock them all out at once, even with a surprise attack.)

But contrary to the implications in Gorshkov's Navy Day remarks, not all of these sea-borne strategic missiles would need to be underwater. A faster and more economical way of substantially augmenting our ocean-borne deterrent would be (as some U.S. experts have suggested) to position them in movable surface installations. It has also been suggested that some of the vessels now in the "mothball fleet" might be readily convertible into sea-borne missile stations, thus making good use of still seaworthy hulls whose armament is obsolete for service in the regular fleet, yet could serve as a measure of self-defense for the converted units.

It is interesting to note that some members of Congress (such as the group called Members of Congress for Peace through Law) who have actively opposed most other proposals for strengthening our strategic deterrent forces are backing full funding of *research and development* for ULMS (Underwater Longrange Missile System). Desirable as that system *might* turn out to be, it is *long range* in more ways than just one. Now only in research and development, it will be several years before ULMS could possibly go into production and deployment. There is need for increasing our actual strategic deterrence now! For the interim, until ULMS or something better becomes a fact, it would be relatively inexpensive to position on surface vessels the Poseidon, which is already in production for submarine deployment. Also available are still-serviceable Polaris missiles, as they are replaced by Poseidon in our submarines.

#### BATTLE OF THE BUDGET

There is urgent need for strengthening the full spectrum of our defense-deterrent forces. Budgetary limitations imposed by the present Congress are one of the biggest handicaps—especially since the Nixon Administration has not really asked for all that is needed in the first place. On top of that, a well-orchestrated "Anti-Defense Lobby" is clamoring for still further cuts.

But even given an adequate budget, there is need to establish priorities as to which elements of military power should be refurbished first. Limitations of manpower and material resources keep us from doing all necessary things at once. The largest share (34.56%) of the Fiscal Year 1972 defense budget has been allotted to the Navy; a proper selection but still far short (as the other services are also short) of the needs to really do the job.

Apart from its potentially greater contribution to strategic deterrence, seapower in its own right is, if anything, more vital to national security and international eminence of a nation today, in the missile age, than it was in the days long ago when "Britannia ruled the waves". The prospects for peace

with freedom anywhere in the world are dependent upon maintaining Freedom of the Seas.

And Freedom of the Seas—to non-aggressive military deployment as well as commercial shipping—depends in the final analysis upon the existence of sufficient seapower under the flags of non-aggressive nations to keep them free. For in keeping with the overall imperialist aims of the Soviet Union, the continuing buildup of their already powerful fleet is clearly aimed beyond what is required to secure legitimate freedoms to themselves—toward the further end of denying those freedoms to us.

Even the most fervent advocates of further cuts in the defense budget usually insist that they are for whatever is really essential to our national security, and against only "wasteful" spending. Some of them seem to resent being referred to as "anti-defense".

As evidenced by Jane's current edition of *Fighting Ships*, and other reliable sources, the still-growing Soviet Navy constitutes a clear and present threat to national security. How these defense budget slashers respond to that threat, and to requests for funds to prudently refurbish our own Naval Forces to cope with it, should be a conclusive indicator as to whether they are really against only wasteful spending or are outright anti-defense.

#### AMERICAN AIRLINES SUPPORT NONSMOKERS RELIEF ACT

HON. C. W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1971

Mr. YOUNG of Florida. Mr. Speaker, support continues to grow for H.R. 4776, my Nonsmokers Relief Act which would provide separate areas for nonsmokers on planes, trains, and buses. Since I introduced this bill on February 22, overwhelming responses have come to my office from the industries affected as well as from thousands of concerned nonsmokers. American Airlines, one of the Nation's major air carriers, is the latest organization to embrace this measure. Trans World Airways and United Airlines already have expressed support and voluntary compliance with the provisions of H.R. 4776.

Few people enjoy tobacco smoke blown in their faces as evidenced by a recent survey conducted by the Long Island Railroad. This report showed that the majority of its passengers, by a 5-to-1 margin, prefer riding in a nonsmoking car. As a result of this survey, the railroad is changing from the current 50-percent ratio of smoking cars on each train to a total two cars per train.

There has been little opposition offered to such steps because most people realize that in confined, close quarters, fugitive fumes can become very annoying and even nauseating—and while traveling on public transportation, there is no escape available to the nonsmoker short of leaving from the plane, train, or bus.

My proposed measure does not restrict smokers from smoking in public places or conveyances; that is, as it should be, an individual decision. It would, however, require the Secretary of Transportation to establish protected areas to assure the rights of nonsmokers who prefer to travel aboard airliners,

trains, and buses without being choked by a cloud of secondhand smoke.

It has been proven that the effects of prolonged smoke inhalation can cause many of the same effects as smoking itself. Why, then, should these people who have voluntarily chosen not to subject their bodies to the detrimental effects of smoking, be involuntarily subjected to the same while traveling in public transportation vehicles?

The fact that the industries involved are aware of this problem and are willing to comply with the provisions of the Nonsmokers Relief Act should be a mandate for action in and of itself. The need for relief is self-evident, and we must act promptly to provide this relief to millions of American travelers.

Here for the consideration of my colleagues, are the announcements of American Airlines and the Long Island Railroad:

New York, August 10.—American Airlines has introduced non-smoking areas aboard every airplane it flies.

Walter J. Rauscher, senior vice president-passenger marketing, said that beginning this week all of American's passengers will be able to designate their seat preference in either smoking or non-smoking areas.

Previously, American offered non-smoking sections aboard only its Boeing 747 Luxury Liner and its DC-10 LuxuryLiner. The new policy extends the service to the airline's Boeing 707, Boeing 727 and BAC 400 Astrojets.

"Our experience with the non-smoking section aboard the LuxuryLiner has shown that our passengers—both smokers and nonsmokers—appreciate this added service," Mr. Rauscher said.

He added that smoking will continue to be permitted in coach and first class lounges aboard the 747 and DC-10 LuxuryLiners.

The Long Island Railroad, in response to many requests from its customers, will reduce the number of smoking cars on all its trains starting Sunday, August 1.

Instead of the current 50% ratio of smoking cars on each train, a total of two cars will be assigned to each train. Smoking will continue to be permitted in all bar cars and cars equipped with portable bar carts.

The change, according to LIRR President Walter L. Schlager, Jr., has been brought about because of the changing habits of its customers as evidenced by the increasing number of phone calls and letters received from riders who object to the current ratio of equal number of smoking and non-smoking cars on all LIRR trains. Most complainants say there are too many smoking cars and not enough non-smoking ones.

Last April, as a result of these indications, the LIRR surveyed commuters to determine rider preferences. The returns showed that the greatest majority of riders—by a 5-1 margin—would prefer to ride in non-smoking cars.

The LIRR's decision is also in line with the current national trend to curb smoking as a health measure. Recently, in New Jersey, the Erie Lackawanna Railroad limited its smoking cars to two per train. Some commuter lines in the U.S. do not permit smoking in any cars.

Smoking cars on LIRR diesel and older electric trains are identified by "Smoking" signs at either end inside the car. These cars will be located at the front and rear end of each train.

Smoking cars on the new Metropolitan electric trains will be located in the first and next to last cars on New York-bound trains; and on the second and last cars of Long Island-bound trains. They will be identified by "Smoking" signs at either end inside the car.

## LET US GET THE JUDGES OUT OF OUR CLASSROOMS

## HON. C. W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1971

Mr. YOUNG of Florida. Mr. Speaker, my office has been flooded with letters from constituents vehemently opposed to the judicial order upholding forced busing. This action by the courts denies our children the right to attend neighborhood schools, and instead, sends them miles from home, in order to achieve an arbitrary "racial balance" in the classrooms.

The letters come from people of all races, of all political ideologies, from all walks of life, who are frustrated by the denial of rights they thought were guaranteed to them as American citizens. Discriminated against because of race, they have appealed to me as their Congressman. Our local communities, with governments closest to the people, are distressed over the injustices of massive forced busing. The Suncoast League of Municipalities, comprising the local governments in my district, on August 14 adopted the following motion:

Motion by Mayor Julian Fant of Treasure Island that this league shall go on record as opposing forced school busing and advise Congressman YOUNG of our support in his efforts for a constitutional amendment in Congress in this respect; seconded by H. Hanke, councilman of Madeira Beach; which motion passed unanimously.

The city of St. Petersburg Beach spelled out the community's grave concern on August 17 with this resolution:

RESOLUTION No. 349—RE: OPPOSITION OF CITIZENS TO DISTANT CROSS-BUSING OF STUDENTS

The Board of Commissioners of the City of St. Petersburg Beach, Pinellas County, Florida, in special meeting assembled on August 17, 1971, resolves as follows:

Whereas, a majority of the residents of St. Petersburg Beach, Florida have expressed opposition to cross-busing of students, and

Whereas, forced busing to accomplish desegregation of schools will impose periods of inconvenience and deprivation upon students and their families, and

Whereas, busing requires expenditures which will either cause increases in taxation or will lessen the funds available for educational purposes and which, in either case, will cause undue hardship upon the citizens of this City, and

Whereas, the children of this community will be exposed to greater vehicular dangers, and

Whereas, removing children from neighborhood schools will remove them from parental attention in the event of illness, disaster and other emergency situations, and

Whereas, long distant cross-busing deprives the students from entering into extra-curricular school activities; an important part of the educational process, and

Whereas, the citizens of St. Petersburg Beach are neither complacent nor oblivious to the necessity for desegregation, but believe that the majority is being penalized by forced busing to assuage the political pressures of the minority;

Now, therefore, be it resolved that the City

## EXTENSIONS OF REMARKS

of St. Petersburg Beach feels that the foregoing expressions constitute the beliefs of the majority of the citizens of the City of St. Petersburg Beach and that thereupon, the City of St. Petersburg Beach endorses and approves such beliefs in an effort to prevent distant cross-busing of students in all areas of Pinellas County, Florida.

The City of St. Petersburg Beach does further resolve that copies of this Resolution be forwarded to the Parents Against Forced Busing Officials; Pinellas County Board of County Commissioners; Pinellas County Board of Public Instruction; The Honorable Floyd Christian, Superintendent of Public Instruction of the State of Florida; The Honorable Reubin Askew, Governor of the State of Florida; The Honorable C. W. "Bill" Young, United States Representative; The Honorable Edward J. Gurney, United States Senator; President Richard M. Nixon; The Honorable Joseph P. Lieb, Chief Judge, United States District Court, Middle District of Florida, and the Honorable Claude Kirk, former Governor of the State of Florida.

Commissioner McKenney offered the foregoing Resolution and moved its adoption, which was seconded by Commissioner Rightmyer, and upon roll call the vote was as follows:

Ayes: Misener, McKenney, Bowles, Rightmyer and Klesius

Nays: None

Absent or Abstaining: None

Resolved and done, this 17th day of August, 1971, by the Board of Commissioners of the City of St. Petersburg Beach, Pinellas County, Florida.

We as Congressmen must be aware of the impact this order is having on the people we represent. Children have to spend long hours in close, chaffing quarters being transported to and from schools—hours that have been traditionally spent participating in scouting, school clubs, athletics, and other extra-curricular activities. These additional hours on the road and away from the family circle cause parents untold anxiety and dismay. These unjust hardships, which heretofore have been ignored by those in a position to remedy them, are now a grim reality to those caught up in the havoc of busing. As their voice in Government, we must consider the circumstances and how they will affect our children and family life in America.

I firmly believe in the right of the people to be heard. We must work within the system to overcome this unjust ruling. For this reason, I have introduced a constitutional amendment, House Joint Resolution 600, which provides that the right of students to attend the public school nearest their place of residency shall not be denied or abridged for reasons of race, color, national origin, religion, or sex.

In addition, because the House Judiciary Committee has failed to act on this critically needed legislation, I have filed a discharge petition to get the resolution on the floor for prompt action. I urge my fellow Congressmen to sign discharge petition No. 6, for this is too crucial a matter to die in committee. The future of our children is far too important to be placed solely in the hands of a capricious Federal court. Let us get the judges out of our classrooms.

September 8, 1971

## THE POTENTIAL OF WOMEN

## HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1971

Mrs. MINK. Mr. Speaker, my attention has recently been directed to a study on "The Potential of Women" by the Johnson O'Connor Research Foundation Human Engineering Laboratory. The study was written by Jon J. Durkin. It found that in 13 measures of ability between men and women, there was no discernible sex difference, while in eight aptitudes differing levels of ability were observed between men and women.

In the eight areas of differing ability, women were superior in six. The two in which men excelled were grip—a measure of physical energy—and structural visualization—as measured by the assembly of three-dimensional puzzles.

As women were superior in all measurable areas of skill except those attributable to biceps size and the ability to assemble puzzles, the report wondered about the predominance of men in various occupations as opposed to women.

The report said:

In most occupations, if positions were based solely on aptitudes, men and women would be found in approximately equal numbers.

I agree and see no reason why there should be more men in Congress than women, for example. There is no reason why a woman should not aspire to any position, including President of the United States.

The article follows:

## THE POTENTIAL OF WOMEN

(By Jon J. Durkin)

Since its inception in 1922, the Human Engineering Laboratory/Johnson O'Connor Research Foundation, Incorporated, has seen four men go through its program of aptitude assessment for every one woman. Perhaps this made some sense thirty to forty years ago, since far fewer women then may have contemplated full time, non-domestic careers. In the past decade this lopsided ratio of 4/1 has altered slightly so that the actual ratio now is more like 3.5 men to each woman. However, beginning with the Second World War (when women inundated the entire labor market) enormous changes have taken place regarding the occupational importance and aspirations of women. In 1970, forty-four per cent (44%) of all adult women were employed outside the home. In other words, the ratio of men to women in work is nearly 2/1. According to the Department of Labor this trend will definitely continue through the foreseeable future.

The job of the Human Engineering Laboratory/Johnson O'Connor Research Foundation, Incorporated, is the discovery and accurate measurement of inherent aptitudes and the measurement and teaching of acquired knowledge. When we look for differences in level of measured ability between men and women we find the following facts.

## I. THOSE APITUDES WHICH SHOW NO DISCERNIBLE SEX DIFFERENCES

1. Analytical Reasoning.
2. Eyedness.
3. Foresight.
4. Inductive Reasoning.
5. Memory for Design.



6. Number Memory.
7. Objective Personality.
8. Subjective Personality.
9. Pitch Discrimination.
10. Rhythm Memory.
11. Timbre Discrimination.
12. Tonal Memory.
13. Tweezer Dexterity.

#### II. THOSE APTITUDES WHICH DO SHOW A SEX DIFFERENCE

1. Finger Dexterity—used in all manner of activities involving deft digital manipulations (handling, demonstrating, assembling). At the 50th percentile, 17 year old men fill 77 holes in a pegboard, 17 year old women complete 82. Women excel in Finger Dexterity.

2. Graphoria—Originally termed accounting aptitude, this work-sample measures clerical speed and efficiency (accounting, auditing, statistics, actuarial work). A 17 year old boy at the 50th percentile takes 7.20 minutes to complete this worksample, a 17 year old girl completes it in 6.48 minutes. Women excel in Graphoria.

3. Ideaphoria—a measure of rate of flow of ideas used in activities involving persuasion and verbal fluency (sales, teaching, writing, advertising). At the 50th percentile, a 17 year old boy writes 267 words in 10 minutes, whereas a female peer writes 290. Women excel in Ideaphoria.

4. Observation—This worksample measures one's ability to perceive small changes, alterations, in physical details and is used in activities involving close visual inspection (insurance adjustment, police work, factory inspection). At the 50th percentile a 17 year old male amasses 85 points, a female gets 88. Women excel in Observation.

5. Silograms—measures the ability to easily form associations between known and unknown words. A measure of a memory most useful in acquisition of languages and professional terminology (chemistry, medicine, law). At the 50th percentile, a 17 year old boy remembers 27 words out of 80, a girl remembers 35. Women excel in Silograms.

6. Abstract Visualization—the theoretical complement of Structural Visualization, this aptitude is not measured directly but is inferred from the absence of Structure. Found in banking, management, politics, writing and sundry non-technical professions. 75% of women possess abstract visualization, whereas only 50% of men do.

7. Grip—a measure of physical energy, useful in those activities requiring large amounts of muscular exertion (construction worker, athlete, weight lifter). At the 50th percentile, a 17 year old woman exerts 90 kilograms pressure, a 17 year old boy exerts 144. Men excel in grip.

8. Structural Visualization—measured by worksamples involving rapid assembly of three dimensional puzzles, this aptitude seems central to the technical/scientific professions (engineering, architecture, surgery, mechanics, building). At the 50th percentile a 17 year old boy completes the worksamples in 1.75 minutes, a 17 year old girl in 2.75 minutes. Men excel in Structural Visualization.

We can find no discernible difference between men and women in acquired knowledge as measured by tests of English Vocabulary.

#### CONCLUSIONS

Out of the 22 aptitude and knowledge areas measured above, there is no sex difference in 14; women excel in 6; men excel in 2. We could speculate endlessly as to the reasons for these similarities and variances but that would obscure the point of this article. The point to be made is a simple one. There is no field which can, with absolute assurance, claim to be the exclusive domain of either sex. Men will predominate to

some degree in those fields requiring Grip and Structural Visualization; women in those which call upon Graphoria, Dexterity, Ideaphoria, Observation, Silograms, and Abstract visualization. In other fields there ought to be no favoritism. Neither a girl nor a boy ought to peremptorily dismiss from consideration any endeavor solely because it has been the preserve of the opposite sex.

People come to us primarily to gain information about themselves which they can use in developing a full, satisfying, and successful life. It has been the general observation of the staff that most women seem timid in their search for a lifestyle. Rather than aspiring to law, they aim for law clerk, architectural assistant rather than architect; private secretary rather than corporation president. In a word, subordinate positions.

We can find no substantiation for this timidity in measured ability. Many women claim, since they expect to marry and raise children, that they need not be so serious in making a vocational choice as does a man. This, we feel, is a short-sighted viewpoint, and one which can prove to be ultimately quite detrimental to the individual woman who chooses it. When children are grown and no longer a maternal responsibility many women find themselves experiencing increasing ennui and frustration with the diminished role as keeper of an empty house. This is not a pleasant prospect to anticipate or experience. It can lead to marital and emotional difficulties, degrading everyone, benefiting no one.

We urge that women take their lives as seriously as any human being ought to, and prepare for a vocation, a life's work, which will continually challenge all their abilities and knowledge; a vocation which will be harmonious with self-development and continual personal growth. We say "be a doctor instead of a nurse if such is your aptitude and desire". We say "grow and enjoy life as an independent individual not simply as a satellite dependent upon a larger planet". Get the experience, education, and fortitude necessary for a large life. Do not allow your freedom of choice to be diminished by well-meant, but meretricious advice.

The present period is monumentally critical to the future of all mankind and we feel that it is the responsibility of each person to do what they can to ensure the continued positive growth of the human race. It seems reasonable to assume that women, through full and unfettered realization of their potential could do much to further this end.

Our society, perhaps the most heavily industrialized one in history, places a premium on the expert use of structural visualization. This aptitude, the gift for three-dimensional thinking, underlies successful performance in the physical sciences, medicine, all forms of real engineering, architecture, city planning, building, mechanics, etc. Fewer women than men possess this aptitude. The exact figures are one woman in four, one man in two. However, none of the above mentioned professions are 25% female in population. This is a case of cultural bias. Parents treat boys and girls differently from birth. It's a rare parent who will give their daughter an erector set or carpentry tool which are delightful presents for a youngster who is high in structure as  $\frac{1}{4}$  of girls are. At best, a high structure girl may exercise her aptitude through dress-making, jigsaw puzzle assembly, or unauthorized use of her brother's toys. It seems to be a case of the few being made to suffer for the characteristics of the many.

Another example can be seen in the field of management. The aptitudes which seem to underlie successful management are: Objective Personality, Abstract Visualization,

and high English Vocabulary. Equal numbers of men and women possess objective personality and high vocabulary. More women have abstract visualization than men. The ratios are three women in four, one man in two. Theoretically at least, there ought to be more women in management than men. However, in reality, this is definitely not the case. Even the most cursory perusal of most companies will reveal few, if any, women in higher management positions.

In most occupations, if positions were based solely on aptitudes, men and women would be found in approximately equal numbers. This is not how things actually are. Women are encouraged, both overtly and covertly, to seek lesser positions for a variety of reasons, many of which, when examined closely are found to be based on biased and spurious information. In other societies, this type of bias is not so obviously operative. One is reminded that the first woman astronaut, who orbited the earth several years ago, was not an American. The prime ministers of India, Israel and Ceylon are not men. These are facts. The Johnson O'Connor Research Foundation respects facts whatever they may be. Since in the course of virtually fifty years of research it has found no facts which substantiate the great discrepancy between women's potential and their actual accomplishment it feels bound to present these facts to the world. If it leads to a greater development of ability on the part of all people, then our job will be done.

#### RELIEF TO THE WORKINGMAN

#### HON. PETER A. PEYSER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1971

Mr. PEYSER. Mr. Speaker, I am introducing a bill today to ease the inequitable payroll tax burden borne by American wage earners. By making up to \$200 of these taxes deductible from Federal income taxation, the low- and middle-income worker will get the break he needs so desperately.

Those with higher incomes will benefit, too, although on a smaller scale. The net result is that the unfairly regressive payroll tax will be made more just.

All of us realize that taxes in general are becoming more and more burdensome as they take up more and more of every family's budget. The situation is made intolerable as prices continue to soar, and what is more appalling, the tremendous tax burden is not even distributed evenly. The second largest source of Federal revenue, the payroll tax, is levied with no regard to the taxpayers' dependants, nor any other deductible factor.

There is a myth that payroll taxes comprise a system of saving for the future. The truth is that these funds are used to finance current expenses of the social security system. Thus, this is not a savings situation—it is definitely a tax, and it is unfair to expect taxpayers to put up with a Federal tax retaxed by the Federal Government.

Under H.R. 1, social security payroll taxes will rise from the present 5.2 level to 7.4 percent by 1977. Next year, the

wage base will rise from \$7,800 to \$10,200. Therefore, a man who makes a little less than \$200 a week will find his payments rising from \$405 to \$755 per year.

This state of affairs alone is deplorable—but worse, the payroll tax is not equitable. A wage earner who makes \$25,000 per year is taxed the same amount as one making \$10,000, and he or she receives the same benefits upon retirement. Today more than 20 percent of all employees earn more than the \$10,200 limit and are never taxed on the surplus amount.

My bill, in making payroll taxes up to \$200 deductible from Federal income taxation, is one way Congress can act to begin to rectify regressive taxes, and come to the aid of millions of low- and middle-income taxpayers.

#### PREMATURE ULMS DEVELOPMENT

### HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1971

Mr. FRASER. Mr. Speaker, the August 1971 issue of the Armed Forces Journal carries an item which reinforces my belief that we should go slow with advanced development work on the undersea long-range missile system—ULMS. The Journal article "Expanded Poseidon" Clouds ULMS Picture" by James D. Hessman and Benjamin F. Schemmer, indicates that a three-stage Poseidon missile could yield a longer range and be fitted on existing boats. And the authors ask three questions which proponents of "full speed ahead" for ULMS must answer:

If, as the Navy repeatedly said in making the case for the Polaris/Poseidon program, U.S. nuclear missile submarines are already 'relatively invulnerable,' why is ULMS needed?

If there is a genuine need for more sea room, wouldn't EXPO, at a much lower cost, provide enough of it to make a compromise acceptable?

If Polaris/Poseidon is as advertised, a 'second strike' weapon, why does it have to be positioned in an immediate, 'first strike' posture? Could it not be deployed at greater range and ordered into launch position only if and when needed?

The Armed Forces Journal story contains several minor errors which should be corrected for the record. The distinguished author of the report on ULMS circulated by Members of Congress for Peace Through Law—MCPL—CRAIG HOSMER, is a Republican. And the papers circulated by the military spending committee of MCPL are not endorsed either by that committee or by MCPL. They are issued to stimulate thinking and discussion on important defense issues and represent the views of the authors. The papers are circulated to MCPL members and other interested parties for their use and endorsement, if desired.

Finally, the gentleman from Wisconsin, Senator PROXMIER, and the gentleman from New York, Representative REID, are chairman and vice chairman, respectively, of the Military Spending Committee. MCPL is presently chaired

by the gentleman from Oregon, Senator HATFIELD.

The article follows:

#### "EXPANDED POSEIDON" CLOUDS ULMS PICTURE

(By James D. Hessman and Benjamin F. Schemmer)

The Navy's proposed new Undersea Long-Range Missile System (ULMS) may be upstaged by an improved, longer range Poseidon missile program as a result of a recent Pentagon review of strategic force options.

Ironically, the Defense Department review—in the form of a DCP (Development Concept Paper) setting out various ULMS-Poseidon options—has been sent to Deputy Defense Secretary David Packard for decision just as ULMS got a strong boost from one unlikely source, the Members of Congress for Peace through Law. Headed by Senator William Proxmire (D-Wis) and Representative Ogden Reid (D-NY), MCPL normally is skeptical of the Pentagon's proposed new weapons systems.

ULMS was conceived as a logical extension of the Navy-advocated "blue water option," which postulates putting more of the nation's strategic offensive force at sea in fast, nuclear-powered submarines. Lost in the vastness of the ocean's depths, ULMS (and Polaris-Poseidon) advocates say, the U.S. deterrent would be "virtually invulnerable."

The ULMS missile would have a range of over 6,000 miles, thus permitting any target on earth to be hit from boats stationed randomly in Atlantic and Pacific waters—the longer range would permit ULMS boats to operate from 55-million square miles of ocean, rather than the 3½-million square miles available to Poseidon, and enormously complicate Soviet ASW surveillance and detection efforts. (JCS Chairman Admiral Thomas H. Moorer told Congress in FY 71 hearings that "We feel it would be impossible for any nation to cover that much area with ASW forces.")

ULMS' longer range, combined with the higher submerged speeds of the new ULMS' sub, would pose such a formidable detection task that MCPL calls ULMS "A sea-based deterrent . . . able to deter any aggressor. . . ."

"Of all the strategic weapons now being discussed for possible deployment," MCPL says in its ULMS report (prepared by Democratic Representative Craig Hosmer of California, a rear admiral in the Naval Reserve), "only ULMS offers the potential of fulfilling U.S. strategic deterrent requirements in the decades ahead. We should therefore encourage full steam ahead on ULMS development."

#### COSTS AND RISKS

Notwithstanding the MCPL endorsement, there are those—in the Services, in OSD, and in Congress—who believe the additional capabilities provided by ULMS are not worth what the system will cost. OSD officials say "total program" costs for Poseidon were estimated as of 31 December 1970 at \$5,113-million—18% above the \$4.3-billion "planned cost at current quantity."

Estimated cost of "the entire ULMS system [25 ships, each with 24 missiles], plus 10 years of operation," according to MCPL, will be "about \$15-billion." Some \$110-million for ULMS R&D is requested in the FY 72 DoD budget—\$10-million was appropriated in FY 70, and \$44-million in FY 71.

Other sources say the "total-program-plus-10-years" cost for ULMS will be closer to \$25-billion, and suggest that, whichever figure is correct, the money might be better spent by further upgrading of Polaris/Poseidon at much lower cost and using the "savings" for other urgent hardware needs such as the B-1 bomber (for the AF), a family of anti-tank

weapons (for the Army), and more surface "sea-control" ships (for the Navy).

ULMS critics (who are more critical of the program's budget than of the missile system itself) also point out that ULMS represents a considerable advance over the current state of the art in undersea technology and hence entails more technical risks than an upgraded and almost "off-the-shelf" Poseidon.

It seems significant in some quarters, therefore, that one option which Navy/ODDR&E officials have asked Secretary Packard to consider in the ULMS/Poseidon DCP is an "Expanded Poseidon" program, otherwise known as EXPO features a longer range and "improved" Poseidon missile, would have three instead of two stages, and—an important economic consideration—would fit on Polaris boats now being retrofitted as carriers for the larger Poseidon missiles. (DoD's current plan is to fit out 31 of the 41-ship Polaris fleet as Poseidon-launching subs.)

Poseidon reportedly can carry up to 10 independently targeted warheads, whereas Polaris is believed to carry only three—not independently aimed. Poseidon also has a longer range—from 2,700 to 3,000 miles, according to one reliable source.

ODDR&E sources told THE JOURNAL the ULMS/EXPO options are not an "either/or proposition" but are considered complementary—"EXPO would be for the short run, ULMS for the long run." But under current budget restraints, ULMS proponents fear, a go-ahead for EXPO probably would mean, at best, a delay or stretchout for ULMS or, at worst, an eventual scrub of the whole program.

The EXPO "threat" to ULMS—if it can be called that presumably would meet with monolithic Navy opposition, but such apparently has not been the case. Chief of Naval Operations Admiral Elmo R. Zumwalt, jr. is reported not to be as enthused over ULMS, and thus not as opposed to the EXPO option, as most Navy men would expect. His reasoning may be that the huge funding levels required for a new fleet of ULMS submarines and missiles eventually would come out of the Navy's own "hide"—at a time when he is already pressing hard for congressional support of more money for ship modernization and the higher pay and personnel benefits needed if the Navy is going to lick its critical retention problems.

Army and AF officials also are concerned that a green light for ULMS could lead to eventual abandonment of the current triad concept (bombers, sea-based missiles, and land-based missiles) in favor of the so-called "maritime strategy" advocated by former *New York Times* Military Editor Hanson Baldwin (an Annapolis graduate) and now apparently also favored by MCPL.

Current OSD policy also favors a continuation of triad rather than, in the words of one source, "putting all our eggs in one basket." Technical experts still are not convinced, apparently, that the Navy can guarantee secure (the word "secure" is always emphasized in private conversations) two-way communications with ULMS, nor do they dismiss the possibility of Polaris/Poseidon/ULMS ships enroute to station being trailed by Soviet ASW detection systems, active or passive.

Triad proponents also have been asking these questions, JOURNAL sources say, during the closed-door hard-bargaining sessions where U.S. Defense policy is made:

If, as the Navy repeatedly said in making the case for the Polaris/Poseidon program, U.S. nuclear missile submarines are already "relatively invulnerable," why is ULMS needed?

If there is a genuine need for more sea room, wouldn't EXPO, at a much lower cost, provide enough of it to make a compromise acceptable?



If Polaris/Poseidon is, as advertised, a "second strike" weapon, why does it have to be positioned in an immediate, "first strike" posture? Could it not be deployed at greater range and ordered into launch position only if and when needed?

**SALE OF COMMERCIAL JETS TO CHILE**

**HON. HERMAN BADILLO**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1971

Mr. BADILLO. Mr. Speaker, shortly after we began the summer recess it was announced that the Export-Import Bank refused to negotiate loans and loan guarantees with the Government of Chile in order that it may purchase three commercial jets—two Boeing 707's and one Boeing 727.

I am most distressed by this decision and believe it is not only unwarranted and ill conceived but that it also casts very serious doubts over the previously announced desire of this administration to maintain normal relations with Chile. As I mentioned in a letter to the President:

The Ex-Im Bank's action is nothing more than a callous rebuff to Chile and I am fearful that it will serve to further strain our already troubled relations with this Latin American republic.

Earlier this month Dr. Peter T. Knight, a Latin American specialist at the Brookings Institution, addressed a letter to the editor of the New York Times on the refusal of the United States to finance the sale of the jets to Chile. Dr. Knight's letter goes beyond the sale of three jet aircraft and, in a penetrating and incisive manner, discusses the broad repercussions of the Export-Import Bank's unfortunate decision. I insert Dr. Knight's letter herewith, for inclusion in the RECORD, and urge our colleagues and administration officials to pay close attention to it:

[From the New York Times, Sept. 2, 1971]

**REFUSING TO FINANCE JETS FOR CHILE**

To the Editor:

Recent actions by Treasury Department representatives within the World Bank and the Inter-American Development Bank and now the refusal of the Export-Import Bank to finance the sale of Boeing jet airliners to the Chilean national airline have made it clear that the United States intends to use both national and international financial institutions as collection agents for U.S.-based multinational firms whose assets have been nationalized without "adequate" compensation.

It is worthwhile considering in some detail the refusal to finance the sale of Boeing jets to Chile as an example of the effects of a shortsighted view which equates United States interests with those of a few private corporations.

The President of the Eximbank, Henry Kerns, told the Chilean Ambassador in Washington that the bank would not provide \$21 million financing for three Boeing jets until Chile made clear its intentions on compensation for nationalized copper interests of three U.S. corporations. It should be noted that negotiations concerning the amount and terms of compensation have not been completed.

This action was taken despite the Chilean Ambassador's submission of a written pledge that Chile would assume and repay the \$190 million in loans that the Eximbank had previously made to the companies whose Chilean operations were nationalized.

It is doubtful that this United States move will have anything like its intended effect. A strong and unanimous negative reaction from the Chilean people, political parties and mass media has already been provoked. The Popular Unity Government of Salvador Allende and its opposition have both denounced "aggression against our national community," to use the words of the opposition Christian Democratic party statement.

President Allende's own Socialist party used the "unacceptable pressure" as grounds for urging that no compensation at all be paid the copper companies, and pro-Government newspapers have now published articles suggesting that Chile should reconsider the prompt repayment of her current foreign debt obligation, given the drying up of her external credit sources caused to a substantial extent by official U.S. Government policy.

Even the well-known newspaper El Mercurio, which has opposed the Allende Gov-

ernment on many issues, criticized the action of the Eximbank and called it a blow against normal relations with the United States.

Unemployed aircraft workers in Seattle will scarcely be pleased to learn that the United States move against Chile will increase employment in the Ilyushin plants of the Soviet Union if Chile is forced to turn to the only alternative source of long-range commercial jet aircraft despite its declared preference for Boeings.

The political effect of the Eximbank action in Chile is likely to be to force President Allende to take a more anti-U.S. stand on all fronts in spite of his oft-stated desire to maintain cordial relations with this country.

Elsewhere in Latin America those who assert that United States foreign policy is determined by the interests of a few United States-based companies with Latin-American investments in extractive industries will have dramatic new evidence to support their views.

Ironically enough, it is probably these very companies that will be most injured by the growing reaction to the United States policy of financial retaliation for real or imagined wrongs to individual companies.

PETER T. KNIGHT.

WASHINGTON, August 17, 1971.

**PERSONAL AND REAL PROPERTY DONATED BY THE FEDERAL GOVERNMENT**

**HON. LEE METCALF**

OF MONTANA

IN THE SENATE OF THE UNITED STATES

Wednesday, September 8, 1971

Mr. METCALF. Mr. President, since the end of World War II, our educational and health institutions, and more lately the Civil Defense organizations of the United States have received indispensable aid through the use of personal and real property donated by the Federal Government. The donated property has been property which is surplus to all Federal Government needs. The following table shows by States that the donations from 1946 through June 30, 1970, amounted to \$7.458 billion of which \$6.1 billion was personal and \$1.3 billion real property.

TABLE 1.—DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

PERSONAL PROPERTY MADE AVAILABLE FOR DISTRIBUTION TO PUBLIC HEALTH AND EDUCATIONAL INSTITUTIONS AND CIVIL DEFENSE ORGANIZATIONS AND REAL PROPERTY DISPOSED OF TO PUBLIC HEALTH AND EDUCATIONAL INSTITUTIONS, 1946 THROUGH JUNE 30, 1970 (ACQUISITION COST)

States	Personal property	Real property	Total	States	Personal property	Real property	Total
Total.....	\$6,119,487,455	\$1,338,585,075	\$7,458,072,530	Nevada.....	\$24,743,906	\$14,121,888	\$38,865,794
Alabama.....	182,917,314	22,013,636	204,930,770	New Hampshire.....	26,753,411		26,753,411
Alaska.....	21,350,829	3,605,837	24,956,666	New Jersey.....	102,545,487	17,592,817	120,138,304
Arizona.....	60,174,418	9,425,893	69,600,311	New Mexico.....	63,748,657	29,767,178	93,515,835
Arkansas.....	68,603,452	28,176,997	96,780,449	New York.....	377,847,449	133,708,771	511,556,220
California.....	703,525,076	76,590,193	780,115,269	North Carolina.....	157,584,236	21,679,020	179,263,256
Colorado.....	124,116,945	20,494,865	144,611,810	North Dakota.....	16,412,450	2,046,200	18,458,650
Connecticut.....	82,071,822	11,872,701	93,944,523	Ohio.....	185,678,895	26,500,569	212,179,464
Delaware.....	16,496,087	2,970,371	19,466,458	Oklahoma.....	132,742,622	96,208,530	228,951,152
Florida.....	254,016,891	37,413,973	291,430,864	Oregon.....	84,872,365	16,669,242	101,541,607
Georgia.....	192,689,138	23,943,280	216,632,418	Pennsylvania.....	297,680,513	25,997,227	323,677,740
Hawaii.....	25,038,105	3,986,407	29,024,512	Rhode Island.....	31,245,851	889,195	32,135,046
Idaho.....	36,676,284	22,502,351	59,178,635	South Carolina.....	103,238,676	10,647,449	113,886,125
Illinois.....	191,081,435	34,302,788	225,384,223	South Dakota.....	23,953,545	5,859,434	29,812,979
Indiana.....	114,435,010	6,564,768	120,999,778	Tennessee.....	148,779,808	12,769,796	161,549,604
Iowa.....	53,675,148	3,894,904	57,570,052	Texas.....	298,714,068	167,490,029	466,204,097
Kansas.....	66,745,095	60,208,541	126,953,636	Utah.....	117,652,011	5,123,069	122,775,080
Kentucky.....	100,343,912	10,955,418	111,299,330	Vermont.....	26,893,082	2,466,167	29,359,249
Louisiana.....	92,044,650	37,488,842	129,533,492	Virginia.....	159,885,423	27,506,645	187,392,068
Maine.....	44,617,288	4,052,896	48,670,184	Washington.....	146,160,464	41,865,992	188,026,456
Maryland.....	124,746,413	7,102,425	131,848,838	West Virginia.....	62,344,106	4,849,529	67,193,637
Massachusetts.....	221,491,079	45,338,461	266,829,540	Wisconsin.....	138,522,958	2,103,484	140,626,442
Michigan.....	166,612,241	27,834,105	194,446,346	Wyoming.....	23,154,683	1,745,466	24,900,149
Minnesota.....	84,543,444	47,293,006	131,836,450	District of Columbia.....	28,186,110	456,234	28,642,344
Mississippi.....	127,919,143	44,514,749	172,433,892	Puerto Rico.....	30,046,146	4,917,324	34,963,470
Missouri.....	89,188,740	52,891,656	142,080,396	Virgin Islands.....	605,892	1,865,092	2,470,984
Montana.....	23,550,203	1,142,680	24,692,883	Guam.....		7,368	7,368
Nebraska.....	40,824,159	17,149,687	57,973,846	American Samoa.....	500		500

Mr. METCALF. Mr. President, at first glance it might seem that donations of such an extent would have filled the requirements of the eligible institutions and that further donations would be unnecessary.

While it is difficult to obtain an accurate figure on the number of potentially eligible educational, health, and civil de-

fense units in the United States, it has been estimated that there are as many as 200,000. Thus donations of personal property amounting to approximately \$400 million in fiscal 1970, would average only \$2,000 per unit.

When we consider the expanding population, the increased scope of our educational and health activities in particu-

lar, it is evident that the requirements for personal property will never be fulfilled.

It should be noted from table 2, however, that the Department of Defense alone has declared as surplus from \$3 billion to \$8 billion of personal property year by year from 1958 through 1970.

TABLE 2.—TOTAL DISPOSITIONS<sup>1</sup> (AT ACQUISITION COST) OF DOD SURPLUS PERSONAL PROPERTY, FISCAL YEARS 1958-70

[In millions of dollars]

	Fiscal year—												
	1958	1959	1960	1961	1962	1963	1964	1965	1966	1967	1968	1969	1970
Utilized by other Government agencies and MAP...	168	361	141	349	271	188	194	395	604	628	480	450	419
Abandoned or destroyed.....	62	99	118	64	63	90	134	183	181	64	56	59	179
Authorized donations.....	221	314	347	275	258	233	273	282	285	231	191	232	225
Sales (other than scrap).....	2,466	2,789	2,356	1,771	1,236	892	980	975	2,804	3,917	4,847	791	1,195
Expended to scrap.....	2,994	4,577	3,627	4,332	2,233	2,538	3,818	2,983	2,614	2,146	2,093	2,998	3,612
Total dispositions.....	5,911	8,140	6,589	6,791	4,061	3,941	5,399	4,818	4,488	3,986	3,667	4,530	5,630

<sup>1</sup> Exclusive of DOD interservice transfers.<sup>2</sup> Includes sale of \$86,000,000 of missile phaseout property.<sup>3</sup> Includes sale of \$290,000,000 of missile phaseout property.<sup>4</sup> Includes sale of \$225,000,000 of missile phaseout property.

Mr. METCALF. Mr. President, it must seem to the uninitiated that the annual disposal of from \$3 to \$8 billion of surplus personal property is a great amount that cannot be long continued. However, when we consider that the DOD as of

June 30, 1970, had total property holdings of \$214,637 million dollars of which \$40,344 million were of real property and \$174,293 million of personal property, one can realize that the surplus declarations are relatively small. It is of value

for anyone interested in the fiscal mess in this country to contemplate the following table entitled "DOD Property Holdings as of June 30, fiscal years 1955-70."

TABLE 3.—DOD PROPERTY HOLDINGS AS OF JUNE 30, FISCAL YEARS 1955-70

[In millions of dollars]

Total and type of property	1955	1956	1957	1958	1959	1960	1961	1962	1963	1964	1965	1966	1967	1968	1969	1970
Total.....	128,694	134,082	146,021	149,465	150,660	154,617	158,508	164,835	171,364	173,455	176,221	183,570	195,552	202,547	210,121	214,637
Real.....	21,343	22,918	24,892	26,891	29,689	31,997	34,038	35,378	36,565	36,734	37,557	38,390	38,495	38,651	39,577	40,344
Personal.....	107,351	111,164	121,129	112,574	120,971	122,620	124,470	129,457	134,799	136,721	138,664	145,180	157,057	163,896	170,544	174,293
Supply systems.....	50,780	50,974	53,799	47,652	44,467	42,002	40,837	40,652	40,096	38,795	36,986	37,661	41,301	43,786	47,327	47,308
Stock funds.....	8,153	9,772	10,970	8,913	8,162	7,312	6,413	6,154	6,527	5,749	5,327	5,850	7,503	7,913	11,094	10,663
Appropriated funds.....	42,627	41,202	42,829	38,739	36,305	34,690	34,424	34,498	33,569	33,046	31,659	31,811	33,798	35,873	36,233	36,645

Source: "Real and Personal Property of the Department of Defense," an annual report.

Mr. METCALF. Mr. President, I wish to add that annual military procurements for the past 5 fiscal years have been:

1966.....\$34,026  
1967.....39,809

1968.....\$39,487  
1969.....37,331  
1970.....31,192

These large annual procurements keep adding to the DOD's personal property holdings which, as shown above, have

been constantly increasing for over a decade. At the same time, DOD sales of surplus property return only a few percentage points of the cost and the disposal costs eat up most of the receipts as shown on table 4.

TABLE 4  
PROCEEDS FROM DISPOSAL SALES OF SURPLUS PERSONAL PROPERTY BY THE MILITARY DEPARTMENTS, FISCAL YEARS 1953-69

[Dollar amounts in millions]

Proceeds from disposal	Fiscal year—												3 quarters 1971	
	1958	1959	1960	1961	1962	1963	1964	1965	1966	1967	1968	1969		1970
From sale (other than scrap and salvage).....	\$128	\$140	\$124	\$106	\$87	\$59	\$61	\$55	\$48	\$36	\$29	\$40	\$54	\$47
From sale of other property.....	55	72	70	61	48	40	42	53	51	52	51	62	59	42
Total.....	183	212	194	167	135	99	103	108	99	88	80	102	113	89
Acquisition cost (total).....	5,460	7,066	5,983	6,123	3,482	3,446	4,815	3,958	3,418	3,063	2,940	3,789	4,807	3,958
Percent of total gross proceeds to total acquisition cost.....	3.38	2.83	3.24	2.71	3.87	2.87	2.14	2.72	2.90	2.91	2.72	2.69	2.35	2.25
Percent of proceeds to acquisition cost (other than scrap and salvage).....	5.18	5.2	5.25	5.98	7.02	6.66	6.22	5.64	5.97	3.93	3.42	5.06	4.52	3.98



## COSTS OF DISPOSAL SALES OF SURPLUS PROPERTY BY THE MILITARY DEPARTMENTS—FISCAL YEARS 1958-69

[Dollar amounts in millions]

Costs of disposal sales of surplus property	Fiscal year—													3 quarters 1971
	1958	1959	1960	1961	1962	1963	1964	1965	1966	1967	1968	1969	1970	
Cost for demilitarization.....	\$24.0	\$20.5	\$26.5	\$19.1	\$9.1	\$9.5	\$12.7	\$13.2	\$13.5	\$8.9	\$6.1	\$9.1	\$15.3	\$16.1
Costs for preparation and selling.....	18.5	37.8	51.8	65.5	69.0	62.6	64.6	65.1	62.9	60.7	62.2	56.9	62.6	57.9
Total.....	42.5	58.3	78.4	84.6	78.1	72.1	77.3	78.3	76.4	69.6	68.3	66.0	77.9	74.0
Gross proceeds.....	183.0	212.0	194.0	167.0	135.0	99.0	103.0	108.0	99.0	88.0	60.0	102.1	113.0	89.0
Percent of sales costs to gross proceeds.....	23.0	27.5	40.4	50.6	58.0	72.8	75.0	72.5	77.2	79.0	85.4	64.6	68.9	83.1

Mr. METCALF. Mr. President, with the cessation of military operations, we can expect that there will be annual declarations of billions of dollars worth of surplus property for some years to come.

Fortunately, the Constitution vests in Congress full responsibility over the Nation's property of all kinds. In the past, the Congress has decided that surplus personal and real property, when useful and needed for purposes of education, health, and civil defense, should be donated for such purposes.

As I have indicated above, these meritorious public uses have received great benefit in the past from surplus property in accordance with congressional mandates. However, there has been a gradual erosion of the program by the Federal agencies who are ingenious in finding ways to divert excess and surplus property to many uses not specified by Congress. These agencies also find ways to augment their appropriations by selling or trading surplus property and using the receipts for their purposes.

I have found also that the Federal regulations governing the donation program have constantly increased to the point of strangulation. This is indeed surprising at this juncture when the administration is stressing Federal-State relationships and the need to treat the sovereign States as responsible partners and worthy to be entrusted with Federal funds and property.

Mr. President, I believe that now is the logical time to take a good, hard look at this important program. Our educational, health, and civil defense agencies are in great need of help, the cessation of military activities will bring about increased quantities of property and the current program needs a thorough re-evaluation.

For these reasons, I have introduced S. 2000 to amend the Federal Property and Administrative Services Act of 1949 with respect to the disposal of excess and surplus personal property, and for other purposes.

To consider this and related bills, the Chairman of the Government Operations Committee, the Senator from Arkansas (Mr. McCLELLAN) has constituted an ad hoc subcommittee whose members are: Senators ALLEN, CHILES, GURNEY, MATIAS, and METCALF.

It is hoped that early hearings on this important subject will lead to an expanded and more effective and efficient surplus property program.

CXVII—1956—Part 23

### FINAL TABULATION OF THIRD DISTRICT POLL SHOWS STRONG SUPPORT FOR PRESIDENT NIXON'S PROGRAMS

#### HON. LAMAR BAKER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1971

Mr. BAKER. Mr. Speaker, my staff and I recently completed tabulation of over 20,000 constituent responses to an opinion questionnaire I mailed earlier this year.

The large number of replies was most gratifying and revealed widespread support of many of President Nixon's programs among my Third District constituents.

Because the questions I asked measure public opinion on major issues which will face the 92d Congress in the coming months, I want to share views of residents of the Third District of Tennessee with my colleagues.

Results of the survey follow:

1. Do you favor President Nixon's plan to share Federal tax revenues with state and local governments?

69% favored the President's revenue-sharing plan.

20% were opposed.

11% were undecided.

2. Do you favor a system of wage and price controls as a means of reducing inflation?

63% favored some type of controls.

27% were opposed.

10% were undecided.

3. Do you feel the U.S. should have an all-volunteer army in time of war as well as peace?

30% favored an all-volunteer army.

60% opposed the concept.

10% were undecided.

4. Should welfare reform include a guaranteed annual income for heads of families in need?

27% favored the idea of a guaranteed annual income.

63% opposed the idea.

10% were undecided.

5. Do you support President Nixon's plan for ending hostilities in Southeast Asia and withdrawing our troops?

77% favored the President's program.

14% opposed it.

9% were undecided.

6. Would you favor increased prices over increased taxes in order to wage the fight on pollution?

47% favored higher prices over increased taxes.

33% did not favor higher prices.

20% were undecided.

7. Do you favor automatic adjustments in Social Security benefits to reflect cost-of-living increases?

79% favored automatic adjustments.

15% did not support automatic increases.

6% were undecided.

8. Would you be in favor of changing the government's fiscal year to conform to the calendar year?

50% favored making two years coincide.

22% were opposed to the change.

28% were undecided.

9. Do you support President Nixon's plan for government reorganization which would reduce the number of departments from 12 to 8?

70% favored the President's plan.

11% opposed the plan.

19% were undecided.

10. Do you support a program of national health insurance for all citizens, with the Federal government underwriting the cost for low-income families?

38% supported such a program.

51% opposed it.

11% were undecided.

### EXTENSION OF THE FHA INSURANCE AUTHORITY

#### HON. ROBERT PRICE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1971

Mr. PRICE of Texas. Mr. Speaker, today I am introducing legislation to permanently extend the insured loan authority under the Consolidated Farmers Home Administration Act of 1961. This authority will expire on October 1—just over 3 weeks from this date.

Mr. Speaker, it is vitally important that the Farmers Home Administration be able to continue insuring these loans to the American farmer and other rural people for water and waste disposal systems. During the past several years, the insured loan approach has been gradually replacing the making of direct loans; and this approach has worked well, producing maximum effectiveness at minimum cost to the taxpayer. If the authority to make insured loans expires, irreparable damage will be done to rural America. Indeed, there is great need for the continuation of this splendid program.

I introduce this bill today with confidence that the House will move quickly in approving this program which has been so important to the success of one of the finest agencies in our Government, the Farmers Home Administration.

BUSINESS PUBLICATION DE-  
NOUNCES CHILD LABOR

HON. JAMES G. O'HARA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1971

Mr. O'HARA, Mr. Speaker, an editorial appearing in a recent issue of a national publication decries the persistence of child labor in agriculture. In the words of that editorial:

It's incredibly outrageous, inhuman and almost inexplicable that this exists on a scale and under conditions that equal if not exceed the long-ago factory barbarities of mid-Victorian times.

Those are harsh words, Mr. Speaker, and I suppose if I uttered them, or if they had appeared in a publication sponsored by any segment of the labor movement, they would be denounced as "hysterical," or at the very least as the exaggerations of the "bleeding-heart, do-gooders."

Mr. Speaker, the words quoted appeared in the August 15 issue of *Forbes* magazine, the distinguished and not notably left-leaning magazine of the financial and business world. This editorial, because of the place where it appeared, commands the serious attention of all those involved in this question.

The Subcommittee on Agricultural labor of the House Education and Labor Committee is beginning hearings on September 16 to take testimony on the conditions which the *Forbes* editorial describes in those harsh terms, and to consider legislation designed to abolish oppressive child labor in agriculture. The hearings will continue during the subsequent week and to September 28, after which I hope the subcommittee will be in a position to recommend the enactment of a new and effective Agricultural Child Labor Act.

I ask unanimous consent, Mr. Speaker, that the *Forbes* magazine editorial be printed in full at this point.

WOULD YOU BELIEVE IT?

Remember how shocked we all were as students to read about the barbarity of child labor in the early factories of the Industrial Revolution?

Would you believe that *today* throughout the U.S. tens of thousands of kids from seven to 11, 12, 13 spend from dawn to dark, 12 hours a day, at the stooped, back-bent, hard, hard, hard labor of picking crops—for relatively few cents an hour?

Not just all summer long. Often they start with the season's beginning, which is long before schools close, and continue to season's ending, long after schools begin.

It's incredibly outrageous, inhuman and almost inexplicable that this exists on a scale and under conditions that equal if not exceed the long-ago factory barbarities of mid-Victorian times.

If there's any conscience left in us these days, let's stir our stumps enough, each in his own state, to find out if this is permitted. And don't be fobbed off by assurances about inspections and standards and so forth.

Take a look-see at some dawn's early light. Or at twilight's last gleaming.

Here, U.S.A.

Near home. Our homes.

Today. Not a century ago.

THE DRAFT UNCOMPROMISE

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1971

Mr. STEIGER of Wisconsin. Mr. Speaker, in the current issue of *Newsweek*, the highly respected economist, Milton Friedman, addresses the House-Senate conference report recommendations on military pay reforms.

In his column on "The Draft Uncompromise," Mr. Friedman expresses concern over the compromise's failure to correct the financial inequities to which low-ranking personnel have been subjected for far too many years. His objections to the suggested pay levels for these men are ones I have stressed on the House floor.

The rate of compensation provided by the compromise measure has a debilitating effect on one of its important facets—providing low-ranking enlisted men with reasonable and realistic financial compensation for military service. The compromise pay for recruits, a full \$448 below the amount established in the Senate version of the measure, hinders the hope of establishing a volunteer military force.

Mr. Friedman's keen analysis of the shortcomings of the conference recommendations deserves serious consideration by all those concerned about the inequities of the draft and of military compensation for young men in our armed services.

Therefore, Mr. Speaker, I insert this most cogent article in the *RECORD* at this point.

[From *Newsweek* Magazine, Sept. 6, 1971]

THE DRAFT UNCOMPROMISE

(By Milton Friedman)

The bill to extend the draft and pave the way for an all-volunteer armed force was tied up in a House-Senate conference for many weeks. The conference reported just before the Congressional recess. Its recommendations were accepted by the House but were not voted on in the Senate. This delay is fortunate because the conference report contains a "compromise" on armed-force pay scales that is a far greater threat to achievement of the bill's objectives than the much-publicized Mansfield amendment. Yet it might have been overlooked in the rush to adjourn.

2+2=3

The House bill provided a pay rise totaling \$2.7 billion on a full-year basis; the Senate bill a pay raise totaling \$2.8 billion; the conference a pay raise totaling \$2.4 billion.

How can \$2.4 billion be a compromise between \$2.7 billion and \$2.8 billion? The answer is easy—if you are an expert at parliamentary maneuvering. First, you note that the House \$2.7 billion consisted of an increase of \$1.8 billion in basic pay and of \$0.9 billion in supplements (housing and subsistence allowances, etc.), while the Senate \$2.8 billion consisted of \$2.7 billion in basic pay and only \$0.1 billion in supplements. You now take each part separately. You compromise between \$1.8 billion and \$2.7 billion in basic pay at \$1.8 billion. You compromise between \$0.9 billion and \$0.1 billion in supplements at \$0.5 billion. You add the compromise \$1.8 billion to the compromise \$0.5 billion and, presto change, with the help of a bit of rounding off, you have \$2.4 billion as

a compromise between \$2.7 billion and \$2.8 billion.

This seemingly minor reduction is critical because, compared with the Senate bill, the reduction is entirely at the expense of first-term enlisted men and officers. Here are the House, Senate and conference proposed annual pay levels for the grades that are relevant for first-termers.

PROPOSED MILITARY COMPENSATION

Pay grade	House	Senate	Compromise
Enlisted men:			
E-1	\$5,036	\$5,320	\$4,872
E-2	5,484	5,530	5,311
E-3	5,893	5,831	5,663
E-4	6,457	6,329	6,189
Officers:			
O-1	8,985	9,611	8,659
O-2	11,474	11,138	11,045

These are the grades for which the draft has provided recruits—either conscripts or "reluctant volunteers," i.e., men induced to enlist by the threat of being drafted. For higher career grades, the conference recommendation is between the amounts proposed by the House and Senate, though generally closer to the more generous House scale.

Because of the draft, first-termers have consistently been shortchanged. From 1952 to 1965 there were no pay raises at all for enlisted men in the first two years of service. As a result, first-term enlisted men now receive not much more than half the amount that they could earn as civilians. In sharp contrast, enlisted men with more service and officers above the first two grades receive as much as or more than they could earn. This was and is a glaring and completely unjustifiable inequity. It was and is a major obstacle to recruiting volunteers.

The Senate bill went further than the House bill in removing this inequity by adopting the pay increases recommended by the Gates commission as required to achieve an all-volunteer armed force. The conference proposal is worse than either in this crucial respect. Its adoption would seriously hamper the achievement of an all-volunteer force.

IT IS NOT TOO LATE

Senator Allott (Republican of Colorado), the author of the Senate pay amendment, plans to lead a fight in the Senate when it reconvenes to return the bill to the conference with the request that it submit a true compromise. There is every reason to expect that he will succeed. His amendment was adopted by a decisive majority—51 to 27—while an earlier amendment incorporating the House pay scale was decisively defeated. Clearly, the Senate wanted a pay raise concentrated on first-termers. Yet the conference proposal slights precisely this group.

Few matters are more important for the political, social and moral health of this country than ending compulsory military service and returning to this nation's long tradition of relying on the voluntary services of patriotic Americans to maintain a loyal and effective armed force. It will be a tragedy if legislative legerdemain is permitted to frustrate the achievement of this objective.

SERVICEMAN KILLED IN VIETNAM

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1971

Mr. GAYDOS. Mr. Speaker, it is with deep regret that I announce the death of another of our brave fighting men, WO-



(I) Lawrence Lee Kelly, of Munhall, Pa., who was killed in Vietnam.

We owe a profound debt of gratitude and appreciation to our dedicated servicemen who sacrificed their lives for this great country. In tribute to Warrant Officer Kelly for his heroic actions, I wish to honor his memory and commend his courage and valor, by placing in the RECORD the following article:

#### SERVICEMAN KILLED IN VIETNAM

Warrant Officer I Lawrence Lee Kelly of Munhall died in Vietnam last Thursday when the helicopter in which he was flying exploded, crashed and burned while on a military mission.

The family of the 27-year-old career officer were informed of the death Monday by telegram. Kelly entered the service after his graduation from Munhall High School in 1961. During the past ten years, he was stationed in Germany and various spots in the United States. While serving in Korea, seven years ago, he met his wife Ok, who is now living at 31-B Longfellow Drive, with their two children Kimberly Ann, 6, and Cary Lee, 2. Kelly arrived in Vietnam in October, 1970, and was to remain there for one year. He came home last spring for a two-week furlough.

Kelly, with his wife and children, were intending to move to Hawaii for four years where he was going to continue his military service.

An avid sports fan, Kelly was a member of the Munhall High School baseball team where he was the star pitcher.

He is the son of Mr. and Mrs. Joseph C. Steck of 24-B Longfellow Drive, Munhall.

His body will be shipped from Vietnam and is expected to arrive during the weekend. The Savolskis-Wasik-and-Glenn Funeral Home is in charge of the burial arrangements.

#### CLOSING THE GAP BETWEEN ARTISTS AND SCIENTISTS

### HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1971

Mr. BRADEMAS. Mr. Speaker, the magazine *Science* published by the American Association for the Advancement of Science often publishes reports and analyses of the highest value as well as reporting academic papers of interest to the scientific community.

The editorial column of *Science* is often filled by guest editorials written by distinguished Americans from many fields. In the issue of August 6, Miss Nancy Hanks, Chairman of the National Endowment for the Arts, wrote in that column on the programs undertaken by the National Endowment in cooperation with the Office of Education to bridge the gulf between scientist and nonscientist.

Mr. Speaker, I take this opportunity to insert that editorial in the RECORD at this point:

#### MAKING FACES ACROSS THE GULF

It is now some 12 years since C. P. Snow, in his Rede Lecture at Cambridge University, developed the theme of the "Two Cultures." As a novelist of distinction and a scientist of highly regarded reputation, Sir Charles was well qualified by experience across both areas to speak with reasoned authority.

If what he said in 1959 was pertinent—and not many denied it—how much more so it is today.

"In fact," he said then, "the separation between the scientists and non-scientists is much less bridgeable among the young than it was even 30 years ago. Thirty years ago the cultures had long ceased to speak to each other; but at least they managed a kind of frozen smile across the gulf. Now the politeness is gone, and they just make faces."

Closing the gap, he said, "is a necessity in the most abstract intellectual sense, as well as in the most practical. When these two senses have grown apart, then no society is going to be able to think with wisdom." As a scientist and as a humanist, Sir Charles could come to only one solution. "There is only one way to get out of all this: it is, of course, by rethinking our education."

The National Endowment for the Arts and the U.S. Office of Education, in their Artists-in-the-Schools Program, are attempting to work at least half of the problem. At the core of the program is the desire not to teach specific art disciplines—not to train painters and poets and sculptors—but to provide children at an early age with a feeling of esthetic sensibility, a way of absorbing creativity so that it colors an entire manner of experiencing, and reacting to, all of life.

A child so taught, were he to become a pure scientist, would have with him, always, a comprehension and an appreciation of the other "culture." It is not likely that he would reside complacently on one side of the "gulf of mutual incomprehension" of which Sir Charles spoke.

For one thing, he would know intimately, at the human level and in the course of his daily life, what sort of person an artist is and from him what art is, how basic it is to the needs of and encouragement of life. For another, he would discover in the most refreshing sense the joy and sustenance engendered in that comprehension.

Through more than 300 professional dancers, musicians, poets, theater artists, film makers, painters, and sculptors, the Artists-in-the-Schools Program in the 1970-71 school year brought the essence of art as creativity to elementary and secondary school students in 31 states. Work is under way to expand the program next year to each of the 50 states.

Pure science and pure art may exist by themselves, but it is people they are for and people must have a comprehension of both to be whole. It is hardly possible to imagine a world totally without either art or science without projecting one uninhabitable for civilized human beings. Sir Charles's message is still clear—if the people who practice these indispensable disciplines don't learn to communicate more, there is the possibility that neither will be of much use to the totality of human beings.

There is, one would like to suggest, an "ecology" affecting the arts and sciences, the violation of which can be as harmful to civilization as any unbalancing of the natural order of things in the physical world.

#### FAIR TRADE

### HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1971

Mr. RODINO. Mr. Speaker, the Newark *Star-Ledger* recently published an editorial titled "Fair Trade" that succinctly states the case for the reasons

why a new, tougher, foreign trade position for the United States needs to be enunciated. For a number of years now I have been concerned about the position of New Jersey's chemical industry as it sought to maintain its position against the encroachments of foreign chemical combines. The floating devalued dollar and the 10-percent surcharge on foreign imports, effective on those products that sustained tariff cuts under the Trade Expansion Act, are steps in restoring a strong American competitive position. The unfair use of nontariff barriers that keep many of our products from penetrating such areas as the Common Market are still in effect. However, I welcome moves that show we mean business, and will not stand by as our trade deficit mounts. As the *Star-Ledger* pointed out fair trade must be achieved before we renew another series of trade negotiations aimed at free trade.

The editorial follows:

#### FAIR TRADE

An important gambit in President Nixon's game plan to inject new life into the nation's ailing economy is the 10 per cent additional tax on foreign imports.

This overdue recognition of the realities of international trade has been a long time in coming.

As in the case of wage-price controls, the imposition of a tariff surcharge marks a negation of the trade policy Mr. Nixon had espoused, implemented and stubbornly defended against rising criticism throughout his Presidency.

The cry of "free trade"—like the conditional response of Pavlov's salivating dogs—has automatically evoked a favorable reaction in the United States. And freer trade has been the expressed goal of international marketing agreements for many decades.

But supporters of the free trade principle, as this newspaper has consistently reminded, have failed to appreciate the tremendous changes that have been taking place in the relative strengths and weaknesses among the competitive trading nations of the world.

The policies geared to rebuilding the bomb-battered industrial shambles of Japan, Germany and Italy in the immediate aftermath of World War II were out of mesh with the economic facts of life in the Sixties and Seventies. This was especially true since this nation's sharp escalation of commitment in Vietnam and its heavy drain and drag on the American economy.

There was general approval when President Kennedy initiated a new round of negotiations at Geneva to adjust trade agreements and reduce tariff barriers.

But there were also admonitions that times had changed, that Japan, Germany and Italy (thanks to American assistance and financial aid) had become strong and self-sufficient competitors in the international market place, and that the United States negotiators would have to be tough bargainers.

Unfortunately the U.S. negotiating team was not up to the task. It was no match for the shrewd, flinty bargain hunters from abroad. The new tariff agreement that came out of Geneva was a victory for America's competitors because they extracted greater concessions than they were required to give. It was freer trade for them, but an unfair trade.

The chemical industry, which is so vital to the economy of New Jersey, was a major critic of the disproportionate agreement and it urged President Nixon not to implement the tariff reductions called for. A key argu-

ment was that foreign competitors made use of a variety of non-tariff trade barriers—such as border taxes and rebates—which nullified many of the tariff concessions made at Geneva.

Mr. Nixon turned a deaf ear to the critics and the tariff changes were permitted to take effect.

Last week the worst fears of those opposed to the Geneva tariff agreement were confirmed. For the very first time in United States history, the nation suffered four consecutive months of deficit in international trade.

During the first seven months of 1971, according to the latest Commerce Department report, the deficit totaled \$676.4 million, compared to a 1970 surplus of almost \$2 billion for the same period.

Commerce Secretary Stans has already warned that the nation may end the year with a trade deficit, something that has not occurred since 1893. The U.S. trade surplus was \$2.7 billion last year.

The 10 per cent tariff surcharge, which became effective August 15, will hopefully improve the gloomy picture in the months ahead.

It can also be most useful in another necessary way, for the additional tax represents newly acquired clout for the United States in future negotiating sessions with representatives of foreign competitors.

Equity, to be sure, must be the objective of any new bargaining parleys. The give and take must be contributed by all parties in like amount.

This nation cannot afford to return to the disparate atmosphere that characterized the early Geneva negotiations, which one critic caustically described: "There certainly was give and take. All give on our part; all take on theirs."

"Quid pro quo" must be the rule of international trade from this time on, or the United States trade deficits will grow larger and usher in a global depression, the hardships of which are too depressing to contemplate.

For the long range, there is nothing wrong with keeping alive the utopian goal of free trade. But fair trade, for all nations concerned, must be achieved first.

## SOVIET MILITARY RESEARCH AND DEVELOPMENT—PART VIII

### HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1971

Mr. HARRINGTON. Mr. Speaker, in discussions previously printed in the RECORD on July 31, August 4, and August 6, I have presented materials on the subject of comparative Soviet and United States military research and development. I have received numerous comments on this series and I will continue to bring to the attention of my colleagues and others concerned with this important and controversial subject additional information and analysis that may assist in understanding the nature and significance of the Soviet technological threat.

On August 9 and 10, the Joint Economic Committee held hearings on Soviet military spending, receiving testimony from a variety of witnesses. George Rathjens, former Defense Department official and now professor of political science at Massachusetts Institute of Technology, and Richard Nelson, profes-

sor of economics at Yale, addressed themselves in particular to the issue of the R. & D. gap that has been alleged by the Defense Department. Both Drs. Rathjens and Nelson examined a number of the questionable assumptions that underlie the view that the Soviets are about to seize superiority in military technology from the United States.

Dr. Rathjens stated:

The alarms mislead the Congress and the public, and their primary effects are likely to be unnecessary worry and a further erosion, which we can well do without, of credibility in government.

An article in the August 20, 1971, issue of *Science* magazine, "Arms Race: Scientists Question Threat From Soviet Military R. & D.," examines the contribution that a number of American scientists have made to the current debate over military technology. I include this article and the statements of Drs. Rathjens and Nelson and Abram Bergson, professor of economics at Harvard, at this point in the RECORD:

[From *Science* magazine, Aug. 20, 1971]

ARMS RACE: SCIENTISTS QUESTION THREAT FROM SOVIET MILITARY R. & D.

(By Robert J. Bazell)

In a well-documented presentation before Congress, the Federation of American Scientists (FAS) has released a good deal of steam from the Defense Department's latest drive to inflate its budget on the basis of a threat from the Soviet Union. In the process, FAS has established itself as a source of independent expertise on military matters. The arms race just could slow down somewhat as a result.

"If the Soviets continue to increase their effort devoted to military-related research and development, and we continue our present trend," John S. Foster, Jr., the Defense Department's director of research and engineering, told a House subcommittee, "within the next few years the Soviet Union will assume technological superiority."

In a series of such statements over the past year, Foster and his colleagues have actively broadcast the notion of a gap in weapons technology between the Soviets and the United States. In their view, the gap may engender a "technological surprise" in the form of a weapon for which we lack adequate defense or deterrent power. Research and development has thus appeared as the latest generation in the family of gaps that the Defense Department presents to the Congress and the public from time to time as rationale for increased funds. In 1955 it was the bomber gap, in 1960 the missile gap, in 1967 the ABM, and in 1969 the large-missile gap.

Unlike its predecessors, the technology gap does not come attached to requests for specific weapons systems. Rather, as Foster put it, the new analysis of a potential Soviet threat is "presented as background to provide an understanding of the current situation and give some indication of what the U.S. has to do in the future if it is to cope with the problem." The Pentagon is seeking primarily to reverse a downward trend in congressional appropriations for military R&D and then, perhaps, to create an atmosphere in which Congress might be increasingly willing to spend more in the years to come. Congress cut the Administration's requests for military R&D by \$1.1 and \$0.4 billion for the past 2 fiscal years. The budget for fiscal 1972, still before Congress, contains a request for an \$800 million increase over the 1971 level of \$7.0 billion.

The Pentagon's strategy appears, however, to be falling far short of its goals—due primarily to the efforts of FAS to demonstrate

that the technology gap is little more than a figment of the Pentagon's imagination. In a scholarly report issued 6 May<sup>1</sup> entitled *Is There an R&D Gap?*, and in subsequent testimony before Congress, FAS has doggedly pursued Foster and his associates, focusing both on contradictions and discrepancies in their public statements and on flaws in the methodology they used to analyze the supposed threat. The report noted that Foster has successively argued that the United States will lose its technological superiority in "a decade," "the next several years," "in two years," "in the latter half of this decade," and "in the middle of this decade." "This entire episode," concluded the FAS report, "has been a classical numbers game featuring selective disclosure, questionable assumptions, exaggeratedly precise statements, misleading language, and alarmist, non sequitur conclusions."

To date, the FAS has achieved surprising success in its challenge to the Pentagon. Several influential members of Congress have listened to their arguments attentively, and an independent study by the General Accounting Office (GAO) backed up the FAS position. Furthermore, the soon-to-be-released annual report of the Senate Armed Services Committee is likely to side with the FAS, thereby issuing a blow to Foster's credibility. The FAS challenge comes in an area where Pentagon witnesses have often appeared in the past as the sole experts. But the FAS is not lacking its own experts, and Congress can hardly dismiss FAS witnesses as misinformed pacifists. Chairing the 26-year-old organization, which was recently resuscitated as "the voice of science on Capitol Hill" (*Science* 26 March) is Herbert F. York, the occupant of Foster's Pentagon position from 1958 to 1961. In addition, the group that authored the report on the R&D gap consists of four well-seasoned arms, experts, one of them a former Defense Department employee.<sup>2</sup>

At the heart of the Defense Department's concern about Soviet weapons technology is the belief that the Russians are now outspending us at the rate of some \$3 billion per year for military RDT&E (research, development, test, and evaluation). This fact was revealed, according to Foster, by recently devised intelligence techniques for analyzing the Soviet budget. This analysis disclosed that since 1968 the Soviets have shifted from an emphasis on investment in technology for space to an emphasis on military R&D. Because the American RDT&E investment has essentially leveled off in this period, in the Pentagon's view, we are in danger of falling behind.

Foster acknowledges that in most areas the United States still holds the same 2- to 3-

<sup>1</sup> A copy of the report, along with extensive testimony and the Defense Department's response can be found in part 4 of the 1972 Senate Hearings on Authorization for Military Procurement. Available free of charge from the Senate Armed Services Committee, Washington, D.C. 20510.

<sup>2</sup> The committee that wrote the report was chaired by Marvin Goldberger, chairman of the Physics Department at Princeton University and a former high-level official of the Institute for Defense Analysis, as well as a member of the President's Science Advisory Committee and the Defense Science Board. The other members are George Rathjens, professor of political science at M.I.T. and former deputy director of the Defense Department's Advanced Research Projects Agency; F. M. Scherer, professor of economics at the University of Michigan and coauthor of a standard work on military R&D, *The Weapons Acquisition Process*; and Richard R. Nelson, professor of economics at Yale and internationally recognized authority on the economics of research and innovation.



year lead that it has had over the past 10 years or so. (Indeed, virtually every major innovation of the arms race has been the product of U.S. technology.) Nevertheless, if we allow the Soviets to continue to outspend us for military RDT&E, we could, according to Foster, expect some technological surprises from the Soviets within the next year or so, lose our technological superiority by the middle of the decade, and risk the necessity of enormous expenditures over several years to protect our national security.

The FAS attacked the Pentagon's assertions on several levels. For a number of reasons, they questioned the reliability of the estimates of Soviet spending on military RDT&E. These included uncertainties in the exchange rate of rubles to dollars and difficulties in dissecting the individual components of the highly secret Soviet budget.

Moreover, the FAS report claimed that, even if it could be known for certain that the Soviets are outspending us for military RDT&E, this is no reason to assume that they are headed for technological superiority or even a technological advantage. According to the FAS report, the Pentagon makes no effort to distinguish between possible advances in the Soviet "technological base" (breakthroughs in basic concepts of weaponry) and vastly more expensive development based on existing technologies. Thus the increased Soviet expenditure could be directed entirely toward bolstering their stocks of existing weapons.

On these points, the independent study by the General Accounting Office, undertaken at the behest of the ad hoc subcommittee on R&D of the Senate Armed Services Committee, essentially substantiated the FAS viewpoint. "On the basis of the limited information available to us," said the GAO, "we believe that extreme secretiveness by the Soviet Union results in data which are insufficient for a realistic measurement of its military R&D efforts." The report concluded, "Although we believe that the Defense Department methodology with its limited data base may be useful in indicating trends and the apparent magnitude of the Soviet Union military R&D threat, we have reservations as to its usefulness in quantifying relative efforts or spending gaps between the two countries." The GAO report noted that even the Defense Department's assessment of U.S. expenditures for military RDT&E had been inaccurate.

All of this has had the effect desired by FAS of deflating Foster's claims of an imminent threat of Soviet technological superiority. But FAS spokesmen have carried the argument even further, questioning the very need for our frantic efforts to maintain technological superiority. Their position is based first on the premise that our efforts may only be leading us into a "race with ourselves." "Since the Soviet Union rapidly learns of our discoveries," says the FAS report on the R&D gap, "we are protecting against being surprised by new weapons only by guaranteeing that we will be confronted by these same weapons." Second, the FAS argues that, if we were to let up somewhat, the Soviets would catch up with us, but there is no reason to assume that they would surpass us. In fact, according to FAS witnesses, a number of factors, such as the Soviets' lack of computers and the organization of their scientific establishment, make it unlikely that they could surpass us. "The Soviet system," says the FAS report, "is thought to be especially well designed for catching up, if poorly designed for getting ahead."

George W. Rathjens, a professor of political science at M.I.T. and one of the authors of the FAS report, sketched the argument still further in testimony last week before the Joint Economic Committee of Congress. According to Rathjens, who was formerly deputy director of the Defense Department's Advanced

Research Projects Agency, in the area of strategic weapons it wouldn't even matter if the Soviets did surpass us. "The strategic systems serve their purpose," he said, "if there is enough likelihood that they will serve as deterrents, I do not see how a modes, or even quite substantial technical advantage possessed by one side could be very useful. Certainly, evolutionary changes in technology will not upset the present, relatively stable balance. A dramatic breakthrough, for example a virtually airtight ABM system, might; but I see no such possibilities on the horizon." For tactical warfare, however, Rathjens indicated that technological advantage could be quite critical.

Just how much effect will the FAS testimony have on our efforts in military technology? With respect to our general arms posture, not much. The U.S. strategy, as stated by Foster, is "to push as aggressively as we possibly can across a broad range of research and technology, in an attempt to discover first the kinds of things that an enemy might later have in store for us." Even some of the more vocal congressional advocates of disarmament would get jittery if this country were not the first to perfect every innovation in the arms race. In responding to the FAS position, Foster said in a letter to Congress that it represented "a simplistic view of the arms race." "Of course," he said, "both the Soviet Union and the United States pay attention to each other's weapons systems development and deployments, but these considerations are only a portion of the fundamental motivations in the development of any one or a group of military weapons systems."

"The Soviet Union," Foster concluded, "is a proud country. . . . Soviet military and space science and technology is innovative and creative and not 'relatively backward and inefficient.'"

Yet no matter how highly he regards Soviet abilities, Foster is likely, in the wake of the FAS-generated controversy, to experience increasing difficulty in his campaign to convince Congress that the Soviets are on the verge of surpassing us. This could have many subtle, but far-reaching effects on the defense budget.

Congress is ill-equipped to challenge most of the complex items in the defense budget. Instead, it acts in response to a general feeling of what is needed and what isn't. As one congressional aide put it, "The net result of something like the threat of the technology gap is that the Congress hears cries that 'The Russians are Coming.' If somebody convinces them that the Russians aren't coming, then the prevailing attitude is that we can take a harder look at the budget."

Whatever the final effect in dollars and cents, of their actions, the FAS is offering Congress something they have lacked for many years: expert, independent testimony on the question of how much weaponry is really enough.

[From the New York News, Aug. 11, 1971]  
**PROF. ATTACKS PENTAGON FOR RUSSIAN FEVER**  
 (By Jerome Cahill)

WASHINGTON, August 10.—The Pentagon may create a new credibility gap with its alarm over increased Soviet military research and development, a former government weapons expert told congress today.

George W. Rathjens, a professor at Massachusetts Institute of Technology who formerly served in the Defense Department's Advanced Research Projects Agency, said the U.S. still retains a substantial lead over the Russians in most fields of military technology, and was likely to remain in the lead in the foreseeable future.

Rathjens was questioned by Sen. William Proxmire (D-Wis.) at a hearing on defense

spending by the joint Senate-House Economic Committee. Proxmire said some defense officials, disturbed by the fact that the Russians are spending some \$3 billion more than the U.S. on military research and development, have warned that America could face a "technological Pearl Harbor" unless the trend is reversed.

But Rathjens testified that these "cries of alarm" were ill-founded and based on studies of "questionable validity."

"The alarms mislead the Congress and the public, and their primary effects are likely to be unnecessary worry and a further erosion which we can do without, of credibility in government," he said.

The witness said the U.S. was so far ahead in the field of strategic weaponry it could reduce procurement in this area without endangering the nation's security.

The Defense Department could begin by curtailing the Safeguard ABM system, Rathjens told the hearing. He also listed the \$3 billion B-1 bomber, the undersea long-range missile program, the Awacs airborne early warning system and antisubmarine warfare research as programs that could be terminated at a saving to the taxpayer.

He said the U.S. was "two to five years" ahead of the Soviets in missile reentry technology, inertial guidance systems and radar. America also leads or is equal to the Russians in most sciences. "I know of no broad areas," he told the committee, "where one would concede the Russians a significant lead."

The size of the defense budget also occupied President Nixon today. He conferred at the White House with Defense Secretary Laird and the Joint Chiefs of Staff on military spending plans for fiscal 1973. Press Secretary Ronald L. Ziegler declined comment on a published report the chiefs were pressing for an \$83 billion budget.

[From the New York Times, Aug. 11, 1971]  
**EX-AIDE QUESTIONS PENTAGON'S THESIS—**  
**DOUBTS CONTENTION SOVIET LEADS UNITED STATES IN RESEARCH**

WASHINGTON, August 10.—A former Defense Department official questioned today the significance of recent Pentagon contentions that the Soviet Union was surpassing the United States in military research and development.

George Rathjens, former chief scientist for the Defense Department's Advance Research Projects Agency and now a professor of political science at the Massachusetts Institute of Technology, said that Pentagon analyses on the subject were "of questionable validity."

"The alarms mislead the Congress and the public," he told the Joint Economic Subcommittee on Priorities and Economy in Government, "and their primary effects are likely to be unnecessary worry and a further erosion of credibility in Government."

In recent months, Dr. John S. Foster Jr., Director of Defense Research and Engineering, has warned that the Soviet Union has been increasing its research and development and is now spending more in developing new weapons than the United States is.

The testimony of Mr. Rathjens and other witnesses was directed particularly at the thesis of a gap in research and development propounded by the Pentagon. Today's session was the second of three on national priorities being conducted by the Senate-House subcommittee this week.

Richard R. Nelson, a former staff member of the Rand Corporation and now a professor of economics at Yale, testified that "I am far more disturbed by the cries of alarm from the United States military establishment than I am about the fact of continued growth of Soviet research and development."

Richard T. Davies, Deputy Assistant Secretary of State for European Affairs, testified that, taking inflation into account, United States defense outlays had declined, "while, if our reading of the U.S.S.R.'s defense expenditures is accurate, appropriations on the Soviet side have increased."

When the subcommittee chairman, Sen. William Proxmire, Democrat of Wisconsin, asked him whether he thought there was enough "hard evidence" of security danger to justify increased appropriations for military planning, Mr. Davies replied, "I would have to defer to those more qualified than I to answer that."

STATEMENT BY GEORGE W. RATHJENS BEFORE THE SUBCOMMITTEE ON PRIORITIES AND ECONOMY IN GOVERNMENT OF THE JOINT ECONOMIC COMMITTEE, AUGUST 10, 1971

Mr. Chairman and members of the subcommittee, I welcome the invitation to appear before you to discuss military research and development.

I do so against the background of alarms having been raised by Department of Defense spokesmen about the comparative levels of effort in the United States and the Soviet Union. In particular, it has been suggested that the Soviet Union may now be spending the equivalent of about 40% more per year than the United States on militarily related R & D, and that this may soon result in Soviet superiority in military technology.

The public and the Congress should be concerned about our comparative position in military technology and more broadly about the use of the nation's technical resources. I applaud the efforts of this and other committees of the Congress to inform themselves, and the efforts of the Defense Department to inform the Congress, in this regard. However, I am concerned that DoD presentations may have conveyed an impression that our situation vis-a-vis the Soviet Union is worse than it is, and that we can estimate the level of Soviet expenditures for military R & D and the relationship between expenditures and output with considerably more precision than I think possible.

Implicit in the estimate that the Soviet Union is spending the equivalent of \$3 billion more per year than we are on militarily related R & D is the assumption that a ruble spent in the military hardware sector of the Soviet economy buys as much as \$2, or more, will buy here. I will for the most part defer to other witnesses on the questions of dollar-ruble exchange rates and on other budgetary questions, but I can not but be very skeptical of the figure I have just quoted. I have been particularly struck by a line of argument suggested by Alec Nove, an English economist who has specialized in study of the Soviet economy, that if the ruble could buy what two or three dollars would we would find Russian products similar to those developed in the military R & D sector—commercial aircraft, electronic equipment, and precision instruments—providing strong competition with western products in world markets. They could be selling aircraft for 8 or 9 million rubles (or \$9 or \$10 million at the official exchange rate—for less than that at the Zurich free market rate) that would be comparable to Boeing aircraft selling for \$20 million each. They are not of course, and Nove suggests that if one is concerned with equipment of the same performance and quality, the ruble is worth nothing like \$2. His judgment, and mine, is that technical talent is used much less efficiently in the Soviet Union, even in the military hardware sector, than the \$2 exchange rate suggests.

Turning now away from the budgetary issues, there are three other questions concerning the relationship between the input of technical effort and output, as measured in useful technology, that I would discuss: first, management and decision-making in the translation of research results into use-

ful hardware; second, whether there is a linear relationship between research effort and output; and third, the differences between trying to stay ahead and trying to catch up in technology.

I would note first that in both the U.S. and the Soviet military R & D programs the big expenditures tend to be, not for research which is relatively cheap, but for development. The payoff at the development end of the spectrum is not so much in new knowledge as in producing equipment that will be effective. If one makes bad choices with respect to the initiation of major programs or perpetuates them after they should be terminated, large amounts of money and talent can be consumed with little or no useful payoff at all. The United States has done this on a number of occasions. Going back some years, I would cite the Skybolt and the Snark missile programs as two prime examples; and coming down to the present, the Safeguard ABM and the B-1 programs. Perhaps the most scandalous example we have on the immediate horizon is the Cannikin nuclear test to be held this October in the Aleutian Islands. In this case we are going ahead with a very expensive test to prove out a nuclear warhead whose primary use will be for a weapons system that the Congress some time ago rejected, that is, an ABM system for the defense of the United States against China. Now a few bad decisions such as those I have identified can enormously distort the relationship between input of technical effort and useful output, and that is one of the reasons why I am extremely skeptical about efforts to make projections of the effectiveness of R & D programs based on expenditures.

As serious as our mistakes of this kind have been, I believe that the Soviet Union has done worse. Because of ideological reasons they have made mistakes at the research end of the spectrum that would be unthinkable in the West, e.g. in supporting the geneticist Lysenko which set them back years in the biological sciences; and their record in applied research both with respect to civil and military products is also poorer than ours. For example, I am quite sure that they have spent a great deal more than we have on ABM defenses and they have almost nothing to show for it.

They have denied themselves the great advantage we have in the openness of our society and in the decentralization of decision-making. This permits informed criticism and questioning of major weapons systems development and acquisitions decisions within the Executive Branch, by Congressional committees, by the Press and by concerned citizens in a way that has no counterpart in Soviet decision-making processes. In this connection I disagree profoundly with the judgments of those in the Department of Defense that the Soviet Union may have a great advantage in weapons development and acquisition as a result of secrecy. Even in our case it has by now become clear that misuse, and indeed possibly quite legitimate use, of classification has had the effect of preventing disclosure of serious errors of judgment. I would go so far as to argue that one of the most effective means of improving decision-making with respect to military R & D in either the United States or the Soviet Union would be relaxation of security and a stimulation of interest on the part of a wider spectrum of the technical community in the decisions to be made.

Incidentally, I would contend that even the DoD's explicit argument regarding the relative advantage to the Soviet Union of secrecy is probably wrong or at least exaggerated. It is asserted that because of extreme security in the Soviet Union we can not know the implications of Soviet decisions until development is virtually completed, for example until we see a new piece of equipment in the May Day parade, but

that on the other hand, because of the openness of American society, the Russians are at a great advantage in being able to determine what we are doing at a very early stage. While it is true that they can know much more about our applied military R & D efforts than we do about theirs, I submit that it may do them in some cases very little good because while they may be inundated with information about possible U.S. programs, they cannot know which ones are going to be carried into production and deployment. This is simply because we often do not know ourselves. While they may have thought we intended to deploy a B-70 bomber force, and I believe they probably spent enormous sums on air defense in reaction to that possible decision, in fact of course we did not. And again coming down to the present, while they may know that we contemplate a B-1 program or an ULMS program neither they nor we can know what decisions will be taken. With these uncertainties I question whether they are in a much better position to react to our R & D efforts in these areas than we are to some they may have, but about which we know little or nothing. On balance, I would say that secrecy is a net liability to them, not an asset.

In translating research into effective hardware I would suggest that the Soviet Union is further handicapped by comparison with us in not having groups of technical entrepreneurs such as we have had, e.g. around route 128 in the Boston area, who have been able to obtain venture capital and who have had incentives sufficient to induce them to take risks to convert research results into useful products. Reports from the Soviet Union, e.g. those of the recent defector, Anatoli Fedoseyev, suggest that the Russians themselves are aware of their advantage in this regard.

As I understand it, the DoD attempts to project Soviet R & D output in the military sector implicitly assume a more-or-less linear relationship between input and output. I see no reason whatever to believe that such a relationship exists. At the one end of the scale one is confronted with critical-mass problems: some programs can make little or no progress at all unless they have some minimum level of support. At the other end, and I believe much more commonly, one sees the problem of diminishing returns either because one runs out of competent people or interesting ideas. There have been times when we have wanted to move faster, in a particular R & D area, but knew that spending more money would help very little, if at all. Indeed, DoD spokesmen this last year have as much as said that they could not spend an additional \$3 billion very effectively on R & D even if they had it. I would be surprised if the Soviet Union did not have similar problems.

My third point on the relationship of output to input has to do with the differences between breaking new ground on the one hand and following someone else on the other. The distinguished Russian physicist Sakharov has explained this by analogy with a cross country ski race. It takes much less effort to keep up than it does to lead. The fact is that even if one does not know exactly how someone else has done something, there is nevertheless great advantage in simply knowing that it is possible. If one has a little more information so much the better. The best example I can give is the development of hydrogen bombs. The interval between the first fission explosions and the first fusion explosions were 7 years for the U.S., 4 years for the Soviet Union, and 2½ years for China. If we were to use the kind of reasoning the DoD has recently used in its analyses, this would suggest that the Chinese effort to develop hydrogen weapons was roughly three times as intense as was ours, a possibility I find quite unbelievable. To me the wonder is that the gap between the U.S.



and the U.S.S.R. in most areas of military technology remained roughly constant during the period 1960-68 as it has, at least according to the DoD. If one assumes Russian efforts were comparable to ours in terms of commitment of resources, and DoD statements have suggested that they were, one can only conclude that they are very much less efficient for, by leading as we have, we have, in effect, done much of their R & D for them.

Let me leave now the question of inputs to the R & D process and speculations about outputs, and turn to where we actually stand vis-a-vis the U.S.S.R. in terms of current levels of technology, and to the question of the implications of possible erosion in our lead. With respect to the first point I can be very brief since I find no significant differences in what I have read in DoD statements and in my own impressions. There are apparently a few areas where the Soviets have demonstrated hardware for which we have either no, or inferior, counterparts. These are principally in tactical areas, e.g. in surface-to-surface naval cruise missiles. In many more areas we are ahead. In the strategic area, about which I am better informed, some of the rather general DoD statements have suggested that the Soviets are making great progress. However, on examination, the concern at the highest levels in the Defense Department seems really to be based primarily on moves by the Soviets in *procurement and deployment* and in *speculation* about possible technological developments rather than in any actual erosion of the *technological* superiority we have. In fact, with respect to virtually all of the major areas of technology relevant to strategic weaponry we probably have a substantial lead and one that is not diminishing rapidly, if at all. I refer, for example, to missile guidance, reentry vehicle technology, submarine propulsion, anti-submarine warfare, ABM radar performance, and computer and data processing technology.

When one turns to basic science, the U.S. probably has a significant lead in a number of areas, e.g. biology and the medical sciences, some aspects of chemistry, and solid state physics. In other areas we are more nearly on a par, e.g. in mathematics, high energy physics, hydrodynamics, and astronomy. I know of no broad areas where one would concede the Russians a significant lead. In addition to management deficiencies, I believe they suffer in some other respects in their pursuit of basic science, notably because of their enormous lag in computer technology (which affects not only their ability to do scientific research but to manage their economy), and in high quality instruments and research equipment. In one area, oceanography, the situation is apparently to some extent reversed. They have made a greater investment in modern oceanographic research vessels than we have.

In discussing the implications of possible erosion in our lead in military technology I want to draw a distinction between tactical warfare and strategic warfare systems.

In tactical warfare a technological advantage can make the difference between victory and defeat in an engagement, and this may depend not only on the concepts involved in design but also on such factors as reliability and maintainability under field conditions. On the other hand, in strategic war, at least as I think of it, and with forces anything like those we and the Soviet Union now possess, there will be no victors, and reliability or maintainability of weapons systems will not matter very much. The strategic systems serve their purpose if there is enough likelihood that they will work so that they serve as deterrents. I do not see how a modest or even quite substantial technical advantage possessed by one side could be very useful. Certainly evolutionary changes in technology will not upset the present rela-

tively stable balance. A dramatic breakthrough, e.g. a virtually air tight ABM system, might, but I see no such possibilities on the horizon.

In this regard, our best assurance against being surprised is in having strong programs in the basic sciences and at the research end of the R & D spectrum. With such programs we can hope to know what is possible. The one aspect of our present military R & D effort I find most disturbing is that we are spending so much at the other end of the spectrum in the strategic area. \$370 million, which I understand is the amount in the present authorization bill, for the B-1 bomber is nearly twice what the DoD is spending on basic research in the universities and is about 60% of the whole National Science Foundation Budget for this fiscal year. It is in my view a quite unnecessary expenditure.

While I am not as familiar with the proposed budget for R & D in the tactical area (and I am virtually certain that I would, on close examination, find some programs which I would think unwise,) I am, for the reasons I have given above, less troubled in a general sense by relatively large amounts for advanced development and for test and evaluation. Some of the weapons we are developing in this area are quite likely to be used, and I would like to think that if they are, they will not only have been well conceived in terms of exploiting technology but well executed in an engineering sense and thoroughly tested and debugged through field trials.

I would like now to summarize my feelings about the near term comparative balance between the U.S. and the U.S.S.R. in military R & D, and then turn to the longer term and broader questions of national priorities and expectations as regards science and technology.

I believe we have a significant lead over the Soviet Union in most areas of military technology and in many of the relevant sciences on which technology depends. At least as important is the fact that we have great advantages over the Soviet Union in terms of our system of incentives, in terms of management techniques, and perhaps most important of all, because we are an open society. With these advantages and a reasonable commitment of resources, I have little fear that we will fall behind in technology for tactical warfare, and even less that we will do so in the strategic area. I would regard a closing of the gap or even some Soviet technical lead in the latter area as less susceptible of exploitation and therefore less worrisome than in the former. I would suggest that we could save substantial sums, which could be better used elsewhere, by cutting back on some strategic programs not only in the R & D but also in the procurement part of the budget as well. I am less prepared to suggest changes in the R & D budget for tactical weapons.

While my foregoing remarks may suggest some complacency about our military R & D efforts, I am not complacent about the DoD analyses of the comparative strength of Soviet-American R & D efforts nor about the cries of alarm that have been sounded. In my view, the analyses are of questionable validity. The alarms mislead the Congress and the public, and their primary effects are likely to be unnecessary worry and a further erosion, which we can well do without, of credibility in government.

Neither am I complacent when I consider the state of science and technology in the U.S. more broadly.

During the post-Sputnik decade American science and technology grew at a phenomenal rate—by some measures at the rate of 15% per year; scientists were esteemed; they played important roles in the councils of government. Neither those growth rates nor those attitudes could be sustained, and now the pendulum has swung in the other direction. Many now see science and technology

more a source of troubles than as a means of their alleviation; many engineers and scientists are now unemployed or underemployed, and are bitterly disillusioned; and the best of our students are turning increasingly to other fields. Much of the change was inevitable. Technology was oversold and misused. Both technical and political people must take responsibility for this. It is quite understandable that there has been an adverse reaction to vast expenditures of public monies on programs that were often carried out with little regard to environmental and other side effects, and that did little to better the human condition. The space and military programs have been the most bothersome in this respect, and military science in particular is in disrepute. Many of our young scientists and engineers, even though job prospects are poor, would be reluctant to work on military projects because they are distrustful of their government and profoundly skeptical of the purposes to which their ingenuity may be put.

In my view, the pendulum has already swung too far, but my fear and my conviction is that confidence in both science and government and the health of the science-government relationship will suffer further with each additional government dollar that is spent on unneeded military hardware or other technical enterprises that can not command wide public support. I am afraid that before the trend is reversed there is some danger that we may be spending less than we should in the national security area. This is particularly likely in tactical weaponry. It will be a reaction to our having stayed in Viet Nam long after the nation had decided it was a mistake and to our spending large sums on strategic weapons that much of the public sees, and I think rightly so, as more likely to diminish than to improve our security.

These risks I would regard as no more serious than the risks that, in our reaction against big science and big government—I might say unwise science and unwise government—the nation will not support science and technology and derive the benefits from it that it could and should.

I want now to distinguish between education and basic research on the one hand and applied science and engineering on the other. Both can serve us; both require federal support.

Education and basic science must be supported almost entirely by government and through philanthropy. This is because the payoffs are so unpredictable, diffuse, and, in some cases, remote that one can hardly expect private enterprise to make much of an investment in these areas. Fortunately, with a few exceptions such as in those areas requiring large accelerators, basic research is, on a relative scale, not very expensive. I would hope in the nation's interest, indeed it is in the interest of all mankind, that rather generous support could be provided for basic research and graduate education in the sciences and engineering.

Much applied science can command industrial support because it can be justified as a sound investment. In those areas where this is possible the work that is done will, in my view, be more responsive to public needs and very likely executed more efficiently if it is carried out as a part of the market economy rather than in government laboratories or with heavy government subsidy.

There are, however, many other areas where the benefits of the application of science and technology will be widely diffused among those who can ill afford to pay for them or where for other reasons substantial public investment is desirable. I have in mind areas such as improved urban transport, the use of computers in education, improved weather prediction and possibly control, and the development of less expensive and more efficient techniques and materials

for construction of housing. Programs in some of these areas could be quite costly and if they are executed badly, if they promise more than they can deliver or cost far more than original estimates, the effect could be, as in the case of so many aerospace programs, to produce a further erosion in confidence in the science-government partnership. On the other hand, if public programs are truly responsive to real national needs and are based on realistic costs and extrapolations of technology, I believe they can benefit the nation as a whole, begin to reduce public cynicism about both science and government, and make use of human resources that are now being wasted. The best assurance they can meet such criteria is—and I now return to one of my earlier themes—if there is full disclosure, widespread public interest, and sharp questioning by the Congress and by professionals outside the agencies who have a direct stake in the prosecution of the programs. We should be able to do better than we have in defense. I hope the effort will be made.

STATEMENT BY RICHARD R. NELSON ON THE ALLEGED THREAT FROM FOREIGN R. & D., AND SENSIBLE U.S. REACTIONS, AUGUST 10, 1971

I have been requested to discuss with you certain economic implications of international R and D competition. This I will do. But before proceeding to the economic picture I do want to make a few remarks on the alleged military R and D threat. After all, this is what got this committee interested in discussion with representatives of the Federation of American Scientists.

SOVIET MILITARY R. & D. SPENDING: WHAT KIND OF A THREAT, WHAT KIND OF RESPONSE

I am deeply disturbed by the recent discussion of an evolving threat to the United States of Soviet military research and development budgets exceeding our own. I find the argument of large and growing Soviet military research and development budgets reasonably persuasive. It seems apparent that the Soviets were spending roughly in our ball park during the early 1960's and keeping pace with our growth. It is clear that we have decelerated in recent years; it is likely that they have continued. The piling up of ambiguous facts strikes me as a peculiar attempt at overkill of a point which was more or less obvious initially.

But I am far more disturbed by the cries of alarm from the United States military establishment than I am about the fact of continued growth of Soviet military R and D. The threat to the United States of Soviet military research and development is not clear for the foreseeable future. The threat to the United States of a panicky response is clear.

One question that needs to be raised is why the continuation of Soviet military research and development growth. One interpretation is sinister intent. A second is lagged, sluggish response to earlier feelings on the part of the Soviets of technological inferiority propelled by a bureaucratic momentum even more powerful than exists in the United States' military establishment. Before interpreting the phenomenon in terms of aggressive purpose, I think the second interpretation needs to be explored carefully.

A related question is what is the appropriate U.S. response. In part this depends on the interpretation. If the second interpretation is correct doing nothing might be the best response. The Soviets will sooner or later slow down if we keep our cool. An increase in United States R and D spending would, with a lag, spur the Soviets to continue a surge which otherwise would have damped down.

But assume the worst. Assume that the Soviets are spending on R and D in order to

increase their aggressive power, or that even while that may not be the initial intent the development of a technological superiority would increase Soviet aggressiveness.

Why are we worried? Do we really have reason to fear that Soviet R and D will seriously erode our deterrent capability? I have heard some technological fantasy mongering but nothing that persuades me of a real threat in the short and medium run. Are we worried about the erosion of the credibility of the United States nuclear response to a Soviet-European adventure? What evidence have we that the Soviets would savor such an adventure?

It took one generation of defense analysts to rid the military of the absurd notion that somehow the strategic balance or threat could be measured by ratios of bombers, or bombers plus missiles, or warheads, or yield. Are we now to adopt an even greater silliness by using the ratio of accumulated military research and development spending as an additional threat index? How absurd. I am deeply disturbed that people in the defense establishment really seem to believe this index is meaningful. I hope Congress is more sensible.

As particular evolving Soviet capabilities are identified, and the nature of the threat analyzed dispassionately, it certainly is sensible to undertake R and D so that if the Soviet threat materializes we can quickly counter it. Such a response involves a delicate and sophisticated blend of military intelligence to anticipate Soviet capabilities, analysis of the implications, and exploratory R and D to lay the foundations for a U.S. response if the Soviet capability actually materializes. But simply jacking up our military R and D budget, or spending more on capabilities without good evidence that they are needed, surely is only to add fuel to the arms race.

INTERNATIONAL ECONOMIC COMPETITION

Paralleling the concern about a Soviet military R and D threat, there have been rising cries of alarm about an economic threat to the United States as a result of our declining technological lead. As in the case of military R and D, I think it likely that the Europeans and Japanese have gone a distance over the past decade toward closing our technological lead. But, as above, the real question is so what, and what if anything should we do about it. I believe that guiding national R and D policy by the objective of preserving leads would be pernicious.

I would like to present some background on the "technological gap" story by cribbing some lines from an article of mine forthcoming in *Minerva* this summer. In that article I point out that the technology gap is an old story, and so are the panicky noises on both sides of the Atlantic. The U.S. clearly was establishing a general technological lead in the last decade of the nineteenth century. By that time U.S. per capita income and productivity were significantly higher than that in England and Europe. It was higher for at least two reasons. Even by that time a large number of industries in the United States probably were operating at a higher capital-labor ratio than their English or European counterparts. This is both explained by and explains the significantly higher wage rate in the U.S. industry. High American wages go back at least as far as 1830, and scattered evidence suggests that by the 1870's U.S. wages may have averaged perhaps twice that in the United Kingdom (and even more, relative to France and Germany). But this cannot be the full explanation. If it were simply greater capital intensity, but the same total factor productivity, the rate of return on capital should have been significantly lower in the United States. The limited evidence suggests, rather, that it was higher. Over the second half of the nineteenth century

the yield on British consols never got above 3.5 percent; the yield on the best American railway bonds (to be sure somewhat more risky) never sunk that low and tended to be over 5.0 percent. Relatedly, this was a period when capital was flowing from the United Kingdom to the United States, not the other way around.

Between 1880 and 1910 the growth of U.S. finished manufactured exports increased more than six fold; imports less than tripled. The United States, which ought to have and clearly did have a great comparative advantage and large net export position in foodstuffs (which made exchange available for manufactured imports) nonetheless was a net exporter of manufactured products by 1900. A good share of the surge was in "technically progressive" industries. By 1899 about one-third of U.S. manufactured exports in machinery, chemicals, or vehicles. For Germany and the United Kingdom the figure was about one-fifth. The value of U.S. machinery exports increased ten-fold between the mid-1880's and 1905-1906. It would appear that around the turn of the century the United States dominated trade in typewriters, for example.

This evidence suggests a significant "technological lead", not surprisingly, for the last half of the nineteenth century was indeed the well-known great age of American invention. It was also the era in which the system of interchangeable parts was rapidly coming into play in industry after industry in the United States. In many fields Europeans and Englishmen were busy picking up American technique with a lag, just as today. Of course, it was not a one way street. The Americans did not lead in all fields, and in many fields the lead changed hands. Sometime during the nineteenth century the U.S. lost its lead in shipping. The English and Europeans developed, and then lost to the Americans, the lead in steel technology. But that on the average in some sense, the Americans were the technological leaders in manufacturing industry seems clear.

Then, as today, there is evidence of considerable concern on the part of some Europeans. Viner presents the following quote from an 1897 letter circulated by Count Goluchowski, the Austrian Foreign Minister:

"Europe has apparently reached the turning-point in her development. The solving of the great problem of the material well-being of nations, which becomes more pressing from year to year, is no longer a distant Utopia. It is near at hand. The disastrous competition which, in all domains of human activity, we have to submit to from over the seas, and which we will also have to encounter in the future, must be resisted if the vital interests of Europe are not to suffer, and if Europe is not to fall into gradual decay. Shoulder to shoulder we must ward off the danger that is at our doors, and in order to prepare for this we must draw upon all the reserves that stand at our disposal. . . .

"... the twentieth century will be a century of struggle for existence in the domain of economics. The nations of Europe must unite in order to defend their very means of existence. May that be understood by all, and may we make use of those days of peaceful development to which we look forward with confidence, to unite our best energies."

Then, as today, some Americans were concerned about the prospects of losing the lead for it was recognized by at least some observers that the reason why U.S. industry was able to pay such high wages, still earn such a high rate of return, and yet remain competitive in world markets, lay in its technological lead. In 1915 Taussig commented as follows on the rapid diffusion of American technology in automatic machinery:

"The more machinery becomes automatic, the more readily can it be transplanted. Is there not a likelihood that apparatus which



is almost self-acting will be carried off to countries of low wages, and there used for producing articles at lower price than is possible in the country of high wages where the apparatus has originated? In hearings before our congressional committees a fear is often expressed that American investors and tool-makers will find themselves in such a plight. An American firm, it is said, will devise a new machine, and an export of the machine itself or of its products will set in. Then some German will buy a specimen and reproduce the machine, in his own country (the Germans have been usually complained of as the arch plagiarists; very recently the Japanese also are held up in *terrorem*). Soon not only will the exports cease, but the machine itself will be operated in Germany by low-paid labor, and the articles made by its aid will be sent back to the United States. Shoe machinery and knitting machinery have been cited in illustration."

It is striking how the dialogue today echoes the earlier voices of alarm, both European and American. This is not to argue that nothing is new. Many things are, and one in particular would appear to be of major importance in recent policy thinking. This development has been the rise to prominence of large scale organized industrial R and D. Only recently has R and D been recognized as an important factor generating technological advance. Years ago the focus was on "inventiveness" and "ingenuity" and "energy"; the new focus on R and D provided a policy handle that was not there when the sources of progressivity were viewed in terms of personal attributes. During the 1960's data collection progressed to a point where it was possible to compare national R and D efforts. The Europeans began to point with alarm to the American R and D lead, the Americans to the Europeans closing of the gap, and both to "doing something about it." I believe that this perspective can lead us to stupid policies.

It now seems conventional wisdom that, on the one hand, science and technology policy is an important element determining a nation's economic growth performance, and on the other, that the objective of fostering economic progress somehow should enter prominently in determining a nation's policies regarding science and technology. To a considerable extent the suggested new policy departures really amount to doing "more" and "better" what governments have done for some time: in particular supporting basic science and engineering research and education. Yet the concept of a "gap", calling attention as it does to particular product fields and industries, also naturally has pointed policy deliberation in the direction of subsidizing or financing the development of products for production and sale by private companies through the market to the general public (prominently including the export public). This would represent a significant new policy departure for the United States, as well as the European nations. The now scotched supersonic transport program of the Department of Transportation, and the civilian power reactors programs of the Atomic Energy Commission mark the first major steps down this road.

I maintain that the objective of maintaining or achieving across the board technological leadership is not a viable one much less a desirable guide to U.S. policy. Only the post World War II prostration of the other major industrial powers permitted the temporary manifestation of such a phenomenon. The United States long has lived by being ahead on average, but except for the temporary post war aberration always has been a "follower" in many fields, and seems to have survived all right. With the rebirth of Western Europe and Japan, across the board leadership simply is not a viable objective. We do not have the resources to push into any technological area where another coun-

try appears to be pulling ahead. Even if we could it seems senseless. Surely there are better criteria for guiding resource allocation than that someone else is "ahead" or threatens to be.

The growing efficiency of other countries in many ways is advantageous to the United States. If we keep our wits about us we can reap the advantages of their productivity and competitiveness through exploiting the enlarged potential for gains through international trade. This will require that we do a better job than we have recently of keeping prices and wages from artificially depriving us of commercial advantage where we have real economic competitive advantage. Or we must somehow learn to adjust our exchange rate. Protection of course is a way of doing this, but I need not lecture this committee on how inefficient a mechanism protection is. In any case the U.S. will have to learn to live with a world of technological peers.

#### TOWARD AN EVOLVING FEDERAL ROLE IN SUPPORT OF GENERAL TECHNOLOGY

I certainly do not mean that there is not a very useful role for federal policy to play in promoting the technological progressivity of U.S. industry. While the traditional accepted roles of federal R and D support are for basic research and for public sector needs, we long to have had a set of ad hoc programs in support of general technological progressiveness. Consider, for example, the panoply of programs in support of agricultural science and technology. Public support of research in the field of health very early outran the boundaries of public health problems or problems related to military or sea service and included work on standard private illnesses. Since World War I we have supported R and D related to civil aviation, since World War II, R and D on civil uses of atomic energy.

The problem is that the boundary lines between basic research and product development, and between public sector and private sector, are blurry. Many of the more important policy issues of the next few decades relate to identification of criteria and guidelines for an effective public policy in the grey areas between basic research and product development, and between the public and private sectors.

Today policy is ad hoc, very poorly thought through, and much in need of articulation and rationalization. What we have is a collection of programs defined in terms of particular industrial sectors or technologies with almost no questioning of why these fields and not others, and no machinery for looking across the different programs. Thus we have programs for civil aviation but not much for trains, and none for automobiles, buses or trucks. While there may be some good reasons why this is the appropriate focus for federal funds for land transport systems R and D no one has really articulated the case. We have massive federal support for atomic energy, a trickle of funds in coal research, and virtually nothing on other energy fields. We have large scale federal support of agricultural R and D, but only the smallest programs concerned with housing technology despite the fact that the latter industry is becoming much more important than the former, etc. Peculiarly, the one major federal policy with a rationale of spurring across the board technological progressivity in American industry aims to do this through "spillover" rather than through mechanisms that bear on R and D allocation. I refer of course to the space program which somehow has picked up the mantle of a national technology support program.

I think that the whole structure of sectoral and technology specific programs should be subject to reappraisal. What is needed is the development of criteria and machinery for a national policy in support of technol-

ogy. An important part of such a policy is appreciation of what can be expected to take care of itself without detailed federal overview. In industries where there are a number of technologically sophisticated companies, and the value of the products is reasonably well reflected in what people are willing to pay for them, there is little reason to believe that private research and development on garden variety new products and processes warrants supplementing by public funds or programs. The areas where active public programs might seem warranted are those where private markets do not adequately reflect social value, or where the underlying private industry is weak technologically, or where technological research and experimentation of a quite basic kind holds considerable promise of unlocking major new possibilities. These are basically different criteria and call for somewhat different kinds of policies.

The problem of sectors with a particularly "public" interest in their products is one, I think, that only can be handled through the auspices of government agencies concerned with the wants or products in question, as HEW is concerned with technology for health as well as education even though the former is often provided through private channels. This really is an issue of expanding the scope and machinery of public sector R and D.

The problem of how to instill technological progressivity into moribund industries has plagued many of the countries of the world, various approaches have been tried, not very successfully. It would appear the greater part of valor not to key a civilian technology policy to trying to bolster up sick or sluggish industries.

The central guiding concept of an explicit civilian technology policy I believe ought to be an active general federal program of supporting research aimed at improving basic technological understanding, experimental development and testing of radically new concepts and designs, and provision of research and informational facilities for general use. In fact this has been federal policy in a number of fields. To some degree it characterizes federal activities in agriculture and medicine. While in both of these fields a small portion of federal funds have gone into work that carried all the way through to final new product or process, this is not so of the bulk of the federally financed work, and further in both of these fields there are general arguments and special circumstances that make socialization of certain kinds of final product development appropriate.

Federal programs in support of civil aviation, and atomic energy, have, until recently, almost exactly followed these guidelines. In 1915 the National Advisory Committee on Aeronautics (NACA) was established to stimulate and facilitate the development of American aviation. During its heyday during the 1920's and 1930's NACA pioneered in the development and operation of research and development facilities for general use—for example wind tunnels—in the collection of information and its dissemination, and in basic research and exploratory development. It undertook major work on aircraft streamlining, properties of fuels, experimental new engines, structural aspects of aircraft design, building and testing a variety of equipment. But NACA did not directly support the development of particular commercial aircraft.

Until the mid-1960's the programs of the Atomic Energy Commission in support of civilian power reactors were similar in spirit to the NACA support of aircraft technology. The Amended Atomic Energy Act of 1954 established a more or less explicit division of responsibility between the Atomic Energy Commission and private enterprise with the government's role as the undertaking and support of research, the building and support of experimental reactors, operating fa-

cilities for testing, dissemination of information, etc. Private enterprise was left the task of developing and building the operating reactors once the technology was relatively firm.

The division of labor and responsibility in these two programs reflected the following considerations. First, the kind of basic research and technological experimentation that seemed to hold great promise for the long run advance of the technologies would yield industry wide rather than firm particular benefits; hence no individual firm had much incentive in doing the work. Second, the achievement of certain major technological advances required long run commitment of major amounts of funds in work which had many of the aspects of basic research. Third, by supporting the above kind of work the government could serve to reduce the costs and risks of final product development employing new technology to a point where private companies could be expected to find profitable the kinds of projects that were socially worthwhile. Thus while the government played a major role in trying to identify important new areas of technology, private enterprise was left the task of deciding what kind of final product developments should be implemented and when.

As suggested above, the fields where we now support technology with public funds are strictly ad hoc. One urgent need is to reconsider the existing major programs, eliminating them where there seems to be no particular reason why a special program should exist for that field, or broadening the domain where this seems appropriate (for example, a strong case can be made that the civilian activities of the Atomic Energy Commission should either be abandoned, or the Commission broadened to include a general mandate for energy technology). There would appear to be several fields where no major program now exists, but one seems urgently needed. Building technology is an obvious example. Some embryonic proposals have been made that somehow special R and D support should go to export industries.

But there are some major dangers and liabilities of proceeding to redesign policy on a field by field basis. The government tends to get locked into particular industries. The industries tend to begin to own the program. The kinds of criteria I have suggested, and the reasons behind them, are quite general and it is difficult to argue why one industry or technology should have such support and another not. My judgment is that a national technology policy should be defined in terms of supporting particular kinds of activities, not particular industries.

Of course one way to do this would simply be to provide more federal cost sharing on industrial R and D by using tax credits or other devices. I suspect this is a bad idea. In effect it would tend to subsidize more of the same things that already are going on without any attempt to aim federal funds at the particular kinds of R and D industry tends to underfund. Further, such a policy carries the severe risk that federal funds (reduced taxes) will largely substitute for private funds not augment them.

Federal matching funds might be provided to industry institutes. At one time I thought this was good idea but my British friends describing the experience there have persuaded me that it is not.

The idea I find most appealing would be to focus public funds on the kinds of industrial R and D which have high long run social value, but which is risky and not sharply reflected in profit opportunities for a sponsoring private business firm. One interesting possibility would be for the federal government to provide funds for technological basic research and experimentation in roughly the same manner as it provides funds for basic scientific research—through a grant mechanism. The RANN program provides a

possible pilot model. A key issue here obviously is the balance on initiative on areas between interesting proposals from the outside and ideas on fields to push from the inside. While a case can be made that internal priority setting should play a major role in guiding allocation, there are very major dangers in planning "scientific wars" on particular social problems.

#### SOME WORRIES ABOUT TECHNOLOGY GAP AND BIG PUSH THINKING

Whatever form the evolving program in support of public and private sector applied research and technology may take, I hope it can avoid the misconception that rapid major technological advance can be neatly planned and ordered and that such planning is an efficient way to advance technology. This misconception seems to stem from a belief that we have done well in military R and D, and that we can replicate this good experience in other sectors.

A close look at certain characteristics of the technical change process the United States has experienced in civilian industry, and at certain characteristics of the government financed development programs in defense raise some warning flags. Technological progress in most American industries has been marked by considerable diversity of the sources, and unpredictability (at least in fine structure) of the advances. New products, processes, inputs, and equipment for an industry have come from established firms in the industry, from suppliers, purchasers, new entrants to the industry, individual investors. Many developments that seemed to be promising did not pan out. Many important breakthroughs were relatively unpredicted and were not supported by the recognized experts in the field. While detailed case studies are not plentiful, one has the impression that in most technically progressive industries most of the bad bets were rather quickly abandoned particularly if someone else was coming up with a better solution. And good ideas generally had a variety of paths to get their case heard.

In contrast, since the Korean War the United States has attempted to plan technological developments in defense. A natural concomitant of planned development financed by the government has been a narrowing down of the sources of technological advance. The firms in the defense industry have become, in effect, chosen instruments. The likelihood is remote that a firm without a contract could, by using its own funds, ultimately beat out the firm with R and D contract. Thus as government R and D financing and planning has intensified independent industry initiative has dried up. There is no question but that the advances in performance that have been achieved under the system are fantastic. Yet the waste and sheer mistakes are equally impressive. The percentage of developments that achieved anything like the performance originally promised at anything near the anticipated costs, has, of course, been dismal. It is not clear that the early bets on promising designs in defense have been any worse than in civilian industry. But there has been a tendency to stick with the game plan in the face of mounting evidence that it was not a good one, that appears only in exceptional cases in areas where R and D is more decentralized and competitive. The case of Convair throwing good money after bad on the 880 development rightly is regarded as an aberration, and the fact that General Dynamics learned its style in military R and D undoubtedly was a contributing factor. But this kind of thing is the rule, not the exception, in military R and D.

Why the high cost and apparent waste? Largely because of the pace of advance sought. The nature of the arms race imposes a high cost on not having equipment at least as good as the potential enemies', or at least this is the perception that has guided de-

fense R and D planning (I will not stress here that in many cases this notion is simply wrong). Thus each R and D project reaches as far as it can. Costs are high both because it is costly to stretch, and because there are many stumbles. It would seem that we ought to be able to achieve our defense capabilities with less cost and fewer stumbles than we have. But to a considerable extent the costs and stumbles seem inherent in force feeding a technology. (Popular impressions aside there was much the same syndrome of cost overruns and failures in Project Apollo). And if force feeding is felt to be important, it would seem that governmental subsidy and a considerable extent of central planning, with chosen instruments, blocked competition, and the rest, is the only way to do it.

Over the past decade the defense and space R and D style has begun to be viewed as extendible to civilian industries, and has been extended to the development of supersonic transport, and civilian nuclear power reactors. Perhaps we have learned the lesson in the SST case. I suspect we have not in the case of power reactors. I am deeply disturbed that we are making a large bet against bad odds in cancer research.

The issues I am posing here in part concern the specification of goals for science policy, and in part concern strategy. A large scale R and D attack is likely to be a costly and risky way to try to achieve goals if major technological advances are needed and the underlying scientific and technological knowledge is not strong enough to illuminate the paths. In these circumstances it may not make sense to specify these social goals as goals of science and technology policy, at least to the extent that goal setting involves a commitment to try to achieve that goal within a reasonably short time horizon. If experience be a guide such goal setting does seem to carry a commitment to the marshalling of resources to the problem, and usually to premature commitment to a limited set of paths. Achievement of the goal may come more quickly, and almost certainly more economically, if the "war" or "campaign" metaphor can be avoided, and if R and D is allowed to probe at the problem and a wide range of possible solutions experimentally and sequentially rather than being pushed.

#### SOVIET DEFENSE EXPENDITURES

(Statement by Abram Bergson for Subcommittee on Priorities and Economy in Government, Joint Economic Committee, Aug. 9, 1971)

"Measures taken in recent years have made it possible considerably to strengthen the power and fighting ability of the armed forces" of the Soviet Union. "The Soviet people can be confident" that their "glorious armed forces are prepared to repel attack by an enemy any time of the day or night. . . . The Soviet Army is assured today of all forms of modern military equipment. . . ."

So spoke L. I. Brezhnev in reporting as General Secretary to an initial session of the Twenty-Fourth Congress of the Communist Party of the Soviet Union last spring (*Pravda*, March 1, 1971). Recent trends in Soviet defense capabilities are properly a matter for military experts to judge. A student of Soviet economic affairs, however, perhaps may comment on the more basic trends in resources committed to defense in the USSR. Data on such outlays are notably incomplete and difficult to interpret. That is especially true of information in unclassified sources. Nevertheless, Soviet defense outlays lately must have increased considerably, as Brezhnev implies.

Brezhnev was reporting on developments since the previous Congress of the Party, which is to say during the five-year period 1966-70. In 1965, the USSR spent 12.8 billion rubles on defense. By 1970, such outlays had risen to 17.9 billion, or by 40 per cent



(Table 1). The years between the two congresses also witnessed a rise in prices in the USSR, but as late as 1969 average money wages were still but 21 per cent above 1965. From 1965 to 1969 wholesale prices of heavy industrial goods had risen by but 14 per cent while those of machinery had fallen by 5 per cent. These official index numbers probably understate price increases and overstate price decreases, but prices of defense goods and services probably did not rise nearly as much as the defense budget. Defense outlays, therefore, must have increased not only monetarily but in real terms, and most likely to a marked degree.

TABLE 1.—SOVIET BUDGETARY EXPENDITURES ON DEFENSE AND SCIENCE AND RELATED PRICE CHANGES SINCE 1965

	Defense outlays (billions of rubles)	Science outlays (billions of rubles)	1965=100	
			Average money wages	Wholesale prices, heavy industrial goods
1965	12.8	4.3	100	100
1966	13.4	4.6	104	98
1967	14.5	5.0	108	98
1968	16.7	5.5	117	98
1969	17.7	5.9	121	95
1970	17.9			
1971 <sup>1</sup>	17.9			

<sup>1</sup> Plan.

I have been referring to defense expenditures that are reported explicitly in the Soviet government's budget. The scope of such outlays is still somewhat obscure. Among Western experts on such matters, however, it seems generally agreed that reported Soviet defense figures represent expenditures of the Ministry of Defense and cover military pay and subsistence, munitions procurement, and many other defense charges of a conventional sort. On the other hand, there apparently are some notable omissions. Expenditures for defense-related research and development probably are largely omitted, and that may be true also of some nuclear weapons outlays. Frontier and security troops are also omitted, though such forces might be considered in the West as a part of the defense establishment.

\* Of such omissions, defense-related research and development must be one of the most important. How that has varied lately may be judged from the trends in budget outlays for "science," a good part of which are believed to be defense-related. Budgetary expenditures for science amounted to 5.9 billion rubles in 1969, or 37 per cent more than in 1965. Science expenditures in 1970, I believe, might have been appreciably greater than in 1969. Here, as for defense outlays generally, however, trends since 1965 must be viewed in the light of concomitant price increases.

Reference has been to data on Soviet defense expenditures. A marked increase in such outlays also seems indicated by reported developments in physical aspects of the Soviet military establishment, such as the rise of operational ICBM's from 270 to 700, and the sharp expansion of advanced naval vessels. The introduction of new weapons, however, is often accompanied by the phasing out of old ones, and the diverse trends that are thus manifest are not easy to interpret summarily.

How much do Soviet military outlays amount to in terms of U.S. dollars? Members of this sub-committee hardly need to be told how difficult it is to answer this question. As I indicated, as recorded explicitly in the Soviet government budget, defense expenditures are incomplete. While that fact is clear, the extent of the shortfall is not entirely so. Reported defense expenditures,

moreover, are in rubles. Translation of one country's defense expenditures into another's currency is sometimes made by reference to the official exchange rate, but that is at best only a crude expedient. For a translation of ruble defense outlays into U.S. dollars, such a procedure is wholly untenable, for in view of the inconvertibility of the ruble, the official evaluation of a unit of that currency at \$1.11 is quite arbitrary.

All this is to say that in order to translate Soviet defense outlays there is no alternative but to apply one or another or both of two laborious methods: (i) direct evaluation of Soviet defense goods and services in terms of U.S. dollar prices; (ii) reference to ruble-dollar purchasing-power equivalents compiled from data on prices of defense goods and services in the two countries. Either procedure, furthermore, requires the matching of defense goods and services in the two countries. That would be a formidable task even in the most favorable circumstances. In the present case, it is only made the more so by the notable Soviet secrecy regarding munitions production and prices. In sum, calculation of Soviet defense outlays in dollars is not precluded but is necessarily subject to a wide margin of error.

We must see in this light such measures of this sort as have been published. According to the Institute of Strategic Studies, the Soviet Union spent the equivalent of some \$51.7 billions on defense in 1970. This figure is intended to represent all expenditures, including those over and above those explicitly recorded as defense outlays in the budget. The U.S. Arms Control and Disarmament Agency informs us that such expenditures already totalled \$55.0 billions in 1968. The corresponding figure for 1970 would probably be appreciably larger. With the information available, I doubt that we can choose between these estimates, or even exclude others appreciably higher or lower than either of them.

Here again reports on the physical aspects of the Soviet military establishment are illuminating, though difficult to interpret summarily. I refer to comparative data on the size of the Soviet and U.S. armed forces, operational ICBM's, and so on.

What are the prospects for Soviet defense expenditures? How such outlays will vary in the coming years will depend on the evolving international environment in which the USSR finds itself; the foreign policy which the Soviet government wishes to conduct in that environment; and the economic potential available to support one or another such foreign policy, including the defense budget that is required.

In reporting on Soviet defense expenditures to this subcommittee, two years ago, I commented particularly on the last factor, that is, economic potential. My thinking on this is still essentially as it was before, but perhaps I should record here that Soviet total output continues to be as it was before, but a fraction of that of the USA. In fact, the Soviet GNP in 1970 still was no more than half of ours. Also, Soviet output still has been growing lately at only a relatively moderate rate: about 5 per cent annually during 1965-70. I suggested previously, and still feel, that even to maintain such a tempo in future may be difficult because of the notably high capital costs of Soviet growth and the resulting conflict between investment for high growth and the need, to which the government manifestly has become increasingly sensitive, to assure respectable increases in consumption standards.

Since I last appeared here, the Soviet Communist Party has published directives for a new five year plan, the ninth, that is to run from 1970 to 1975. These directives were among the chief concerns of the Twenty-Fourth Congress of the Party, with Brezhnev's report with which I began. The direc-

tives might easily be the subject of another inquiry, but it should be observed that the government is in fact seeking to maintain recent tempos of growth. It apparently hopes to do so, however, through marked productivity gains. The capital stock is to increase at only a modest tempo by Soviet standards, and consumption is to grow apace with total output. To raise consumption standards "substantially" is avowedly the "principal task" of the new five year plan.

Whether the government's projections of productivity will prove warranted remains to be seen, and only time will tell just how it will resolve in practice its conflicting priorities for growth and consumption. I concluded previously, however, that "the Soviet government has been seeking to support a military establishment of the first-class with an economy that by U.S. standards has been of the second-class. This is a difficult feat, and it is apt to become more difficult in the future, as the competing claims of capital investment and consumption become more demanding. Still the government has found the necessary means so far, and it should be able to continue to do so, but it can be expected to scrutinize marginal requirements for additional military outlays more closely than hitherto. It will do so the more should defense requirements increase more rapidly than output. It also goes without saying that for the USSR there has always been an economic case to join in arms control and disarmament measures. That should certainly still be so in the future." There seems no basis to diverge here from this appraisal.

The appraisal does not seem vitiated either by these added words of Brezhnev in his report to the Twenty-Fourth Congress:

"... The further growth of defense industry will depend to a great extent on the international situation. The Soviet Union is prepared to support genuine measures for disarmament that strengthen peace and do not damage our security. At the same time we must be prepared in future for any turn in events."

Following Brezhnev, Premier A. N. Kosygin also addressed the Congress, and assured his listeners that "the new five year plan assures the further strengthening of the defensive power of our state" (*Pravda*, April 7, 1971). As seen here, these words, reportedly greeted with "stormy, prolonged applause," must also be taken seriously, though any considerable "strengthening" would certainly be onerous for the Russians.

Opinions have often been voiced in this country lately that our defense expenditures are inordinately large and should be cut. Some indeed advocate a reduction well beyond any that might result in any case from our progressive withdrawal from Vietnam. This is not the occasion to try to react in any systematic way to such views, but I should note that I for one find little support for them in the account that I have set forth of Soviet defense expenditures. I refer especially to indicated increases in such expenditures over time. I have also cited calculations suggesting that Soviet defense outlays, while large indeed, may not be quite as large as ours. Such calculations, however, are of a very doubtful reliability. Of course, they could in any case serve only as a point of departure for serious inquiry into the extraordinarily complex question of the appropriate level of our own defense outlays.

Debate about U.S. defense outlays lately has revolved especially about the advisability of a unilateral cut in such expenditures. Among men of good will, there hardly can be any real difference as to the merit of limitations on defense outlays that the USA and the USSR might find it in order to initiate by agreement. Let us hope, therefore, that both we and the Russians will not fail to exploit any opportunity that may confront us to achieve that end.

## THE CFR REVOLT

## HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1971

Mr. RARICK. Mr. Speaker, on July 13, 1971, while speaking on the floor of the House, I called the attention of my colleagues to the Committee on Foreign Relations' mission—to transfer the blame from their own membership, those truly responsible, to the military for the Vietnam fiasco, CONGRESSIONAL RECORD, page 24775.

The CFR has continued in its efforts to degrade and embarrass the military, but their concerted effort has finally hit a snag that is causing repercussions amongst the members of this elite group of pseudo-intellectuals. CFR members are finding it hard to explain that one of their own, William P. Bundy, ex-Assistant Secretary of State for East Asian and Pacific Affairs in the Johnson administration and known Vietnam escalationist, is now editor of the CFR quarterly, *Foreign Affairs*.

The situation, if it were not tragic, would be hilarious. Here we find a recognized hawk and a leading figure in our Vietnam involvement directing the activities of an organization and its official publication whose primary purpose is to transfer to the military the blame for what the CFR "foreign policy experts" got us into in the first place. Here we find one of the leading figures responsible for getting us into the Southeast Asian mess trying to convince the public that the military is responsible.

I ask that a related news article be inserted in the RECORD at this point. The article follows:

[From the Washington Post, Aug. 23, 1971]  
REVOLT AGAINST BUNDY—FUROR AT 'FOREIGN AFFAIRS'

(By Stephen Isaacs)

NEW YORK.—The "old boy" network of the Eastern Establishment has been twitching nervously for the past few months over the appointment of one of its own William P. Bundy—to edit the prestigious quarterly *Foreign Affairs*.

Because of Bundy's Vietnam war policy-making position as Assistant Secretary of State for East Asian and Pacific Affairs in the Johnson administration, his selection as editor has set off a controversy involving many of the biggest names of the Eastern intellectual and corporate structure.

Bundy himself says that he is taking it philosophically. But he has been stung.

"The tactics, the degrees and types of attacks, and the demagoguery involved are at a very high level" of intensity, he says. Indeed, he calls them "McCarthyite in flavor. I resent the fact that I am being accused of immorality."

"We were probably quite wrong in all this," he said, referring to his role in the making of Vietnam war policy, "but certainly we're honest."

Other principals in the Foreign Affairs controversy include David Rockefeller, Henry Kissinger, Bill Moyers, John McCloy, George Ball, Carl Kaysen, Jerome Weisner, Francis Bator, Richard Falk and a sizeable proportion of the social studies faculties of places like Harvard, Yale, Princeton and MIT.

Bundy's younger brother McGeorge, who was an aide to President Johnson and now is president of the Ford Foundation, has stayed on the sidelines.

The arena is the New York-based Council of Foreign Relations, whose nearly 1,500 members represent the East's intellectual and corporate power in the realm of foreign policy.

Just how important the council and its quarterly magazine, *Foreign Affairs*, are to American foreign policy is a subject of some debate. Newsweek magazine, several years ago, said that *Foreign Affairs* was—despite its small circulation, now 70,000—one of the most influential periodicals in print.

The council's retiring executive director, George S. Franklin Jr., points to such things as the council's studies on mainland China as perhaps being influential in the new U.S. attitude. He mentions that Henry Kissinger's book, "Nuclear Weapons and Foreign Policy," was published by the council in 1957.

But others will say that the council as an organization now has less muscle than one George Meany—although as individuals, many of its members do represent the established money and brains of the East Coast.

That is what bothers the critics of Bundy's appointment. The attempt to dislodge Bundy from his new job was instigated by Princeton Law Prof. Richard A. Falk, who says, "This whole appointment stresses the continuity of American foreign policy where there should be an attempt to break with it. This illustrates the coherence of the elite."

"The small elite that runs (the council) is so insulated that they had no idea of what the impact would be" of naming Bundy.

The council had begun in the fall of 1969 to look for a new editor of *Foreign Affairs* to take over in the fall of 1972, after Hamilton Fish Armstrong publishes the quarterly's 50th anniversary edition. Armstrong, now 78, has edited the magazine for most of its existence. Seven months later, the council began looking for a replacement for Franklin when he announced his intent to resign—a job that ultimately went to Stanford Law Dean Bayless Manning.

Among those considered for either or both jobs were former Johnson administration aides Bill D. Moyers and James C. Thomson Jr.; Max Frankel of *The New York Times* and Henry Kissinger of *The White House*. All four said no.

Bundy, now at the Massachusetts Institute of Technology's Center for International Affairs, also was considered for both jobs. In a meeting with David Rockefeller at the home of then-Harvard President Nathan Pusey in November, 1970, Bundy said he would be interested in an offer to edit *Foreign Affairs*.

The council announced last March that Bundy would become *Foreign Affairs*' new editor. Soon thereafter, Falk and three other members of the council appealed to the council's board to rescind the decision.

The other three are Richard J. Barnett, co-director of the Institute for Political Studies in Washington, author Ronald Steel and Richard Ullman, associate dean of Princeton's Woodrow Wilson School. Publication of the Pentagon papers, highlighting Bundy's role in Vietnam policymaking, added fuel to their protests.

John McCloy, then chairman of the board, named a committee to meet with the dissidents, which it did on two occasions. Many handwringing sessions of board members followed.

Then, two weeks ago, Rockefeller, by now the new chairman of the board, sent a memorandum to the council's membership, telling of the challenge to Bundy but reaffirming the board's original decision.

Rockefeller's memo quoted Falk as saying: "Mr. Bundy's role in planning and executing illegal and criminal war policies in Indochina should disqualify him, at least for a

period of years, from holding an editorial position of this kind. To reward a former government official who was deceitful toward the public and Congress in this way is to undermine all notions of bureaucratic accountability and directly contradicts the entire Nuremberg tradition that the United States did so much to evolve."

Although the board voted to stick with Bundy, several members say privately that the board failed to dig deeply enough into Bundy's role in Vietnam policy before it originally voted him the job.

These members, at least, say that if they knew then what they know now, they would not have chosen him. Their fear is not that Bundy will be a poor editor, but that his controversiality will preclude the kind of objectivity that has led *Foreign Affairs* to publish such varied authors as Nikita Khrushchev, John F. Kennedy, Anthony Eden, Konrad Adenauer, Jawaharlal Nehru, Josip Tito and Gamal Abdel Nasser.

Falk and Barnett say they don't question Bundy's editing ability or his objectivity, but they do question "rewarding" the man with the job, and question whether authors who disagreed strongly with Bundy over Vietnam would want to submit manuscripts to such an editor.

Says Barnett:

"I thought that the appointment was very important symbolically to the extent that the council is important to the country—this was a man who was willing consistently—despite evidence of some private doubts . . . who was willing to service this policy . . . to put great effort and energy into deceiving the Congress, into deceiving the public. . . . He displayed a pattern of conduct which is criminal."

Barnett disagrees that his protest echoes of McCarthyism: "This is totally different. He (McCarthy) was making irresponsible charges. All we're saying is that we should see whether these charges are responsible."

"McCarthyism isn't the issue. The issue is whether this is more than bad judgment about a particular policy. It's a very serious question for the council and for the country."

He stresses that he is not trying to deny Bundy his job at MIT—just the one at *Foreign Affairs*. "He is the wrong man at the wrong time for this job."

Bundy, who notes with irony that he was once the target of an attack from the right by the late Sen. Joseph McCarthy for contributing \$400 to the defense of Alger Hiss, says of the furor his appointment touched off: "I've been here before. There's nothing I can do about it. I haven't changed as a person. I don't believe they've fairly presented the facts. But I feel that if you're going to be in public life, you can't get all that excited if you get attacked."

Bundy had already experienced the same syndrome that hit other Johnson administration officials like Dean Rusk and Walt Rostow and made it hard for them to get jobs after 1968. In cocktail circuits all over, those who were hawks on Vietnam in the early 1960s are now shunned like lepers.

When he first got to MIT, Bundy notes, the students seemed "to be avoiding me." The students who signed up for his course, "American Policy Since 1945," were "not the men I hoped for. It was disappointing. I was making as much of an effort as I knew how to make."

As for the substance of the most recent criticism, he contends that the authors of the Pentagon study put "a gross exaggeration on the significance of covert operations, from the time they first refer to them. The covert operations weren't anywhere near as important as the paper writers thought."

He adds that "I can't carry a brief for the administration's candor, but then I didn't have much responsibility for that area."



"Whatever my faults in decision making," Bundy says, "I like to think I've shown some openness to varying points of view through the years."

Many of Bundy's fellow academicians feel the same way, and jumped to his defense.

Dr. Carl Kaysen, the Princeton economist, and Prof. Francis M. Bator talked to a number of professors who are council members to alert them to what was happening to Bundy.

Among those who did try to help Bundy were MIT's president, Dr. Jerome Wiesner, MIT Profs. Lucian Pye and Eugene Skolnikoff, and JFK School of Government Profs. Richard Neustadt and Bator.

Bator, who also served in the Johnson administration as deputy special assistant to the President for national security affairs, says this: "All the guys involved are decent, saying what they honestly believe. While Bundy will be a fine editor, it so happens that currently we're very near a witch-hunt atmosphere where Bill Bundy is obviously an important target."

"Basically, I thought an issue of high principle was involved. The issue was: A selection had been made, an offer had been made, it had been accepted, and it had been announced. Whether one thinks it was a good selection, or selection procedure—and I repeat I think Bundy will be a fine editor—the deed was done and you do not, under these circumstances, back away."

But the critics of war policy say that men like Bundy are protected by the Establishment. They cite George Ball as being a part of that, even though the Pentagon study shows Ball as the administration's most tenacious dove. Rockefeller's memo quotes Ball as saying "That he (Bundy) and I have disagreed on fundamental assumptions regarding the Vietnam war in no way diminishes my respect for him . . . I can assure you that the Pentagon papers so far published have given a distorted and quite unfair impression of the nature of his role in the whole lamentable business."

Says Falk to this: "Ball is defensive because he identifies with the elite. Ball as part of the power elite had to come to the defense of Bundy."

Harvard economist John Kenneth Galbraith, who resigned from the council last winter, "not from the Bundy thing, but out of sheer boredom," says that "I disagreed with (Bundy) when it was necessary to disagree with him. But I'm revolted by the idea of trying to deny somebody a job."

"He says that Foreign Affairs is already so unreadable that I don't see how Bill Bundy can do it any damage."

He feels that the importance of the council has shrunk enormously in recent years.

"The Establishment," he says, "has been deeply discredited by what's happened in Vietnam, perhaps even more so by the Pentagon papers. The Establishment has prestige only as long as its foreign policy is a success."

That the Establishment has made some mistakes is obvious to many of its members, and thus the changes within the Establishment's basic foreign policy organization, the council.

Falk does not consider his attempt to squelch the job offer a failure but a victory of education of the members—that another point of view exists besides the one prevailing in Madison Avenue boardrooms.

Along with Falk's precipitating actions, other changes are taking place at what Galbraith says used to be "the watering place of the Establishment."

A courteous but reportedly agonizing struggle took place two years ago to open the council rolls to women. Fifteen are now members, including journalist Flora Lewis, author Barbara Tuchman, teacher-diplomat Patricia Roberts Harris, and Washington Post publisher Katharine Graham. New stress was put on enrolling black members and

younger members. The average age of new members over the past three years has been 42.

Another key change comes up in the fall of 1972, when board members will begin having to retire at age 70. Five of the present directors—Armstrong, Arthur Dean, Frank Altschul, William Foster and John McCloy—fall into this category.

And Franklin's replacement this fall is, in Bayless Manning, pointedly not a corporate, boardroom type but an academic who has taught at Yale and Stanford. Manning's job will be to streamline procedures. Board Chairman Rockefeller noted, at the end of his memorandum, that "everything possible" will be done to keep the council "open and responsive to the general will of the members."

#### THE MUSEUM SERVICES ACT

### HON. OGDEN R. REID

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1971

Mr. REID of New York. Mr. Speaker, I am introducing today the Museum Services Act, legislation which has already been sponsored by my distinguished colleague from Indiana (Mr. BRADEMAS) and by the gentleman from Illinois (Mr. ROSTENKOWSKI).

American museums are experiencing an unprecedented rise in popularity, with visits by the public increasing six-fold in the last 30 years. The Nation's 6,000 museums now are hosts to 300 million visitors a year.

At the same time, the costs of these institutions are rising. Basic maintenance, trained staff, guards, guides, building, and insurance costs have all risen drastically along with the cost of living and the longer hours and larger public of the museums. In addition, there is a new demand for museum services in terms of educational functions—for schoolchildren, youth groups, adult lecture series, teenage painting classes, and the like.

Museums have always been the beneficiaries of considerable public philanthropy but donations have generally been for the purchase of particular works or collections. The greatest need of museums right now is for funds for operating expenses—air-conditioning systems, humidity-control systems, maintenance, larger staffs, and other basic items. To the extent that museums are offering an educational service to the entire public, it seems that the time is ripe for the Federal Government to significantly increase its financial support of museums.

Less than 1 percent of current museum operating costs are paid for by the Federal Government. Such support as there is comes in the form of modest grants from the National Endowments for the Arts and Humanities and specialized support for research in scientific museums. Despite their role in education, museums have received virtually no funds under the Elementary and Secondary Education Act and they have been excluded entirely from the Library Services and Construction Act.

The Museum Services Act is intended

to begin a Federal commitment to museum support by acting directly on the most pressing needs of these institutions. In keeping with the tradition of local funding and public philanthropy, Federal funds would be available for only 50 percent of the cost of any project. Projects which would be eligible for the grants, administered by the Secretary of Health, Education, and Welfare, include: renovation of museum facilities; development and improvement of services to the public; preservation and maintenance of collections; intermuseum cooperation, including traveling collections and training of personnel; and specialized services to certain segments of the public, such as programs for urban neighborhoods, rural areas, Indian reservations, penal, and other State institutions.

A museum is a living repository of life and culture throughout the world; it is a vibrant and real schoolroom for young and old, for those whose world is limited to their surrounding neighborhood, for all who want to broaden their horizons. The quality of our national life is reflected in our national support for cultural and educational institutions and there is no doubt that that support is essential to the future of America's museums.

#### FORT WORTH AND AMERICAN AIRLINES HELP USHER IN A NEW ERA IN COMMERCIAL AVIATION

### HON. JIM WRIGHT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1971

Mr. WRIGHT. Mr. Speaker, the citizens of Fort Worth are proud to have American Airlines' Flight Academy and Stewardess College in our community.

A recent issue of the Wall Street Journal carried a feature story on the costly and extensive training that American gives its flight crews to prepare them to operate the new DC-10 jumbo jet. I am inserting at this point in the RECORD excerpts from this informative article:

[From the Wall Street Journal, July 26, 1971] AMERICAN AIRLINES CAPTAINS "FLY" DC-10 SIMULATOR, FACE 50 POSSIBLE EMERGENCIES

(By W. Stewart Pinkerton, Jr.)

FORT WORTH.—Capt. Lyle Turner, a veteran American Airlines pilot, was nearing takeoff speed (124 miles an hour) in a McDonnell-Douglas Corp. DC10 when the wide-bodied trijet suddenly began to veer to the left: The left rear engine had failed.

Coolly and without panic, Capt. Turner quickly reduced power on the remaining two engines, activated the brakes, thrust reversers and wing spoilers, and brought the 206-ton craft to a shuddering halt just short of the end of the runway.

Despite the seemingly harrowing nature of the incident, no lives were at stake. For the aborted "takeoff" took place indoors in an elaborate, computer-controlled DC10 simulator, complete with a realistic color-TV view of a miniature runway, appropriate engine noises, cockpit movements and instrument readings.

The exercise—one of countless drills designed to familiarize a DC10 pilot candidate

with every conceivable flight situation—is only part of an exhaustive, costly (\$30,261 for each captain) training program that is readying American Airlines personnel . . . to begin commercial service with the 238-passenger craft between Los Angeles and Chicago. . . . [This service began on August 5.]

#### UNDERScores FAA INVOLVEMENT

A behind-the-scenes look at the American Airlines training program not only gives an insight into just how airlines train their pilots for a new plane, but also underscores the degree to which the Federal Aviation Administration—the government agency charged with governing airline safety—is immersed in the introduction of a new aircraft. FAA inspectors monitor the training constantly, and examine pilot candidates at least four times during their 130-hour, month-long training session.

All told, American expects to train about 600 crew members—including both supervisors and so-called line crews, who actually fly the planes—for its initial order of 25 DC10's.

Pilot candidates first receive a 100-page DC10 "introductory manual" prepared by McDonnell-Douglas Corp. and American's flight training officials. It describes the aircraft, its major systems, and all of the 200 or so dials, gauges and switches in the cockpit. Using the manual along with a set of cockpit diagrams, pilots can familiarize themselves with the location and function of important controls. Example: "The Nose gear landing light switch allows the lights to be full intensity for landing and less bright for taxi. The lights will come on only when the landing gear handle is Down."

#### QUIZZING BY A COMPUTER

Next comes ground school, where pilots get acquainted with the operation of the DC10's dozen or so major systems, including fuel, electric, pressurization and oxygen. Each system is first studied individually, in a study carrel equipped with earphones and a color slide and video tape system linked to a computer. The computer describes each system visually and orally and asks the pilot questions, which he must answer by pushing buttons on a small console. . . .

As soon as study of individual systems is completed, the pilot moves into a cockpit procedures trainer—a working model of the DC10 flight deck. Here, for the first time, the pilot must operate all the different flight systems. And after about eight hours of drill, an FAA official sits in on an hour-long oral exam in the cockpit trainer. The pilot is expected to operate all the systems and describe to the instructor how he would handle any specific systems failure.

If the FAA man sees or hears something he doesn't like, the candidate can be tagged for a training review. So far, none of American's pilots has been sent back for further DC10 study. "You either pass or don't pass," says Capt. Walter Moran, who heads all of the American's flight training programs. Ground school lasts 10 to 12 days, the time varying from pilot to pilot because each moves at his own speed. "They are trained to proficiency," Capt. Moran explains, "not to a timetable."

After ground school, the pilots begin a total of about 36 hours in the flight simulator. Half this is spent "flying" the plane. The rest is spent observing. Realism in the \$3.5 million device is heightened to an uncanny degree by a visual system that uses a color television camera mounted on a movable crane. The camera, controlled by the movements of the cockpit controls, scans a vertical backdrop 42 feet long and 13 feet high and projects what it sees onto a screen in front of the pilot. The backdrop includes a scale model airport complete with working approach lights, a city, a football stadium, rows of houses and open country. It can be lighted to duplicate daylight, dusk or nighttime. In addition, the system can be programmed to simulate all types of visibility.

The simulator gives the pilot his first realistic taste of flying the DC10, as well as perhaps a sweaty palm or two, since it can realistically simulate—on command from the instructor—about 50 potential problems such as engine fires and sudden loss of cabin pressure, which requires an emergency descent. The pilots must deal with all 50 problems during their training. . . .

#### CUTTING BACK ON RISK, COST

The simulator's main plus is that it allows a pilot to run through exercises that would be too risky, difficult or costly using a real \$16 million plane. For one thing, the pilot's eye level in the DC10 cockpit is about 20 feet off the ground, compared with about 15 feet in the 707. This means the DC10 touches down "sooner" than the 707, and the simulator gives the pilot a chance to practice landings without the risk of damage. One typical exercise is to "freeze" the simulator at 100 feet and 50 feet above the runway during landing, so the pilot can get his visual bearings.

Making an emergency stop during takeoff can be done in a real plane—but it costs about \$5,000 to replace the burned-out tires. In addition, shutting down a hot engine at high altitudes, where the outside temperature can be 20 below zero, can subject the engine to "thermal shock" and possible damage. Before simulators came into wide use, American lost two 707s and nine crewmen while running through engine failure drills some years ago.

The simulator also helps smooth transition to the DC10's bigger dimensions. The DC10 is about 40 feet longer and 35 tons heavier than a 707, and the pilot is some 20 feet ahead of the nose gear in the DC10, twice the distance in a 707. "You have to learn exactly where the wheels track so you don't turn before you should while taxiing and get stuck in the mud," says Capt. Estridge. And despite its size, the DC10 will be easier to fly than the 707, thanks to more-powerful hydraulic systems. "All the controls are higher and extremely sensitive. Just like having power steering," says Capt. Turner. . . .

As in pilot training, the simulation for other personnel is realistic. One common stewardess drill involves getting passengers out of a burning plane. American Airlines personnel like to chuckle about the girl who had just finished supervising an evacuation when she noticed the simulated smoke that had been pumped into the mockup cabin. "Say, this thing really is on fire," she said. "I'm getting out of here."

#### INTRODUCTION OF BILL

#### HON. DAVID PRYOR

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1971

Mr. PRYOR of Arkansas. Mr. Speaker, I include the text of the bill which I intend to introduce tomorrow in the RECORD.

This bill is a revised version of the Ocean Mammal Protection Act which I introduced last March 23.

These revisions obviate the conscientious objections to the bill, and I hope strengthen it to the point where it can be overwhelmingly passed this session.

The text of the bill follows:

A bill to protect ocean mammals from being pursued, harassed, or killed; and for other purposes

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

following Act may be cited as the "Ocean Mammal Protection Act of 1971".

#### TITLE I—FINDINGS AND DECLARATIONS OF POLICY

SEC. 101. The Congress finds that ocean mammals are being ruthlessly pursued, harassed, and killed, both at sea and on land by hunters of many nations of the world.

The Congress further finds that many ocean mammals will become rare, if not extinct, unless steps are taken to stop their slaughter.

#### DECLARATIONS OF POLICY

SEC. 102. (a) It is hereby declared to be the public policy of the United States to protect all ocean mammals from harassment or slaughter.

(b) It is hereby declared to be the further public policy of the United States that negotiations should be undertaken with foreign governments and through interested international organizations with a view to obtaining a worldwide ban on the further slaughter of ocean mammals.

#### TITLE II—GENERAL PROHIBITIONS

##### DEFINITIONS

SEC. 201. For the purposes of this title—

(a) "ocean mammals" means all seal, whale, walrus, manatee or sea cow, sea otter, sea lion, polar bear, porpoise, and dolphin;

(b) "person" includes individual, partnership, corporation, association, and Federal and State agencies; and

(c) the terms "take" or "taking" or "taken" means to harass, pursue, hunt, shoot, dynamite, capture, collect, kill, or attempt to harass, pursue, hunt, shoot, dynamite, capture, collect, or kill.

##### PROHIBITIONS

SEC. 202. (a) It is unlawful, except as provided in section 203 of this title or in title III; for any person or vessel subject to the jurisdiction of the United States to engage in the taking of ocean mammals either on the high seas or on lands or waters under the jurisdiction of the United States, or to use any port or harbor or other place under the jurisdiction of the United States for any purpose connected in any way with such taking, or for any person to transport, import, offer for sale, or possess at any port or place or on any vessel, subject to the jurisdiction of the United States, ocean mammals or the parts of ocean mammals taken after the enactment of this Act, including but not limited to, raw, dressed, or dyed fur or skins.

(b) The possession of ocean mammals or any part thereof by any person contrary to the provisions of this Act shall constitute prima facie evidence that ocean mammal or part thereof was taken, purchased, sold, or transported in violation of the provisions of this Act or the regulations issued thereunder.

##### EXCEPTIONS FOR INDIANS, ALEUTS, AND ESKIMOS

SEC. 203. (a) Indians, Aleuts, and Eskimos who dwell on the coasts of the North Pacific or Arctic Oceans are permitted to take ocean mammals (except polar bears) for their own use but not for sale: *Provided, however*, That such taking must be done in accordance with customary traditions and as an adjunct of the native culture.

(b) The authority contained in this section shall not apply to Indians, Aleuts, and Eskimos who are employed by any person under the provisions of the Fur Seal Act of 1966 or title III of this Act for the purpose of taking ocean mammals, or who are under contract or agreement to deliver the skins to any person.

##### EXCEPTIONS FOR MEDICAL AND SCIENTIFIC RESEARCH AND FOR MUNICIPAL AND/OR OTHER NONPROFIT ZOOS

SEC. 204. (a) Nothing herein shall be considered to be a prohibition against municipal and/or other nonprofit zoos from obtaining written consent from the Secretary of the



Interior to humanely capture a representative number of the ocean mammals herein defined for replacement for deceased or otherwise ailing members of these species in these zoos.

(b) Further, nothing herein shall be construed to be a prohibition against the humane capture of a select number of these species of ocean mammals for certifiable scientific and/or medical research.

(c) Regulations shall be promulgated by the Secretary of Interior for the purposes of subsections (a) and (b) above as to who shall be granted permission and for what purposes. Further, methods of capture, supervision, and transportation shall be subjects of said regulations by the Secretary.

#### FORFEITURE

SEC. 205. (a) Every vessel subject to the jurisdiction of the United States that is employed in any manner in connection with a violation of the provisions of this title, including its tackle, apparel, furniture, appurtenances, cargo, and stores shall be subject to forfeiture and all ocean mammals or parts thereof, taken or retained in violation of this title or the monetary value thereof shall be forfeited.

(b) All provisions of law relating to the seizure, summary, and judicial forfeiture, and condemnation of a vessel, including its tackle, apparel, furniture, appurtenances, cargo, and stores for violation of the customs laws, the disposition of such vessel, including its tackle, apparel, furniture, appurtenances, cargo, and stores, or the proceeds from the sale thereof, and remission of mitigation of such forfeitures shall apply to seizures and forfeitures incurred, or alleged to have been incurred, under the provisions of this title, insofar as such provisions of law are applicable and not inconsistent with the provisions of this title.

#### ENFORCEMENT

SEC. 206. (a) Enforcement of the provisions of this title is the joint responsibility of the Secretaries of State, Treasury, Interior, Commerce, and Transportation. In addition, the Secretary of Interior may designate officers and employees of the States of the United States to enforce the provisions of this Act, which relates to persons or vessels subject to the jurisdiction of the United States. When so designated, such officers and employees are authorized to function as Federal law enforcement agents for these purposes, but they shall not be held and considered as employees of the United States for the purposes of any laws administered by the Civil Service Commission.

(b) The judges of the United States district courts and the United States commissioners may, within their respective jurisdictions, upon proper oath or affirmation, showing probable cause, issue such warrants or other process, including warrants or other process issued in admiralty proceedings in Federal district courts, as may be required for enforcement of this title and any regulations issued thereunder.

(c) Any person authorized to carry out enforcement activities hereunder shall have the power to execute any warrant or process issued by any officer or court of competent jurisdiction for the enforcement of this title.

(d) Such person so authorized shall have the power—

(1) with or without warrant or other process, to arrest any person committing in his presence or view a violation of this title or the regulations issued thereunder; and

(2) with a warrant or other process or without a warrant, if he has reasonable cause to believe that a vessel subject to the jurisdiction of the United States or any person on board is in violation of any provision of this title or the regulations issued thereunder, to search such vessel and to arrest such person.

(e) Such person so authorized may seize any vessel subject to the jurisdiction of the United States, together with its tackle, apparel, furniture, appurtenances, cargo, and stores, used or employed contrary to the provisions of this title or the regulations issued hereunder or which it reasonably appears has been used or employed contrary to the provisions of this title or the regulations issued hereunder.

(f) Such person so authorized may seize, whenever and wherever found, all ocean mammals or parts thereof taken or retained in violation of this title or the regulations issued thereunder and shall dispose of them in accordance with such regulations.

SEC. 207. The Secretaries of State, Treasury, Interior, Commerce, and Transportation are authorized to issue regulations to carry out the provisions of this title.

SEC. 208. Any person violating the provisions of this title or the regulations issued thereunder shall on the first offense be fined not more than \$5,000 or imprisoned not more than one year, or both; on conviction of second and subsequent offenses, the violator shall be fined not more than \$10,000 or jailed for not less than one nor more than three years, or both.

SEC. 209. Title III (Protection of Sea Otters on the High Seas) of Public Law 89-702 is hereby repealed.

#### TITLE III—TREATIES AND CONVENTIONS

##### NEGOTIATIONS FOR PROTECTIVE TREATIES

SEC. 301. It is the sense of Congress that the Secretary of State should immediately initiate world wide negotiations for the purpose of obtaining an international agreement or agreements for the protection of all ocean mammals as enumerated in Sec. 201 (a).

##### TO OUTLAW KILLING

SEC. 302. Such treaties or conventions should seek to outlaw all killing of these mammals for any reason.

##### REPORT BY SECRETARY OF STATE

SEC. 303. The Secretary should report in full his efforts under this Title Twelve (12) months from the date of enactment of this bill.

#### TITLE IV.—NORTH PACIFIC FUR SEALS

##### TERMINATION OF NORTH PACIFIC FUR SEAL CONVENTION

SEC. 401. It is the sense of the Congress that the North Pacific Fur Seal Convention, signed on February 9, 1957, should not be continued after its current termination date in 1976.

Further, it is the sense of the Congress that the Secretary of State should immediately initiate negotiations with the parties to the Convention and any other concerned States for the purpose of obtaining an international agreement or agreements to ban all killing of North Pacific fur seals whether at sea or on land.

Such a treaty would take the place of the present convention and would take effect immediately upon its signing.

##### INTERIM ARRANGEMENTS

SEC. 402. And until such treaty can be successfully negotiated, no further North Pacific fur seals shall be killed to fill the United States "quota" (70 per centum) under the terms of the North Pacific Fur Seal Convention; all skins or parts thereof of the Alaskan fur seal shall be banned from import into the United States or in interstate commerce between the States; any agreement under Section 104 of the Fur Seal Act of 1966 for the processing of skins in any State other than Alaska shall be terminated.

(b) To honor our treaty provisions, between the enactment of this Act and the expiration of the North Pacific Fur Seal Convention, Japan and Canada shall be given the option of taking the average dollar value (over the last five years) of the 15 per centum

of the kill to which they are entitled or to take 9,000 skins each, to be shipped directly from the Pribilof Islands to those countries. If Japan or Canada elects to take the skins, the killing in the Pribilofs shall be done in the most humane manner and as close to the shore as possible. Further, to the extent practicable, such killings shall first be of old or crippled bachelor seals and second of old or crippled female seals; no seal under one year of age shall be killed.

##### RENEWAL OF PRESENT CONVENTION

SEC. 403. If such treaty can not be successfully negotiated prior to the expiration date of the existing North Pacific Fur Seal Convention, nothing herein shall preclude the renegotiation and renewal of said present Convention, and in fact, to preclude the possibility of a return to pelagic sealing, such present Convention should be renewed on or before its expiration date.

##### HUMANE METHODS

SEC. 404. If the only recourse is to renew the Convention as stipulated in Sec. 403, every effort shall be made to see that those seals killed under the provisions of this act shall be killed by the most modern, rapid and humane method of rendering the seals unconscious.

##### REPORT OF SECRETARY

SEC. 405. The Secretary of Commerce shall report his findings and efforts under Sec. 404 to the Congress within six (6) months of the application of Sec. 404.

##### ESTABLISHMENT OF PRIBILOF SEAL ROOKERY

SEC. 406. The Pribilof Islands shall be designated a National Seal Rookery Preserve and Bird Sanctuary under the Department of Interior; and the native Aleuts shall be trained and employed for any jobs to be created thereunder.

##### PRIBILOF ISLANDS COMMISSION

SEC. 407. The President, with the advice and consent of the Senate, shall appoint a Commission to help in the transfer of the Pribilof Islands from a place of killing into a preserve, to help promote tourism, and to develop an economy on the island for the Aleuts to take the place of their participation in the slaughter of the seals.

The Commission shall be comprised of a number of Pribilof Aleut natives, and it shall include the Secretaries or their designates from the Departments of State, Treasury, Commerce, the Administrator of the Small Business Administration, the Governor of Alaska, and two independent scientists in the fields of ocean biology and ecology.

##### REPEALER

SEC. 408. Such provisions of the Fur Seal Act of 1966 which are inconsistent herewith are hereby repealed.

#### NATIONAL ENERGY POLICY—PART VII

### HON. R. LAWRENCE COUGHLIN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1971

Mr. COUGHLIN. Mr. Speaker, in the interest of speeding up the creation of a national energy policy, I would like to insert in the RECORD additional references to studies on the subject, or aspects of it, similar to my insertions of July 1 and 13.

The purpose of these insertions, quite obviously, is to show that we have available, or in training, a sufficient number of studies to begin establishing a national energy policy. I also hope that these

bibliographies, in this rough form, will be of some aid to those charged with creating such a policy.

Of particular interest in the following list is part G: "Possible New Uses of Energy," which shows, among other things, several studies that have examined the beneficial use of waste thermal energy. I have always believed that this energy, a byproduct of producing electric power, could be put to good use, rather than having it dumped into our streams, rivers, and bays. Hopefully, the creation of a national energy policy will take such a possibility into account.

The list follows:

#### A NATIONAL ENERGY POLICY

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"Economic Aspects of Oil Conservation Regulation", by Wallace F. Lovejoy and Paul T. Hornan (John Hopkins Press, 1967).

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ter from Mr. William Bywater, chairman of Fair International Trade and Employment—FITE—to Mr. Lynn Seeber, general manager of the Tennessee Valley Authority. Mr. Bywater's letter ably describes the deleterious effects that will result from the TVA's action and the feasible alternatives to that action. I cannot overemphasize my concern in this matter and I urge my colleagues to consider the situation as a whole in determining the future policies of our Government in relation to this problem.

FAIR INTERNATIONAL TRADE  
AND EMPLOYMENT,  
East Rutherford, N.J., May 25, 1971.

MR. LYNN SEEBER,  
General Manager Tennessee Valley Authority,  
Knoxville, Tenn.

DEAR MR. SEEBER: The news, that the Tennessee Valley Authority has just awarded contracts for two (2) large turbo-generators and other power equipment to the firm of Brown and Boveri of Switzerland, comes as a shock to our union and the workers in our industry, who depend on such orders for their livelihood.

On March 29th, a delegation from IUE; the International Brotherhood of Electrical Workers (IBEW); and the United Electrical Workers (UE), met with you and your staff in Knoxville in an attempt to get you to give preference to American producers of generating and transmitting equipment. We pointed out that, at this time of high unemployment in the United States and strong evidence that foreign manufacturers of heavy electrical equipment are illegally dumping their products in this country and are able to underbid U.S. manufacturers through illegal subsidies from their government, it would be in the national interest for your agency to give special preference to American producers over and beyond the minimal 6%, which you now observe.

We also pointed out that the products of American manufacturers of power equipment are denied access to the very countries, whose companies have been receiving a large share of T.V.A. contract awards of heavy electrical equipment. We indicated that under your charter, the T.V.A. had the authority to fix the margin of domestic preference for power equipment at a rate which would insure sufficient procurement for our U.S. suppliers to sustain and encourage domestic industry, maintain high employment and eliminate unfair and discriminatory foreign competition.

You admitted at the meeting that T.V.A. had that authority and said that you would take under consideration our plea that you act in the national interest and, on our re-

quest, that you make the award for the turbo-generators to the low bidder among U.S. producers. Your decision now to place the contract abroad, indicates that you are ducking your responsibility to the American people and are determined to reward foreign manufacturers, regardless of their illegal dumping and subsidies and regardless of its harmful affects in bringing about unemployment, at a time when our communities are in a desperate need of expanded electrical power.

We feel that your action is harmful to our national interest and are bringing it to the attention of U.S. Congress and the American public. We think they should know that the U.S. is being placed in a position of growing dependency on foreign sources of electrical power equipment. American manufacturers already are cutting back employment and facility growth in the power equipment industry, which means that for the future, the critical area of power will depend on the priorities on which foreign manufacturers, and in many cases foreign governments, choose to place on our needs. We, therefore, urge that a complete review of T.V.A. policy be undertaken within your own agency and with your superior, the Department of Interior.

The recent dollar crisis in Europe has been brought about by a negative balance of payment, running at the rate of \$20 billion a year. This is caused by a deteriorating surplus in the U.S. balance of trade, which according to the New York Times of Sunday, May 16th, has been virtually wiped out.

Continued heavy purchases abroad by T.V.A., other governmental agencies, and by public utilities will further contribute to this undermining of our foreign trade position and the value of our dollar.

Yours truly,

WILLIAM BYWATER.

UNFAVORABLE TRADE BALANCE

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1971

Mr. EILBERG. Mr. Speaker, there is a growing crisis in foreign trade which is resulting in an ever more unfavorable balance of trade for the United States, a deficit in our balance of payments and a weakening of the dollar throughout the world.

In April of this year imports exceeded exports for the first time since February 1969. While 1 month does not establish a trend, these figures give cause for serious concern. There has been a renewal of international discussion and concern about the longstanding deficit in the overall U.S. balance of international payments in light of the recent monetary disturbance.

It is to be regretted that in circumstances such as these, the Tennessee Valley Authority has chosen to award a very large contract for electrical power equipment to a foreign firm over bids from American companies. This can only result in harm to our domestic industries, reduction in the country's future capability to perform in this critical area, and contribute to the growing unemployment in our Nation.

Mr. Speaker, I would at this point like to include in the RECORD a copy of a let-

RHODES 1971 QUESTIONNAIRE

HON. JOHN J. RHODES

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1971

Mr. RHODES. Mr. Speaker, I have placed in the RECORD today a copy of my 1971 questionnaire which was mailed to 213,000 of my constituents in the First District of Arizona the latter part of August. Returns are now beginning to come in, and as soon as they are all received and tabulated, I will report in the RECORD the opinions of my constituents as they are set forth in the poll:

PLEASE INDICATE YOUR PREFERENCE WITH A CHECK MARK

	Yes	No		Yes	No
1. With respect to raising an army to defend the Nation, do you favor:			7. Do you believe the United States should assist the lower income countries with manpower and funds to help them achieve social and economic development?		
(a) Continuing the draft lottery?	<input type="checkbox"/>	<input type="checkbox"/>	8. Do you favor a higher minimum wage, now set at \$1.60, regardless of any possible inflationary effects?	<input type="checkbox"/>	<input type="checkbox"/>
(b) Replacing the draft system with an all-volunteer army?	<input type="checkbox"/>	<input type="checkbox"/>	9. Do you support the overall objectives of the President's revenue-sharing proposal, i.e., to move money and power closer to the people and to help relieve the fiscal crisis State and local governments face?	<input type="checkbox"/>	<input type="checkbox"/>
2. It has been suggested that the United Nations establish a peacekeeping army of about 100,000 men. Do you favor such a plan?	<input type="checkbox"/>	<input type="checkbox"/>	10. To fight pollution, would you support:		
3. Do you think it is important for the United States to maintain a strong Army and Air Force in Europe?	<input type="checkbox"/>	<input type="checkbox"/>	(a) Enactment of the President's \$10,000,000 Clean Water program?	<input type="checkbox"/>	<input type="checkbox"/>
4. After United States ground forces are withdrawn from Vietnam, would you continue the use of United States airpower in Southeast Asia as long as needed?	<input type="checkbox"/>	<input type="checkbox"/>	(b) Spending even more money and passing even more stringent Federal laws?	<input type="checkbox"/>	<input type="checkbox"/>
5. Do you favor:			(c) Leaving the problems up to the States, where possible?	<input type="checkbox"/>	<input type="checkbox"/>
(a) Admitting Red China to the United Nations and opening diplomatic and trade relations with them?	<input type="checkbox"/>	<input type="checkbox"/>	11. What do you think are the best means to cut our crime rate:		
(b) Admitting Red China to the United Nations, but not opening diplomatic and trade relations with them?	<input type="checkbox"/>	<input type="checkbox"/>	(a) Provide better police training and selection?	<input type="checkbox"/>	<input type="checkbox"/>
(c) Not admitting Red China to the United Nations, but opening diplomatic and trade relations with them?	<input type="checkbox"/>	<input type="checkbox"/>	(b) Stiffen punishment?	<input type="checkbox"/>	<input type="checkbox"/>
(d) Not admitting Red China to the United Nations and not opening diplomatic and trade relations with them?	<input type="checkbox"/>	<input type="checkbox"/>	(c) Increase the capacity of courts to handle criminal cases?	<input type="checkbox"/>	<input type="checkbox"/>
6. In the Arab-Israeli controversy, which of the following do you favor:			(d) Improve rehabilitation programs in prisons?	<input type="checkbox"/>	<input type="checkbox"/>
(a) Increase of United States military assistance to Israel?	<input type="checkbox"/>	<input type="checkbox"/>	(e) Other	<input type="checkbox"/>	<input type="checkbox"/>
(b) Reduction of United States assistance to Israel?	<input type="checkbox"/>	<input type="checkbox"/>	12. Recognizing the traditions of labor-management relations, in order to prevent a strike against the public interest, should the role of Government be:		
(c) A neutral position concerning both Israel and the Arab bloc?	<input type="checkbox"/>	<input type="checkbox"/>	(a) No action?	<input type="checkbox"/>	<input type="checkbox"/>
(d) United States policy based on maintaining the balance of power in the Middle East?	<input type="checkbox"/>	<input type="checkbox"/>	(b) Federal mediation efforts?	<input type="checkbox"/>	<input type="checkbox"/>
			(c) Compulsory arbitration?	<input type="checkbox"/>	<input type="checkbox"/>
			(d) Focusing public attention on parties involved?	<input type="checkbox"/>	<input type="checkbox"/>
			(e) A special Federal court for labor disputes assuring settlement without a national emergency strike or an inflationary wage increase?	<input type="checkbox"/>	<input type="checkbox"/>
			(f) Other	<input type="checkbox"/>	<input type="checkbox"/>

PLEASE INDICATE YOUR PREFERENCE WITH A CHECK MARK

		Yes	No	FOR THE FOLLOWING QUESTIONS, PLEASE MARK THE APPROPRIATE BOXES 1, 2, 3, 4, 5 TO INDICATE YOUR CHOICE OF ORDER OF IMPORTANCE	
13.	Do you believe a certain racial mix is important to our educational system? If so, do you favor busing school children to maintain it?	<input type="checkbox"/>	<input type="checkbox"/>	19.	For the next 10 years, we should concentrate our defense effort in:
14.	Do you feel that programs of city and slum area improvement would help to reduce crime?	<input type="checkbox"/>	<input type="checkbox"/>		Launching manned orbiting satellites..... <input type="checkbox"/>
15.	Would you favor making bail bond more difficult to obtain by repeat offenders?	<input type="checkbox"/>	<input type="checkbox"/>		Building better and faster airplanes..... <input type="checkbox"/>
16.	Regarding consumer protection, do you believe the Federal Government should push for more stringent control in the advertising and selling of manufactured products?	<input type="checkbox"/>	<input type="checkbox"/>		Modernizing the Navy..... <input type="checkbox"/>
17.	Do you favor a welfare assistance plan whereby any employable family member must accept employment or undergo training for employment? (Note: Under the present system a welfare recipient is supposed to be referred to available employment or training, but is not required to accept.)	<input type="checkbox"/>	<input type="checkbox"/>		Beefing up our nuclear capability, including an ABM system to defend Minuteman sites..... <input type="checkbox"/>
18.	Would you be in favor of using Federal funds to:	<input type="checkbox"/>	<input type="checkbox"/>	20.	The biggest threat to our national security in the next 10 years will come from:
	(a) Finance clinics for the treatment of drug abusers?	<input type="checkbox"/>	<input type="checkbox"/>		Russia..... <input type="checkbox"/>
	(b) Finance clinics for their rehabilitation?	<input type="checkbox"/>	<input type="checkbox"/>		Red China..... <input type="checkbox"/>
					North Vietnam..... <input type="checkbox"/>
					The Middle East..... <input type="checkbox"/>
					Other..... <input type="checkbox"/>
				21.	What are the most important problems which the United States is facing today:
					Crime and violence..... <input type="checkbox"/>
					Pollution..... <input type="checkbox"/>
					Inflation..... <input type="checkbox"/>
					Foreign military involvement..... <input type="checkbox"/>
					Other..... <input type="checkbox"/>

TENNESSEE LAW ENFORCEMENT OFFICERS' ASSOCIATION PASSES RESOLUTION IN PRAISE OF J. EDGAR HOOVER

HON. LAMAR BAKER  
OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES  
Wednesday, September 8, 1971

Mr. BAKER. Mr. Speaker, the Tennessee Law Enforcement Officers' Association at its 15th annual convention in Knoxville, Tenn., has passed a resolution which I want to share with my colleagues. It praises J. Edgar Hoover, Director of the Federal Bureau of Investigation, for his leadership, cooperation, and support of our law enforcement officials and voices the association's full confidence in Mr. Hoover's continued ability to perform his dedicated career as an outstanding public servant.

In these days of increasing crime rates and declining support of our fine men and women who enforce our Nation's laws, I believe it is appropriate for all of us to commend Mr. Hoover and his colleagues in the FBI. Their efficiency has made the Bureau a model for crime-fighting forces throughout the world.

The text of the resolution follows:

RESOLUTION

Whereas, the Federal Bureau of Investigation, under the dedicated leadership of J. Edgar Hoover, exemplifies the highest standards of democratic law enforcement and provides inspirational leadership to the profession which we serve;

Whereas, at the direction and insistence of J. Edgar Hoover, the full cooperative facilities of the Federal Bureau of Investigation—including the services of its scientific laboratory, its fingerprint identification division, its National Crime Information Center, and its National Academy and field police training staffs—are made available for the aid and betterment of law enforcement agencies throughout the Great Volunteer State of Tennessee;

Whereas, J. Edgar Hoover and the Federal Bureau of Investigation have shown zealous respect for the jurisdiction of municipal, county, and state law enforcement agencies and have energetically opposed every plan or proposal containing any suggestion for possible creation of a police-type agency at the Federal level; And

Whereas, Without just cause, J. Edgar Hoover and the Federal Bureau of Investiga-

tion have become targets for attack and abuse by criminal and subversive elements and other self-serving interests, including most recently a highly vocal clique of political opportunists;

Therefore, be it resolved that the Tennessee Law Enforcement Officers Association at its Fifteenth Annual Convention does hereby express its deep appreciation to J. Edgar Hoover and the Federal Bureau of Investigation for the example, the Leadership, the cooperation, and the support which they have given our membership, and that we voice our full confidence in and our strong endorsement of J. Edgar Hoover in this fifth decade of his outstanding service as Director of the Federal Bureau of Investigation.

Be it further resolved that copies of this Resolution be sent to J. Edgar Hoover, as well as to the President of the United States, to the Attorney General, to the Speaker of the House, to the President of the Senate, to the Governor and each United States Senator and Representative of the State of Tennessee.

THE REAL BARGAIN OF 1971

HON. JOHN M. ZWACH  
OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES  
Wednesday, September 8, 1971

Mr. ZWACH. Mr. Speaker, I spent all of the August recess in our Minnesota Sixth Congressional District, not vacationing, but listening to the problems of my constituents. We held 19 official county seat conferences, and attended numerous meetings, county fairs, and community celebrations.

Because my district is predominantly agricultural, the prevailing low farm prices and high over-the-counter food costs, were a common topic of conversation.

An editorial in the Minnesota Farm Bureau News pointed out that food today is the cheapest it has ever been in terms of how long a wage earner has to work to feed himself and his family.

Mr. Speaker, with your permission, I would like to insert that editorial in the CONGRESSIONAL RECORD:

THE REAL BARGAIN OF 1971

Down in Salina, Kansas, recently, a supermarket displayed this placard in its window: "If You Think Beef Is High, Cigarettes Are \$6.59 a Pound."

Compare the price of milk and beer, milk

and liquor, apples and hi-fi records, potatoes and shampoo and eggs and candy. Know what you'll find? You'll find that nourishing foods are always much cheaper than the "extras" or the so-called luxuries.

One of the most vicious, baseless-in-fact notions circulating today is kept alive, well and kicking by gag writers, comics and cartoonists with their "funnies" such as mortgaging a daughter to buy a steak, etc.

As farmers keep saying—even though the message doesn't seem to penetrate where it's most needed—food today is the cheapest it has ever been in terms of how long a wage earner has to work to feed himself and his family.

Today, the grocery bill absorbs 16.4 per cent of take-home pay. Back in the Depression years of the 1930s, eggs were 10 cents a dozen, milk eight cents a quart, hamburgers were a nickel each and butter was 30 cents a pound. Of course, it took 30 per cent of the average wage earner's pay to buy these things. Even today, it costs a European worker 25 per cent of his check to provide food for his family; it takes half the paycheck of the average Russian to do likewise.

And while the average food buyer is getting a real bargain, the nation's farmers are averaging only three-fourths of the income enjoyed by the rest of the working population. It is because of this situation that U.S. Secretary of Agriculture Clifford Hardin recently expressed the hope that food prices increase so farmers can share in higher returns for their products. (The Secretary's comment precipitated, none too surprisingly, a storm of protests from housewives and other consumers.)

It is unfortunate—as well as grossly unfair—that too many folks go to the supermarket and lump detergents, tools, cosmetics, cutlery, tobacco products, power lawn mowers or anything else they can purchase there with their groceries—and then "kick up a storm" about how awfully high priced food is.

As Pogo of comic strip fame would say: "We have met the enemy, and they is us."

VIETNAM: LET US GET OUT NOW

HON. RICHARD H. FULTON  
OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES  
Wednesday, September 8, 1971

Mr. FULTON of Tennessee. Mr. Speaker, recent events have made it ever more apparent that the time to get out of Vietnam is at hand.

I refer specifically to the sham of the so-called upcoming Presidential election



in which the only candidate, the present incumbent, will be on the ballot.

Also, I note in the morning news of September 7 that some 2,000 U.S. troops of the 101st Airborne Division are "supporting" a so-called South Vietnamese incursion into Laos. This is not in Vietnam but in another Asian nation and American troops are being required to "support" this action.

Meanwhile, Secretary of Defense Laird, visiting the home of the 101st Airborne Division at Fort Campbell last Thursday morning declined to say when or if the 101st would be returning to that base. This is not only of economic concern to those communities around Fort Campbell but gives rise to the question of just how long these men of the 101st and their replacements are going to be fighting and dying in a war which is no longer, if ever, necessary to the security of this Nation.

Tell our negotiators in Paris to tell the North Vietnamese this:

Free our prisoners and we will leave.

That seems to me about the best deal we could get anyway. Let us get out now.

#### PROTECTING THE BALD EAGLE

### HON. LOUIS FREY, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1971

Mr. FREY. Mr. Speaker, I recently received a letter from a friend and constituent who complained that we only get bad news, and that the good news goes by unnoticed. I agree with my friend that this happens far too often.

A case in point has been the senseless slaughter of America's bald eagles. Congress has heard about this vanishing species being literally gunned down. But has Congress heard about the citizens of this country who are going out of their way to assure protection for the bald eagle?

In Florida, Dick Bond, of Winter Park, has taken a bold and unprecedented step to preserve the eagle's natural habitat and to keep the eagle from being destroyed. Dick Bond is a land developer and had planned a housing development on a 1,100-acre tract in Seminole County. When he found that this land was the home of bald eagles, he consulted with the Florida Audubon Society. According to the society, the eagles would require a radius of 660 feet from their nest of wild land to be protected. Bond then set aside a 32-acre sanctuary in the development—to be populated by the eagles and not humans. "We'll just have to build fewer houses," the developer remarked.

Following are articles from the Orlando Sentinel and Star on Mr. Bond's actions. I commend him for his example of ecological responsibility.

#### BUILDER SETS ASIDE 32 CHOICE ACRES FOR FAMILY

It may be decades before 100 planned homes are built in the midst of a Seminole County development. A family of bald eagles moved in first and the developer has promised, "as long as they're there, they'll have a home."

The eagle nest was sighted by architects for the Sterling Park project who relayed the information to Dick Bond, president of the development company.

Bond's decision was immediate: The eagles stay. "I don't see how there could have been any other decision," he added.

Bond called the local Audubon society and was told studies indicated the eagles needed a radius of 660 feet of wild land from their nest if they were to remain.

The developer subsequently designated as a sanctuary 32 acres of choice woodland surrounding the nest.

One hundred homes housing 350 people had been planned for the site which, he said, when developed would be worth an estimated \$620,000.

Bond said plans for the 1,100 acre development north of here were not altered to build the homes elsewhere. "We will have just that many fewer houses."

The sanctuary was included in a plan submitted to the Seminole County Urban Planning Commission and the developer said, "We're now committed to this that it will be preserved as a sanctuary."

To ensure the tranquility of the nest, Bond had the architects, all members of the Audubon Society, put a moat around the site and then changed the line of a golf course fairway to run next to the moat.

"We're not encouraging picnicking or anything like that," he said. "We want this to be a sanctuary."

The sanctuary land costs Bond approximately \$2,000 a year in taxes. As the surrounding land is developed he expects the taxes on the 32 acres may double, "but we'll certainly try to keep the taxes down."

"It was a tough decision to make in that there is a lot of money tied up in it," he said. "I don't mean to sound too altruistic; we feel we'll be able to use the land some day, but as long as they're there they'll have a home."

Bond said the nest has two full sized adults and one fledgling. He's not sure how old the birds are but says they have a life span of 25-35 years.

The birds mate for life and migrate north in the summer but always return to the same nest throughout their lifespans if it's undisturbed, he said.

Bond went to see the birds before they migrated last month.

"I saw them from a distance, it was late in the afternoon. The sun was setting and they were wheeling around a lake. They were beautiful, just beautiful. One has a hole in its wing. It appears someone shot it but it doesn't seem to hamper it at all."

He said the development, planned for 10,000 residents, is designed with the environment in mind, featuring green spaces, a sewage treatment plant and now, eagles.

"It's a nice place to live," he said.

#### DICK BOND, FRIEND OF EAGLES

How a family of bald eagles expresses gratitude is not within our knowledge. So, on behalf of the eagles, we'll just say the usual "Thank you," to developer Dick Bond.

Bond heads a company utilizing 1,100 Seminole County acres with potential housing for 10,000 residents. In the midst of the project architects sighted an eagle's nest.

Seeking advice from the Audubon Society, Bond was told 660 feet of wild land would be needed around the aerie in order for the family to remain. So he designated 32 acres of choice woodland as a sanctuary committing "we'll just have that many fewer houses."

One hundred homes housing 350 people had been planned for the site which, when developed, would have been worth an estimated \$620,000. And to insure tranquility about the nest, Bond circled the area with a moat and changed the line of a golf course fairway.

The sanctuary may add value to the remainder of the development. Since the eagles, which mate for life, migrate north in summer and return to the same nest each year, have a life span of 25 to 35 years, the sanctuary might someday become unused by the birds and revert to development.

Plus this, Bond reaped untold favorable publicity for his development by his concern for the eagles. In spite of the value that may accrue, the sanctuary land is going to cost the developer some \$2,000 in taxes annually.

So it's appropriate today to join the eagles in "thank you, Dick Bond."

#### PROFESSIONAL ETHICS OPINIONS

### HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1971

Mr. HUNGATE. Mr. Speaker, in view of the current concern in congressional ethics, the following recent opinion from the Illinois Bar Journal should be of interest to my fellow attorneys who are Members of Congress:

#### PROFESSIONAL ETHICS OPINION No. 352<sup>1</sup>

Inquiry is made if under the following circumstances a "violation of the Code of Professional Responsibility and Canons of Judicial Ethics exists".

An Illinois law firm enters into a partnership agreement with an Illinois lawyer, who is also a member of Congress, under which the law firm "services the existing practice" of the lawyer-congressman, commingles fees earned from so doing with fees otherwise earned by the partnership, pays the lawyer-congressman either an agreed percentage of the total of the commingled fees or a predetermined fixed compensation, provides office space and secretarial help for the lawyer-congressman as needed, includes the name of the lawyer-congressman in the partnership name and a designation of the lawyer-congressman's position as a member of Congress on the firm's letterhead and requires that he shall actively practice law only to the extent his duties as a member of Congress permit.

The Committee is asked, further, what its opinion would be in the event the described agreement should be amended to provide that the name of the lawyer-congressman be excluded from the firm name, his office designation eliminated from the firm's letterhead, his name, without office designation, carried as "Of Counsel" to the firm thereon, and his compensation limited to "a fee based upon business which is directly attributable to him", excluding fees for work for which the Congressional Code of Conduct provides he may not be compensated.

The description of the lawyer-congressman as a member of Congress on the firm's letterhead violates Disciplinary Rule 2-102 (A) (4) and is improper. In addition, if the lawyer-congressman in fact is a partner of the firm, his designation on the firm's letterhead as "of counsel to the firm" is proscribed by this same Disciplinary Rule which

<sup>1</sup> The opinions of the Committee on Professional Ethics are published as a service to ISBA members. Members who are faced with a possible ethics question and who desire an opinion thereon should submit a full and clearly signed statement of facts to the Committee. Send to the attention of the Committee at Illinois Bar Center, Springfield, Ill. 62701. Names of parties involved in opinions will not be published in the Illinois Bar Journal.

provides that a lawyer may be designated as Of Counsel only "if he has a continuing relationship with a lawyer or law firm, other than as a partner or associate". Moreover, if the lawyer-congressman is in fact "of counsel to the firm" and not a partner or associate thereof then the firm, under Disciplinary Rule 2-107(A), may not divide fees with him unless the client involved consents both to the employment arrangement and the fee division; the division is made in proportion to the services performed and the responsibility assumed and the total fee does not clearly exceed reasonable compensation for all legal services rendered.

While the Code of Professional Responsibility does not proscribe partnerships one or more members of which are members of Congress, and Drinker On Legal Ethics, holds, p. 205, "A member of a firm entering public or private employment may continue in a partnership," Ethical Considerations 8-6 of the Code of Professional Responsibility cautions, "A lawyer who is a public officer, whether full or part time, should not engage in activities in which his personal or professional interests are or foreseeably may be in conflict with his official duties."

The Code of Judicial Ethics has no application to the inquiries made and the Committee makes no comment regarding the Congressional Code of Conduct.

#### DEFENSE DEPARTMENT TO CONTINUE DEPENDENT ASSISTANCE ALLOWANCE

### HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1971

Mr. STEIGER of Wisconsin. Mr. Speaker, I have received a letter from the office of the Assistant Secretary of Defense for Manpower and Reserve Affairs affirming the Defense Department's intention to continue payment of Dependent Assistance Act allowances pending final action on H.R. 6531.

I have stressed the importance of such action on the House floor in the past. It indicates to members of our Armed Forces and their families that they will not be forgotten while we await passage of reforms in military pay.

Therefore, Mr. Speaker, I insert the letter in the RECORD at this point:

ASSISTANT SECRETARY OF DEFENSE,  
Washington, D.C., August 27, 1971.

HON. WILLIAM A. STEIGER,  
House of Representatives,  
Washington, D.C.

DEAR BILL: In reply to your August 5, 1971 letter suggesting the Defense Department announce its intentions regarding continuation of DAA payments pending final action on H.R. 6531, I am pleased to advise such action has been taken.

Mr. Friedheim, Principal Deputy Assistant Secretary (Public Affairs) during the Defense Department morning press briefing August 6, 1971 informed the press of the Secretary of Defense decision to continue these payments.

In his August 16, 1971 speech to the Veterans of Foreign Wars at Dallas, Texas, Mr. Laird reiterated his decision to continue payment of Dependent Assistance Act allowances pending final action on H.R. 6531.

I believe these announcements are along the lines you suggested and will allay any apprehension on the part of members of the Armed Forces or their families regarding future payments of DAA allowances.

Sincerely,

ROGER T. KELLEY.

#### A NEW PATRIOTIC SONG

### HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1971

Mr. KEMP. Mr. Speaker, I previously introduced House Joint Resolution 452 to establish April 30 as "Pledge of Allegiance to Our Flag Day" as suggested by the third grade class in the Cleveland Hill School of Cheektowaga, N.Y. On April 30, 1970, that class participated in the Pledge of Allegiance program and a new patriotic song was sung for the first time.

It was written by Ruth Koblich and arranged by Marilyn Kauderer. I am certain their song "Get Down On Your Knees, Oh America" will be a source of inspiration to countless Americans. These outstanding citizens are to be commended for their efforts on behalf of our children and our country.

Mr. Speaker, I feel it is fitting and proper to include the words of that song at this point and call this to the attention of my colleagues. I also take this opportunity to urge the Congress to establish a "Pledge of Allegiance to Our Flag Day" at an early date.

The song follows:

GET DOWN ON YOUR KNEES, OH AMERICA!  
(Written by Ruth Koblich and arranged by  
Marilyn Kauderer)

Get down on your knees, Oh, America!  
Don't you know that it's almost too late?  
Say a prayer for the land we all love now,  
and keep our country great!

They're trying to trample Old Glory;  
Raise on high our dear Red, White, and Blue!  
When we walk hand in hand with our country—  
We walk with our great God, too!

Fill the air with a prayer for our heroes up  
there show we care.  
Take a stand for our land;  
They must not have died in vain!  
Get down on your knees, All America!

Leaders, citizens, and children so true;  
We will walk hand in hand with our country,  
and God will see her through!  
Yes, we'll walk hand in hand with our country,  
and God will see Her through!  
A-men!

LOCUST VALLEY, N.Y., LEADER  
CELEBRATES 25TH ANNIVERSARY

### HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1971

Mr. WOLFF. Mr. Speaker, during the recent recess the Locust Valley, N.Y., Leader, an outstanding weekly newspaper published in my congressional district, celebrated its 25th anniversary. Not only is this a significant milestone for the fine newspaper and its excellent editor and publisher, Edith Hay Wyckoff, it is an appropriate time to recognize the important contributions made by the Leader and other local newspapers.

In a world that is sometimes too impersonal and with public affairs growing so complex, community newspapers often become the focus for exchanging local

information. It is the vehicle whereby the village and town news which so directly affects every citizen can be given its proper attention. Local newspapers also are able to show greater understanding of the importance of issues directly affecting their readers than larger, more impersonal media.

The Locust Valley Leader, with Mrs. Wyckoff's imaginative and thoughtful direction, performs these important tasks for its readers and it does it in a professional, responsible manner.

In her special anniversary editorial Mrs. Wyckoff quoted the Leader's first editorial 25 years earlier:

A community without a free, completely unpledged press is as much a cripple as a human being denied the use of one of its senses.

It is by constantly remembering this important role that the Leader had set for itself that Mrs. Wyckoff has been able to do so fine a job over the years. If other newspapers, everywhere in this country, will continue to fulfill this role then our democracy and citizenry will profit.

I know my colleagues join me in congratulating Edith Hay Wyckoff and the Locust Valley Leader on the newspaper's 25th anniversary and in wishing this lady and the newspaper with which her name has become synonymous many more years of constructive journalism.

#### SCHOOL LUNCHES SHOULD BE LAST PLACE TO CUT FUNDS

### HON. ED EDMONDSON

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1971

Mr. EDMONDSON. Mr. Speaker, the administration is engaged in a course of action with regard to the school lunch program which at best can be labeled as irresponsible and foolish.

I refer to the Department of Agriculture's arbitrary action—an action which directly contradicts the will and intent of Congress—in drastically reducing Federal support to the school lunch program.

This program is one of the finest our Federal Government operates. I can personally testify to the fact that the school lunch is the only hot, balanced meal available during the day to many children in my district. This is a program which should be increased, not cut.

In today's edition, the Washington Evening Star makes a clear, concise attack on this administration policy in an editorial entitled "School Lunch Crunch." I have not seen the ridiculous nature of this action more plainly put, and I would like to have the editorial appear in the RECORD.

Certainly, there are excessive Federal expenditures, and these expenditures should be cut. In this instance, though, the expenditure is inadequate, not excessive. I agree with the Star that there is no place for budget cutting in the school lunchroom.

#### SCHOOL LUNCH CRUNCH

Agreed, that the times call for selective governmental austerity. But about the last service that should be affected by it is the



feeding of school children. That's because school is the only place where millions of children get a square meal, and because many others—possibly two million—can't even get lunches there.

But the Agriculture Department, just after Congress went home for its month-long vacation, hatched some questionable new lunch regulations that took effect when schools reopened for the current term. The alterations, say the school-lunch directors of 33 states, can bring the program to "a screeching halt." That is without doubt an exaggeration. But the new spending limitations certainly can compound the inadequacies that already afflict the program, constricting it when it needs to be enlarged.

What the department plans, in essence, is to hold back half the allocations that help finance free and reduced-price lunches for poor children, until the states demonstrate by exhausting their other funds that they really need the money. They've come to expect 60 cents for each "poverty lunch" in federal aid, but now they'll have some difficulty getting more than 30 cents.

And schools will be held to a five-cent limit of federal aid on regular (non-poverty) school lunches. That was shown to be insufficient last year, and it will be even less adequate during the next school term with inflated costs and more youngsters to feed. Congress last year provided extra "ball-out" money because some states were unable to pay their share of the regular lunch program, and they were given up to 12 cents in federal assistance.

Moreover, the states contend they already have proved their needs, with detailed plans submitted to the Agriculture Department earlier this year. They see very little chance of coming up with more state matching money. So state directors fear that school-lunch prices will have to be raised as a result of the new requirements, and that food services may have to be curtailed.

The Agriculture Department's reasoning in these matters is convoluted, but some impressions are inescapable: The department is intent on holding down federal spending for school lunches, and its maneuvers and policies threaten to delay a needed expansion of the program. In announcing the new regulations, Assistant Secretary of Agriculture Richard Lyng said that "fiscal discipline" is always difficult, but is an absolute necessity "if we're to live within our budget." The problem is that Agriculture asked Congress for no increase in lunch funds for the next year in spite of the swelling costs and needs.

Nor has it moved vigorously enough to aid the 23,000 public schools, mostly in poor areas, that have no lunch programs at all. It wants to spend less than half the money that Congress authorized for that purpose.

Congress should demand explanations from Agriculture officials. The feeding of children should not be subjected to the strictest of fiscal disciplines.

MR. LEROY GATES HONORED BY  
THE NATIONAL WEATHER SERVICE

### HON. JACK EDWARDS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1971

Mr. EDWARDS of Alabama. Mr. Speaker, each year the National Weather Service presents its coveted John Campanius Holm award to a number of dedicated volunteer weather observers throughout the Nation. This year, one of those honored recipients is Mr. Leroy

Gates, of Thomasville, Ala., in the First District which I represent. Mr. Gates' valuable contributions to the field of meteorological weather observing are a meaningful reflection of the dedicated character of this responsible American citizen and I hereby submit the following news release on his accomplishments for the RECORD:

WASHINGTON.—Leroy Gates, of Thomasville, Ala., is one of 25 volunteer observers selected nationwide to receive the National Weather Service's John Campanius Holm Award, it was announced by the Department of Commerce's National Oceanic and Atmospheric Administration (NOAA).

John Campanius Holm Awards, created in 1959 by the National Weather Service (formerly the Weather Bureau), are presented annually to honor volunteer observers for outstanding accomplishments in the field of meteorological observations. The award is named for a Lutheran minister who is the first person known to have taken systematic weather observations in the American colonies. In 1644 and 1645, Reverend Holm made records of the climate without the use of instruments near the present site of Wilmington, Del.

Gates was honored for outstanding service to his community in the collection and timely dissemination of weather data at Thomasville.

A printer by trade, Gates writes a weekly summary of temperature and precipitation for his newspaper. He also frequently writes articles about extreme weather conditions in the area.

Gates is active in church and community activities in Thomasville. He previously has received the National Weather Service's 15-year length-of-service award.

The National Weather Service has more than 12,000 volunteer observers throughout the United States who make and record daily weather observations. The information they gather is processed and published by the Environmental Data Service, another major component of NOAA, and forms a valuable part of the Nation's weather history.

### DANGERS TO A SOUND ECONOMY

#### HON. JAMES W. SYMINGTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1971

Mr. SYMINGTON, Mr. Speaker, in my July newsletter, I asked my constituents in the Second District of Missouri to rate the dangers to a sound economy. Those who responded ranked five factors in the following order:

- U.S. overseas commitments.
- Labor's wage demands.
- Inflationary domestic spending.
- Unfavorable trade arrangements.
- Industry's profit margins.

Of course, no single cause operates in isolation, but the drain of our resources and manpower abroad, combined with the inflationary wage-price spiral have contributed to a decline in America's competitive position in world markets.

The dependence on high interest rates and increased unemployment has failed to dampen the rising cost of living and has also further weakened the dollar's value abroad. Therefore, it is commendable that the President has now exercised the authority Congress gave him in the Eco-

omic Stabilization Act of 1970 to impose a 90-degree freeze on prices, rents, wages and salaries.

However, if this action is to be effective, it must be accompanied by a decrease in our military expenditures abroad and prompt congressional consideration of modifications in the tax laws—the 10-percent investment tax credit, the repeal of the automobile excise tax, and accelerated personal income tax exemptions—to stimulate business investment and consumer spending. Finally, it is imperative that a long-range strategy be developed to set the economy on a sound footing after this 90-day emergency period.

Only decisive action from the Congress, as well as from the executive branch, can help to restore confidence in the economy—a vital element in any recovery.

### SARGENT SHRIVER URGES CREATION OF A NATIONAL INSTITUTE OF JUSTICE

#### HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1971

Mr. WILLIAM D. FORD. Mr. Speaker, you and our colleagues in Congress are familiar with the distinguished public service of our friend, the Honorable R. Sargent Shriver, Jr.

When we hear the name Sargent Shriver we immediately recall his highly successful efforts during the early 1960's when he served as the first Director of the Peace Corps. We recall his extraordinary success in inspiring the youth of this Nation to help others by serving their country abroad.

When we hear the name Sargent Shriver we recall his service during the middle 1960's as the first Director of the Office of Economic Opportunity. We recall his efforts and commitment to eradicate poverty and to bring justice to the poor.

Mr. Speaker, I am happy to report to my colleagues that Sargent Shriver has not abandoned the battle he began fighting during the last decade. His efforts to eradicate poverty and injustice continue.

On August 5, 1971, Sargent Shriver addressed the Trial Lawyers Association in Portland, Oreg. In that address he urged us to expand our entire concept of justice. He urged that we extend our basic awareness of justice and injustice—into all those institutions which encompass our daily lives as students, employees, and citizens—into our schools, our hospitals, and mental institutions; into our governmental bureaucracies, our unions, and our corporations.

To achieve the goal of eradicating injustice in this country, he urged that we create a comprehensive National Institute of Justice, devoted to the improvement of our entire legal system.

Mr. Speaker, all of us can benefit by the wisdom and thoughtfulness contained in this address. At this point, I would like to insert the text of Sargent

Shriver's address into the RECORD for the benefit of my colleagues:

ADDRESS TO THE TRIAL LAWYERS ASSOCIATION,  
PORTLAND, OREG., AUGUST 5, 1971

This convention, this audience, probably contains a greater number of articulate speakers than the British House of Commons—more experienced and successful masters of courtroom technique than all the American law schools put together; more passionate, shrewd, technically qualified "spokesmen for the underdog" than the Republican or Democratic political conventions.

For such a gathering, I submit that the number one question should be: How can such an array of talent fulfill its highest potential?

For many of us in our law school days, fulfillment of our talents as lawyers meant getting to the top of our profession: Our names in the firm name; our election as president of the bar association; appointment to the judiciary; a law professorship; a substantial income. Many here tonight have achieved those objectives, and those who have not, soon will.

But, as we have accomplished the professional goals we set for ourselves twenty or thirty years ago, I think many of us are puzzled, and even querulous, about the fact that more and more of the best young law school graduates are not seeking employment in our firms, or if they do consider working for us, they make demands we never considered relevant to professional development. These young men and women seem to be motivated by ideas and seeking opportunities which were not available or even considered when we left law school. The generation gap in the law is as evident as everywhere else.

These young people I suggest are trying to tell us something. I think they are saying that they are not satisfied with the ways we view the law and the legal system. They are not saying what we did—and do—is wrong. They are questioning what we don't do. They are not accepting the law as it is, but rather attempting to define, and work for, the law as it should be.

They are attempting to ferret out and confront injustice. They want to use and expand the law as they have received it, so that injustice heretofore unreached by our laws can, in fact, be touched and ameliorated by competent and compassionate extension of the law.

In 1961, poverty in America was unknown and undiscovered by the overwhelming majority of Americans. Neither Truman, Eisenhower nor Kennedy ever campaigned on a platform to eradicate poverty. In post-World War II America, omnipresent prosperity was so obvious and exciting and satisfying that no one ever thought about poverty. Yet, poverty did exist. We discovered it as a problem only in 1963 under Kennedy, and have fought it under Johnson and Nixon. Today poverty law is taught in our law schools and even commerce clearing house publishes a poverty law reporter.

Tonight I would like to suggest that exactly as we became aware of, sensitized to, poverty and its injustices, we need to expand even further our whole concept of justice, our sensitivity to injustice. And, if we do so, I believe we shall find the best of our young law school graduates—including our own sons and daughters—flocking back to work with dad—with admiration, not just for him, but for the legal system and the society which produced him.

This is true because our sons and daughters have come to realize that justice—or more accurately, injustice—is the single most direct and important cause of our nation's problems today. Injustice is more unbearable than hunger, injustice causes more dope addiction than the greed of the producers and

pushers of heroin because injustice creates the customers—those who have lost hope in everything. Injustice sows the seeds of rebellion.

Governments can remain in power in the face of plague, famine or war, but none has been able to survive revolutions based on demands for human dignity and justice. Perceptions of injustice—rather than hunger—created and nurtured both the French and American revolutions. Even today, the undercurrents which are precipitating violent changes are movements by men seeking to achieve justice, not to eradicate hunger. Fear, frustration, anger and anxiety motivate men far more than a loaf of bread.

Costa Gavras, the famous motion picture director, speaking with a creative artist's intuition into today's problems, recently said:

"Of all injustice, official injustice is the greatest of all violence, because that's where violence begins. Violence is not the policeman who beats you, or the soldier who kills you. They're only the visible agents. It is injustice which is behind the club or the gun. Revolutionary violence is too often judged by the image it gives, never by its roots. From where does this violence come? Always from injustice. And the worst is injustice in the name of justice..."

Costa Gavras has touched the nerve center—the pressure point. By focusing on injustice he has revealed the deepest source of our anguish as a Nation. His insight explains the alienation of young people; the antagonism against the war; the fervor of those who struggle for civil rights; the terrifying acceptance of drugs; the deserters from Yale and Harvard now in Canada or Sweden; the senseless bombings by the weathermen; and the need for a "new consciousness," as Charles Reich calls it, or for a new, deeper, more sensitive "moral consciousness," as religious people call it—a heightened awareness of sin, of evil, of the devil, of the struggle against wickedness within ourselves and in high places, of "injustice in the name of justice."

Visualized in these ways, injustice, rather than lack of food or health or housing or education, becomes the number one problem of our Nation and of our times.

To attack this problem, I suggest that we need to extend our basic awareness of justice and injustice into institutions where courts and lawyers rarely wander. To the public schools where children are often subjected to abusive and arbitrary treatment in the name of discipline; to hospitals and mental institutions where patients are neglected or experimented upon or deprived of benefits; to governmental bureaucracies where people who blow "ethical whistles," as Ralph Nader says, are subjected to subtle or not-so-subtle retaliation; to unions where jobs are denied because of race or sex; to corporations which exert as many controls on our lives as any governmental power, but which stand outside the sphere of public accountability. We must begin to find ways to establish justice within the confines of those closed systems—those institutions which encompass much of our daily lives as students, employees, or citizens—and see that injustice is eradicated.

But where can we start to attack such a massive problem? I would suggest that we begin with our system of legal education, for that is where our greatest potential for the most dramatic change lies—the creation of a body of lawyers committed to confronting injustice. The medical profession early in its development saw the need for practical teaching methods through the clinical method of instruction. Not only do medical schools serve the students—they reach out to the surrounding community. No longer can our law schools ignore the problems of poverty, racism and the environment in which they are sometimes physically immersed. Like all other institutions they must under-

take to serve their community by delivering justice. This will have the collateral—but important—benefits of producing more competent lawyers committed to social justice.

The entire criminal justice system also is in need of a thorough review and evaluation. Like our education system, we tinker with criminal justice without having tested the ideas with which we are dealing. People blithely speak of preventive detention, no-knock searches and other controversial areas, without studying their impact on society or the individual. Our jails and prisons are little more than breeding grounds for crime. The entire parole system is antiquated, arbitrary and unfair.

There are other areas which remain virtually untouched and untested because we have no mechanism or resource which is devoted to the reform of the law and legal institutions.

And this is understandable. Not acceptable, but understandable. Our system for the delivery of justice remains almost the same today in the fact of a rapidly expanding Nation, both in size and in technology, as the system 100 years ago. We are the only industry that falls to develop new marketing devices and systems. We spend less time and money than any other group in this country on research. At present the R&D budget for the Department of Justice is \$9 million annually; the R&D budget this year for the Department of Defense is almost \$9 billion. To improve justice for our own people we spend one-tenth of 1 percent of the amount spent to improve our capacity to kill our enemies!

In fiscal year 1971, the U.S. Government spent \$143 million for the Federal judiciary, \$61.4 million in legal services for the poor, and \$1.1 billion in law enforcement and justice combined. By contrast, we spent \$14.9 billion on the providing and financing of medical services, development of health resources, and prevention and control of health problems.

Question: Why is health so much more important than justice? Our Federal Government concerns itself with a man's education, his health, his house, how he is able to move from place to place, and, now, his total environment. But we do not concern ourselves, in any comparable degree, with his rights, his dignity, and his liberty. The Government does not confront injustice—and, often, sadly, may be its perpetrator.

Our judicial system is in a state of disrepair. Not only do we need a linear expansion—more judges, more prosecutors, better administration—but we also need a new look at the development of alternative mechanisms for problem-solving. At present, the courts are too remote, overworked, and are not structurally organized to seek out and solve problems in our schools, prisons or other institutions which may be breeding grounds for the festering sores of social inequality. We need to explore concepts of the neighborhood court, the ombudsman/advocate, and the citizens board of inquiry, as logical alternatives to the judicial fault-finding process.

Advocates for the middle class are able to ride the crest of the political punch of this group to ensure reforms in our policy towards cleaning the air and water, or making automobiles safer. By contrast, the poor without this political power remain plagued by discrimination, improper or ineffective schools, welfare, food stamps, or basic medical care. They are powerless—and thus their advocates are left with few forums to test their cause. For the poor and minorities, only lawyers and the law hold the prospect for achievement of equality and justice.

Yet, when the Chief Justice of the United States speaks to the largest gathering of lawyers in this country, he speaks of the "State of the Judiciary," not the "State of Justice." The Department of Justice—whose batting average under Mr. Mitchell could not



even help our beloved Washington Senators—has become a department of prosecution. And the first lawyer-president we have had in a generation has not exactly seized the moral leadership of the Nation with his Supreme Court nominations and his legal stand on justice for our school children and in the vital field of housing.

The OEO legal services program was an attempt to enfranchise the poor—through the legal system—in a program designed to be accountable to the clients it served. It was, and is, a unique program. Its achievements are remarkable and worthy of praise. It is a shining example of the best of this country—idealism, a willingness to challenge and be challenged, an example of inner strength manifested by change within the system. No nation in this world would have dared to authorize and pay lawyers to challenge governmental policies. Yet, this nation does just that.

But "legal services" has created new contradictions and controversies. With every success, opponents have been created. The program has engendered powerful opposition—so powerful that the program has been in jeopardy for nearly eighteen months. The creation of a national legal services corporation, currently under discussion in the Congress, would insulate the legal services program from these debilitating pressures.

But this is only a beginning. The strengthening of our system of justice requires a grander vision than the piecemeal efforts we have currently underway. I believe we must create a national institute of justice, devoted to the improvement of our entire legal system; the coordination of legal research and long-range planning; the reform of our criminal and corrections institutions, and dedicated to the eradication of injustice in America.

Such an institute is not without precedent. The National Institutes of Health with its component programs, has made enormous strides in improving the delivery of medical services, expanding the scope of basic medical research, and in upgrading the quality of medicine in 20th Century America.

As Americans, we have always been a practical people, and lawyers have a special ability to adapt institutions to new demands or to make new organizations to meet new problems. We established the Atomic Energy Commission to pioneer the atomic age; NASA to explore the moon. The unique private-public partnership represented by the Communications satellite is another institutional innovation.

So, too, a national institute of justice is desperately needed. The judiciary and the present justice department are totally absorbed in the settlement of disputes through the existing legal machinery. They are not supposed to be experimenters of new ideas such as *judicare* or the *ombudsman* concept. The entire Federal judiciary is funded at the same level as it costs the Navy to build one aircraft carrier. Obviously, if we are to design new adjudicatory systems, such as neighborhood courts, or citizen mediation panels, if we are to experiment with new kinds of law schools and public interest counsel; and if we are to explore the use of para-professionals and new fields of legal research, we need an imaginative, flexible and different kind of institution.

I would see this new agency as having three separate and distinct arms. One would involve itself in the delivery of legal assistance to those unable to afford private counsel—hopefully serving as an umbrella for the new national legal services corporation. In addition to neighborhood legal services efforts, the institute could establish a people's counsel designed to provide representation for persons in Federal and State rule-making and other administrative proceedings who are similarly unable to afford counsel. Also, responsibility for reform of our criminal jus-

tice system such as the new office of law enforcement assistance would be lodged here.

A second responsibility under the umbrella of the institute might devote itself entirely to problems in legal education and legal manpower. Clinical programs using various practical approaches to instruction would be funded at law schools across the country. For years we have availed ourselves of the effective services of the teaching hospital but have never adopted this exciting concept—the teaching law firm or law school—in our own profession. New curricula, teaching materials, and teaching methods could be designed and tested. So could new kinds of law schools. Why should each law school try to offer a generalized curriculum? Perhaps we should have special schools for patent, scientific or space law; specialized or advanced schools in international law or world government. Just as doctors take a residency in surgery or cardiology, so, too, perhaps, lawyers should take a public internship, serving on Indian reservations or in migrant camps or city ghettos.

Then, too, we have not nearly explored the use of para-professionals, legal aides and investigators. Current caseloads in legal services projects are running up to two thousand cases per year per lawyer!

Minority and disadvantaged students, heretofore only finding meager assistance from the joint OEO/American Bar Association program and from individual law school efforts, could be provided stipends, loans, and other resources to undertake the law as a career.

The research arm of the institute might well be its most important function. This agency could provide resources, both in expertise and grants, to study the problems of law-making bodies in their administration and organization. The research might review and experiment in depth with the concept of an ombudsman in this country—a much misunderstood and misused term. The techniques of arbitration and mediation might be further developed to be utilized in neighborhoods or "closed" institutions in order to provide new grievance mechanisms. We must closely examine the *judicare* concept. Basic research needs to be done on criminal conduct and recidivism. Psychiatry and the law is only one of the new areas which needs intensive research.

Ramsey Clark has said that he can give us the names and addresses of eighty percent of the people who will commit serious crimes in the next ten years. This is not an idle boast or spiritual sophistry. For these people are now in our prison system and eighty percent is the current rate of recidivism.

Another area badly in need of research is the whole system of bar examinations, differing State standards and reciprocity among States for legal practice. And the list is virtually inexhaustible.

The National Institute of Justice could be organized under the Judiciary, Congress, or as a private, non-profit governmentally-funded corporation. Under any such scheme, it must be independent from partisan political considerations and pressures. Funding could be a joint effort involving the Congress, revenues from filing fees in Federal courts, and a sharing of responsibility on individual grants by the bar, law schools, foundations, and the institute.

The institute would be the legal profession's "great leap forward" into a new era of challenge and experimentation. It would provide, for the first time in this nation, a launching pad to create the processes and vehicle for, not only confronting injustice, but developing alternatives in order to produce justice.

The trial lawyers of America have a special responsibility for this state of justice in our country. No other group has more intimate contact with our courts and with persons accused of crime. No other organization

has your special skills and resources. A special committee created by your officers could make a significant contribution to a study of the feasibility of establishing such an institute. Such a committee could hold public hearings, take testimony and report to the judiciary and the congress on these ideas and others advanced by law professors, judges and legal scholars far more imaginatively than I. The country knows where you stand on no-fault insurance. Where does the trial lawyers association stand on justice!

We have problems—but also we have great resources—especially human resources. The remedy for bad law is good law—for discrimination equality—for a lack of participation due process under law. Lawyers in America have always been placed in a special preferred position—and correspondingly have a special responsibility. We must manifest our awareness of this responsibility by a commitment to change, in order to ensure that every American has the right and opportunity to fully participate in society. Each human being has a fundamental right to have an influence over the decisions which affect his life. This must be true not only in America, but all over the world. Our ability to recapture the initiative for human betterment depends upon our recognition of each man's fundamental need to exercise control over his life.

This commitment to human problems is crucial. No longer can we afford as a nation—or as a world—to allow things to override people, technology to outweigh humanization, or in the name of law and order, to breed injustice.

Martign Luther King in his famous speech at the foot of the Washington Monument said: "I dreamed a dream" of a nation united in love. It was Albert Camus who said: "I should like to love my country and justice at the same time . . ." That's what we all want to do. Let's start to make that dream come true.

NADER: FRIEND OR FOE?

HON. EDWARD J. DERWINSKI  
OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES  
Wednesday, September 8, 1971

Mr. DERWINSKI. Mr. Speaker, one of the more interesting comments that caught my eye during the recess period which I feel will be of special interest to students of the Washington scene is a column by the distinguished international columnist of the Copley Press, Dumitru Danielopol.

The subject matter is an interesting look at attorney Ralph Nader.

The article follows:

NADER: FRIEND OR FOE?

(By Dumitru Danielopol)

WASHINGTON.—Ralph Nader looks in the mirror and sees a reformer. Others look at Mr. Nader and see a man who would have us scrap our free enterprise system, then quietly lie down alongside the wreckage and die.

Nader delights in poking at the ills of our system. Cars aren't safe at any speed; the air is unfit to breathe; the waters are polluted; everything we eat might poison us; the banks where we save our money are robbing us blind; stores steal from the buyers, advertising lies; the stock market is unreliable, the profit motive is immoral, the country is a mess, etc., etc.

Only Mr. Nader, apparently, can save us from ourselves.

Riding an emission-free bicycle and armed with a Xerox machine, this Lochinvar is go-

ing to protect us dumb consumers—you and me—from the big business smart guys.

I'm a product of European business. I studied law, economics and finance. I'm old fashioned. I admit it. But there is something about Mr. Nader . . .

He didn't discover the fact that there are unscrupulous people in industry, commerce and the public services that try to take advantage of the public. They were there for centuries before Mr. Nader was born. The past predators were found out and punished and usually the penalty of the market place was more devastating than anything governments conjured up.

I will not argue with those who say the American system could stand improvement. It can.

But do we junk 3,000 years of experience and take our chances on the pent-up knowledge of Nader's 30-year-old raiders?

If our system is so bad, how come it has given us the highest standard of living, the highest per capita income, the healthiest, best fed, housed, best clothed population, more leisure time, more labor saving appliances, more information, transportation, housing, education, freedom, responsibility, than any nation in the history of man?

If our industrial system is so corrupt, how did we put men on the moon four times?

If our industries—who foot a major share of the tax bill—are so selfish, how come they allowed us to spend billions upon billions to help other nations rebuild their destroyed economies?

How is it that Americans who live in this "polluted" atmosphere and eat this "poisoned" food are still able to swim better, run faster, jump higher and grow taller?

Sure we can do better. Ask any immigrant why he came to the United States. First, he wanted a better life for himself, but no matter what his personal problems were, he knew his children would have an even better life. That's the American dream.

The consumerist considers business his enemy. He advocates more controls, more bureaucracy, restricted initiative. He doesn't say so but every action points to eventual government take-over.

Mr. Nader and his raiders would deny this objective. But I remember other times in other lands when real and imagined problems were magnified to the point that whole peoples reached out for government controls. Men promised that if they were given the reins they would quickly lead the way to a better world.

Let's see, there was Russia, Germany, Italy, Japan, Mainland China, Cuba, Chile . . .

## THE SUBURBS—JOBS AND HOUSES

### HON. WILLIAM A. BARRETT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1971

Mr. BARRETT. Mr. Speaker, I wish to commend to all Members of the House an outstanding series of articles published in the New York Times, August 16-19, concerning the suburbs surrounding New York City.

The title of the lead article "Suburbs Abandoning Dependence on the City," is forcefully documented throughout the series by a team of thorough Times investigators. The New York suburbs, the Nation's original "bedroom" communities, now provide half the metropolitan area's manufacturing jobs, retail jobs, and restaurants. Nearly as many workers

commute to suburban jobs as commute to jobs in New York City.

The impact of this revolutionary change in living and working patterns—a change which is in progress in nearly all the Nation's metropolitan areas—is described carefully through numerous interviews with suburban officials and residents. Land is being developed at an extraordinarily rapid rate; competition for job-producing—and tax-paying—industry and commerce is great; and, not merely the poor, but middle- and upper-income middle families are being gradually priced out of the suburbs, precisely where job opportunities are expanding.

The result is haphazard, inefficient, and inequitable development of this great area. We are doomed to repeat this development pattern again and again unless the Congress and the executive branch, working together, fashion a desperately needed "urban growth policy" for the country.

The Congress took the lead last year through the enactment of the Urban Growth and New Community Development Act of 1970, under the leadership of our colleague THOMAS L. ASHLEY, a member of the Housing Subcommittee. That act directed the President to submit an urban growth report to the Congress, to review current development patterns, and to make recommendations on needed changes in Federal, State, and local growth policies. Unfortunately, progress in this area has been much too slow. I hope the administration will take the lead in this crucial area, for few areas should have greater priority.

I urge all Members to read these excellent articles.

[From the New York Times, Aug. 16, 1971]

SUBURBS ABANDONING DEPENDENCE ON CITY

(By Jack Rosenthal)

(NOTE.—This is the first of four articles on the power and attitudes that affect control over the development of land in New York City's suburbs.)

The largest city in America is now the suburbs of New York.

They contain 8.9-million people, a million more even than New York City. They cover 2,100 square miles, 600 more even than Los Angeles and its suburbs combined.

They represent the fullest flowering of the historic migration of Americans out of their cities. For even here, in the orbit of New York—the Big Apple—the suburbs are strikingly, fiercely independent.

Huge numbers of suburbanites neither live, work, play, shop nor even go out to eat in New York City. And they fight, with passionate hostility, against the feared intrusion of change, of the inner city and of the people left behind.

As dramatically evident from official studies and five weeks of interviews by a team of New York Times reporters, the most critical commodity in this struggle against the city is land.

It is the land—and especially the emotional issue of how it will be used—that shapes politics and power in the suburbs, that governs the suburban economy, that determines where people work and where they live and how they travel.

New York's suburbs created a national image of bedroom towns for city workers. Yet how many of the counties around the five boroughs now send even half their workers to jobs in the city? None.

Nassau County has net commutation to New York of less than 38 percent. Westches-

ter has less than 32 per cent. In Suffolk County, 80 percent of the workers who live there work either in Suffolk or Nassau. In Passaic County, 79 per cent work in Passaic or Bergen Counties.

The suburbs now have about half the area's manufacturing jobs, retail jobs and restaurants. And they have a full range of "urban" facilities.

Gleaming new office towers contrast sharply with the rolling greenery of pastoral Piscataway, N.J.

Every morning crowds of business with briefcases at McArthur Airport in Islip, L.I., board nonstop flights to Chicago or Washington.

Downtown for Wayne, N.J., is now a carpeted and air-conditioned area, framed by shrubbery and fountains, in an immense covered shopping mall.

The impact of such decentralization of urban functions can be quickly seen in other merely regional cities, where the business districts become ghost towns each nightfall. Here decentralization is masked by two factors. One is size.

"There are three things one must always remember about New York City," says Edward J. Logue, president of the State Urban Development Corporation. "They are scale, scale and scale."

Two million whites may have fled the city in the last 20 years, he acknowledges. But still, "There is no other city with anything approaching New York's proportion of the metropolitan population."

The second factor is New York's enduring role as a national city—a financial hub, cultural capital, media center and mecca for young adults.

And, for the most part, that is the city that the residents of New York's suburbs relate to, in the same way that residents of the suburbs of other cities do—the national city, a place to visit and enjoy, not as residents but as tourists.

Ask suburbanites the last time they went to New York. Again and again, they give answers like "for the last antique show" or "last December, to show the kids the Christmas lights," or "in the fall, for a play."

### BACK TO CENTERLESS WORLD

And after the show, with a wince at the \$30 or \$40 tab for tickets and parking, they speed back to the spacious, centerless world they have created in the suburbs.

Like suburbanites everywhere, they strive to protect that world against change with a ferocity that has become a national political fact.

The hostility was typified, says a Suffolk County official, at a recent town zoning hearing on the construction of luxury apartments.

A New York City fireman leaped onto a chair, waved a newspaper full of city crime and welfare news, and shouted: "We don't want this kind of trash in our neighborhood."

And yet for all the ferocity, even irrationality, signs of change are now emerging in the mushrooming, maturing New York suburbs, signs that could well foretell the next cycle in the life of suburbs across the country.

The dikes of hostility appear slowly, but with gathering speed, to be leaking, eroded not by an ominous outside urban tide, by feared Federal pressure for housing integration, but by enemies within.

In town after town, residents find they are excluding not only outsiders but their own grown children, older adults and civil servants. These are often unable or unwilling to maintain the expensive single-family homes so frequently required by tight exclusionary zoning.

Increasingly suburbanites find that their exclusionary strategies no longer work and may even promote the very sprawl, scrambled land use and urban chaos that these strategies were intended to prevent.



## TREND CALLED INEVITABLE

At this point the hostility remains intense; the forces for change are far from decisive. But, in the opinion of some authorities, the trend—for the complex array of suburbs here, as well as for the more easily definable rings of suburbs elsewhere—is inevitable.

In smaller, newer cities, "suburbs" more clearly mean communities that have developed since the start of the automobile era on open land around the urban core.

Here, prior to the automobile, there was no such clean slate. The metropolitan area already included railroad suburbs dating to the eighteen-seventies; independent cities like Newark, White Plains or Bridgeport; and resorts like Long Beach or the Jersey shore.

But it is the automobile—and the freeways it has generated—that have turned the land between and beyond the old towns and the old rail lines into a vast urban complex.

Its primary characteristic is centerless independence of the city. In place of an urban center, mobile suburbanites use the varying facilities of their separate communities collectively, as an interlinked Outer City.

Elsewhere sweeping circumferential freeways have made development of a unitary outer city literally possible. Here the population, diversity and distance of the suburbs are too great to be overcome by an eight-lane concrete loop.

Yet even here, the signs of expanding centerlessness, of the collective suburb "city," are clear.

In Nassau County, Leona Baum, a petite mother of two teen-aged boys, describes how her family lives in almost exactly the terms people use in the outskirts of Los Angeles:

"We live in East Meadow. I work in Garden City. My husband works in Syosset. We shop for clothes in Hempstead. My husband's Pythias Lodge meets in Great Neck. Our temple is in Merrick. The children's doctor is in Westbury. And we pay our parking tickets in Mineola."

And the centerless growth continues. On the moon the terminator is the moving line between light and dark. In many suburbs, a similar line marks the contrast between development and farmland.

In Westchester the line moves out a mile a year, says Peter O. Eschweiler, the Planning Commissioner. "If you want to see what your town will look like 10 years from now," he says, "drive 10 miles back."

## ZEALOUS ZONING OF LAND

On Long Island the urbanization line is instantly visible from the air. That line, planners say, moves even faster—two miles a year.

In Middlesex County, N.J., the line is not so easily visible, says George M. Ververides, a planner. "There's no front. It's like Vietnam. It's happening all over."

The suburbs have, however, sought to protect their development from unwanted change by controlling their most valuable resource: Land.

Each small community exercises its local zoning power zealously. Repeatedly, town boards engage in what is called, variously, upzoning, exclusionary zoning, or large-lot zoning. Whatever the name, the purpose is identical:

If the only housing permitted is single-family homes, and if these must be sited on half, full, or even four-acre lots at a minimum, only the middle-income and upper-income can afford to move in.

In Suffolk the typical new house cost \$14,500 in 1960.

Now the cheapest new house is \$30,000, according to a study made for the National Council Against Discrimination in Housing.

The council estimates that at least 80 per cent of New York area families are now priced out of the new housing market entirely.

Some of the reasons for such vigilant exclusivity are straightforward. Municipal

costs, particularly for schools, are soaring and more people can easily mean more deficit.

## "THE COUNTRY" GUARDED

Many suburbanites moonlight or put their wives to work to save enough to escape from the city. They are quick to block the intrusion of any urban problems into their refuge "in the country."

But other explanations for suburban hostility are not so candid or rational. "New York has a lower proportion of blacks than many cities," says a suburban planner, asking anonymity. "But even so, the sheer raw numbers are great. So people out here perceive a great tide of blacks and Puerto Ricans they could be engulfed by."

Other suburbanites disguise their hostility behind code words. They talk of the need to protect "the country image" or to preserve "our environment." One county, says Jack Wood of the National Council Against Discrimination in Housing, defends itself by saying it supplies an "airshed" for the metropolitan region.

## RISE IN CONSERVATIVE VOTE

Still other suburban residents concede fears of the outward movement of city crime, welfare costs and other burdens of the poverty population.

But almost none admits openly to a desire to keep out minorities. Again and again, suburbanites insist that they have welcomed black families to their neighborhoods.

And yet: "There's a tremendous upsurge in the Conservative party vote from people who were Democrats in the city. Like Jews who envision being surrounded by the blacks," says a Long Island official, himself a Jew. "Surrounded! Just like the Arabs are surrounded by the Israelis."

The effects of suburban exclusion are clear. New York's black population in the nineteen-sixties went from 14 to 21 per cent. The suburban proportion, meanwhile, went from 5 to 6 per cent.

In town after town, population figures show that one-tenth—or one-hundredth—of 1 per cent is black.

"We are very fortunate in our welfare situation," says Newton Miller, the Mayor of Wayne, N.J., where the population doubled, to 50,000, in the sixties.

What is the welfare proportion, he was asked. "Under 10." Under 10 per cent? "No, under 10 families."

The issue now is not whether exclusion has succeeded, but whether it may, in fact, have succeeded too well.

Some urbanists press the moral argument of unfairness. The suburbs, they say, cannot in good conscience continue to pirate from the city only its desirable functions and people.

## SUBURBAN "DUTY" CITED

Suburbs must, the argument goes, take their share of the social welfare task now being left almost entirely to impoverished central cities. And they must provide lower-income housing near suburban jobs.

In recent months this argument appears to have become a centerpiece of liberal thought about urban problems. There are, however, some strikingly contrary views.

George Sternlieb, an authority on inner-city housing, believes that "the only thing that's holding our central cities together is the suburban housing shortage."

If the suburban barriers were lowered, he contends, it would not be the poor or black city residents who would move outward. It would be the city's remaining middle-class and lower-middle-class residents, now deterred from moving by high costs that are made still higher by exclusionary zoning.

The result could be to diminish even further the tax base from which cities now try to finance costly social services for the needy.

Others agree with this assessment. If sub-

urban zoning were relaxed, "it would be the middle class that would move first," says Alfred B. Del Bello, the energetic young Mayor of Yonkers. "They would continue to vacate the cities, leaving an increasing proportion of poor black and Spanish population."

## DOUBTS ABOUT EXCLUSIVITY

In the suburbs, meanwhile, there are growing signs that people now wonder whether exclusion is so wise after all. The doubts have nothing to do with morality, fairness or concern for the urban poor. They arise from practical reasons of self-interest.

Some towns, says David Bogdanoff, Westchester's largest developer, are coming to realize that not every community can assure its finances and its image by emulating Scarsdale.

"Setting yourself up as a prestige town, with large-lot zoning, won't work any more," he says. "There just aren't that many people who can afford upper-middle-class housing to fill all those towns."

Another practical reason for rising doubts about the tactics of exclusion is that those tactics may hurt as much as they help.

On Long Island, planners say, oil spillage is a hazard because it is shipped to 12 harbors, and oil truck traffic is a nuisance. But the solution—a pipeline—has been blocked because the Town Board of Babylon refused in early July to permit construction of an essential storage terminal.

"It's a classic case of not-on-my-blockitis," says Lee E. Koppelman, Nassau-Suffolk Planning Board director.

In Westchester, recalls Robert Weinberg, a developer, officials in every town insisted on specifying where bus routes could go. "The result was such a zig-zag that it made express routes impossible."

## "EAGER TO CORRUPT"

Still another reason for doubts is evidence that present exclusionary tactics are not exclusionary enough.

"The suburbs develop elaborate master plans and tight zoning which they are eager to corrupt whenever a big company, a good 'ratable' that would pay lots of taxes, comes along," says one developer, asking anonymity.

"To find anything that's considered a bad land use but a good ratable," says another developer, "look at the village line. That's where the gas stations are. Let them bother the people in the next village, the town official thinks. 'They don't vote for me.'"

This is exactly what happened, Harry Butler says, with the enormous Willowbrook Center in Wayne Township, N.J., where the wares include a marquise-cut diamond ring (\$2,215), a Lhasa Apso puppy (\$279) and a potted stag horn fern (\$75).

"Willowbrook doesn't bother anyone here," Mr. Butler says, "because it's way on the south border, next to Little Falls Township. It bothers them; they get all the traffic and harassment. We get all the taxes."

## THE JIGSAW EFFECT

People like Harry Butler around the suburbs wonder out loud about the long-range result of such narrowness and hostility.

Stretches of Nassau County, where booming development of the fifties has now matured, may provide strong clues.

Drive north from Garden City, L.I., and in a few minutes, one passes an elegant country club . . . and an intersection where narcotics are said to be sold at night; the miracle mile of elegant stores in Manhasset . . . and a roadside beauty shop whose name may betoken both the race and occupation of its patrons: "Ebony Maid".

"The whole county's like that," says Dominic Badolato, a youth program director. "It's all a jigsaw, scrambled eggs."

Will the suburbs remain an exclusive sprawl, closed to those who can't afford the cost?

"It's going to break," says Herbert J. Gans, a noted Columbia urbanist, "because of middle-class demand. So many young families are already starting to form that change has to come."

Wayne's Mayor knows the dilemma firsthand.

"There are very few places in Wayne he can afford to live," Mr. Miller says of his 23-year-old son. And his parents, in their 70's, live in a retirement village in South Jersey.

"We'd welcome lower-cost housing for our youth and elderly," he says warmly. "But there's no guarantee we could keep it for them. And given the choice, we just won't do it."

He hesitates for a moment—perhaps a tell-tale moment. His college ring glints as he rubs his gray crewcut. "It's a problem. No question about it."

[From the New York Times, Aug. 17, 1971]

#### LAND IS PRIZE IN BATTLE FOR CONTROL OF SUBURBS

(By Richard Reeves)

(NOTE.—This is the second of four articles on the forces that are shaping the usage of land in New York City's suburbs.)

Land is the coin and the treasure of the suburbs around New York City and that land—some of which has risen in value in 20 years from \$700 to \$90,000 an acre—is the prize in a continuing battle for control of the 775 municipalities that make up the world's largest suburban area.

The struggle over the land within 100 miles of Times Square, in its simplest terms, is between the people who already have some—whether a 70-foot-wide lot in Massapequa, L.I., or a 1,000-acre estate in Far Hills, N.J.—and those who want new residents and more intensive development in the suburbs for their own personal profit or social goals.

A team of reporters from The New York Times who toured the New York suburbs for five weeks found that in town after town there were fights over land use with large numbers of people sharing a single goal—to keep other people, new people, out of their community.

And in those same towns there was a surprising answer to the question of who is winning the struggle, who runs the suburbs. The recurring answer was: "The people," the people who live in the towns, who have their own property.

But this is not the whole story of the New York suburbs. The people there often watch, helpless and frustrated, as their lives and towns are changed by decisions of Federal and state governments or by profit-minded combines of developers and politicians.

But, in general, the people who now live in the suburbs have one super-weapon—zoning—and they have used it to become the dominant force in the struggle over and use.

The other side of the struggle, the forces of change, involves an uneasy coalition between the men who will make money if the land is intensely developed and men who seek social change, civil rights activists and professional planners who want to move low-income and moderate-income people out of the city.

The builders, landowners and politicians, some of them vulnerable to the corruption that comes with the profits of land development, win a few battles. Many suburbanites interviewed in the last few weeks, in fact, thought the builders were always winning—they complained about new gas stations along their highways and new homes or apartments rising.

#### GROWTH RESTRICTED

But not much is actually going up, for the trend is clearly with "the people" against change.

Westchester County, for example, has moved steadily toward more and more restrictive zoning and its population capacity (if every vacant lot were built on as densely as possible) has dropped from 3.2 million in 1952 to 2.3 million in 1957 and 1.8 million today.

The Rockland County News-Leader-Independent commented editorially on the trend two months ago in the following way:

"At a recent meeting of the Nanuet Rotary, a fellow said half-jokingly, 'You know who runs Rockland County? Fifty women with baby carriages who turn out to protest everything and anything'... He's right. They seem to wield more power than a bevy of legislators, supervisors, mayors and councilmen all put together. They are indeed the new power elite—a force that sets officials trembling at their very approach.

John F. English, the former Nassau County Democratic chairman who is now a key figure in the Presidential campaign of Senator Edmund S. Muskie, noted:

"Suburban government is much more responsive to the people than other American government. It's the politics of the territorial imperative, the protection of their property. That means opposing new housing and new people, anything that might change the status quo."

"The power is really with the people," said Paul Davidoff, co-director of the Suburban Action Institute, which has filed several suits in an attempt to force suburban communities to drop restrictive zoning and accept low-income housing.

"They act perfectly rationally to protect their interests by keeping everybody else out," he said. "And you can see their success by looking at the number of development projects turned down by any suburban government. They only change zoning if they desperately need industry to help pay the tax bills."

Three miles away from the institute's small office in White Plains, Robert Weinberg, founder of Westchester County's largest developer, Robert Martin Associates, unhappily agreed.

#### STATUS QUO RULES

"I'm one of the largest landholders in Westchester," he said. "Within a half-hour of here, I've got 500 to 600 acres I can't do anything with because of zoning. It's all zoned for one house an acre to keep out anyone earning less than \$25,000.

"All they want here is the status quo—a guy wants to walk his dog in my woods, he thinks they're his woods. Citizens have an absolute right over zoning. We just can't run with local little hometown rule. Every idiot can come down to the town hall and have his say and the guys up front tremble because they're afraid they won't be re-elected."

However, the metropolitan area's population keeps expanding and now people want to live in the suburbs, especially as more and more companies move there.

The pressure of that expansion, basically involving the white middle class, is becoming so great that some observers believe that Federal and state governments will soon have break down local zoning restrictions—as the Urban Development Corporation already has the power to do in the State of New York.

A good illustration of the impact of zoning can be found in Wayne, N.J., 20 miles west of the Lincoln Tunnel. There, the value of an acre of land has risen from about \$700 to as much as \$90,000 as the township's population grew from 12,000 in 1950 to 49,000 in 1970.

But the top value of that acre depends on zoning—an acre worth \$90,000 today for high-density use like office buildings or garden apartments is worth only \$10,000 if it's zoned for one single-family home.

"The power to zone is the power to make millionaires," said Lee Edward Koppelman, the director of the Nassau-Suffolk Regional

Planning Board. And millions were made as the population exploded into Wayne and a hundred other towns around New York.

Who made the money? "The land speculators and real estate operators made most of it," said Harry J. Butler, a former Mayor of Wayne. "The farmers who originally owned the land here never realized its value."

Mr. Butler, a Democrat, spent a stormy term in office publicly denouncing the profitable relationship between politics, land speculation and zoning in his town. It happened that the township officials he was denouncing were Republicans.

In one case, for example, he pointed out that three municipal officials involved in the rezoning of two residential acres to allow construction of a private medical center were the principals of the corporation owning the land.

The value of that little tract increased by \$80,000 with the rezoning. Without a variance, he said, the same medical center could have been built in a "business-professional" zone only 1,000 feet down the same road, but there would have been no \$80,000 rezoning windfall.

But in Wayne, as in most suburban municipalities, the people opposed to further change have had at least their share of victories. Petitions signed by 7,500 Wayne residents and clamorous opposition at public meetings that sometimes lasted into early morning hours recently killed a proposed high-rise apartment development.

#### "RESPONSIVE" PUBLIC

The key to citizen participation in suburban governments, according to some political scientists, is the newness of those governments and the fact that many local politicians are amateurs who allow an unusually large proportion of public business to be conducted as open meetings.

The number of people who attend such meetings or who come out to vote is usually low, but apathetic citizens are often aroused and organized instantaneously around public issues, such as zoning variances.

These issues might be considered and decided in private within city governments, which have had centuries to perfect the art of decision-making within a shielded bureaucracy rather than at town council meetings.

In a study of Levittown, N.J., which has since changed its name to Willingboro, the sociologist, Herbert J. Gans, offered polls showing that governmental decisions were "remarkably responsive" to the wishes of the majority of citizens, even when those decisions were primarily influenced by small private-interest groups.

"The people generally win if they find out what's going on, but most of the money changing goes on before the people get there," said Mr. Gans, the author of "The Levittowners" and one of the nation's suburban scholars.

"When it's still farms, everyone who lives out there shares in a bonanza before the new voters get there. After that, if Mr. X wants to subdivide his land to increase its value, he can bribe every town official \$50,000 and see those officials voted out 15 minutes later when the people get angry. Then new guys are elected and they stop the building."

The land action has now moved out from places like Wayne. It is in locales like eastern Suffolk County, where Mr. Koppelman estimated that 40 per cent of the vacant land might be held by speculators; in Putnam County and in western New Jersey—even as far out as the Sussex County farm country that will soon be linked to the city and inner suburbs by Interstate Route 80.

#### THE BATTLE IS JOINED

Somerset County is made up of 198,000 people living in an area about the size of



New York City—in lovely little places named Peapack-Gladstone and Bedminster, 35 miles from the Hudson River—and it is one of the next battlegrounds.

In fact, the battle is already well under way as Western Electric learned when it tried to move its national headquarters to Bedminster and withdrew the plans after facing 400 unhappy residents at a town meeting in the local high school's gymnasium.

There are, of course, already growing clusters of development and industry in Somerset. But, mainly there are miles of gently rolling hills where Mrs. Jacqueline Onassis and friends sometimes fox-hunt, where Doris Duke, C. Douglas Dillon and the Englehard family own huge estates.

#### LIMITED PROJECTION

There is also a master plan in Somerset County and some of the most restrictive zoning in the country. The Somerset County Planning Board projects a maximum population of 400,000 by the year 2000 and its planning director, William Roach Jr., talks hopefully of holding out and letting most of the population growth leapfrog to rural Hunterdon County to the west—where Western Electric is now trying to situate.

That would leave much of Somerset as a kind of giant country club, the place where the best-paid executives live and commute to jobs, most of them in other suburban areas.

Somerset has the zoning to do just that—63 per cent of the county is zoned to restrict building to one-family homes on lots of one to 10 acres. Only two of the 21 towns have multifamily (apartment) zoning and 95.3 per cent of Far Hills Township is zoned for 10-acre building.

It's possible that with such zoning, and with the personal power of some of its residents, Somerset is immune to the kind of growth that overwhelmed much of Nassau County. But even in protected communities—Mr. Gans calls them "vest-pocket principalities"—some people are beginning to have second thoughts about what kind of future they are making for their towns.

Police Lieut. George D'Amico of Northvale—a north Bergen County town of 5,200 people where 1,600 residents signed petitions that helped block a garden-apartment development—put it this way:

"My daughter will be getting married in a few years and I'd like to see her remain here. A nice little development wouldn't hurt anyone. Give our kids a chance. It's unfair. We had our chance to move out here."

#### COMMON TREND OF THOUGHT

Mr. D'Amico's way of expressing a thought came up in almost every interview about government and power in the suburbs: Does democracy and home rule mean that the people who already live within the arbitrary boundaries of a community have the right to keep everybody else out?

Mr. Weinberg, the Westchester builder, and civil rights activists like Mr. Davidoff and Mr. Gold all favor the same solution to their different problems—they want state or Federal action to allow zoning at higher levels of government.

"The housing mix should be mandated at a higher level where it's more difficult to get at the public official," said Mr. Weinberg. "How long can the cities stay in misery while everybody out here sits, enjoying the American dream. What right does a person living on a quarter-acre lot have to make the next guy live on a half-acre? If you want to live in a park, buy it."

"The Federal Government will eventually have to step in," Mr. Gans predicted, "because the people who want to live there will be middle-class people, people who can make their demands felt. Zoning and other safeguards will fall."

If he is right, the power of the people will be tempered by direct intervention of higher

government. It is already tempered, of course, by many other factors, such as the pressure to reduce homeowners' tax bills by bringing in industry, especially along highways and the borders of neighboring municipalities, which must then deal with traffic problems.

And in each town, residents agree on an answer, generally naming a man or an institution with heavy local economic interests who becomes involved publicly or privately in a wide range of issues, winning more often than losing.

In Islip, the names that came up in interviews were Anthony Pace, a lawyer and town Republican leader, and Edward McGowan, a former Republican leader and one of the town's largest landholders.

#### PATTERN UNCHANGING

The name of Newsday, the 458,000-circulation daily newspaper published in Garden City, is also mentioned again and again, not surprisingly, since the newspaper began the investigations of land dealings that sent greedy local officials to jail.

"Planning has a chance on Long Island," said Mr. Koppelman, "because Newsday supports it. And Newsday is the only thing that's kept Long Island from going all the way down the drain of dishonesty."

In other suburbs, the pattern of power is the same but the names change:

The Record, with its circulation of 148,000 in Bergen County; the League of Women Voters in Westchester, reflecting the fact that the most active citizens of the suburbs are often well-educated, but nonworking housewives; taxpayers' associations in many towns which regularly fight to reduce school and municipal budgets; Spyros Lynos, known as "The Golden Greek" in Wayne because of his land and construction dealings, and similar financial-political operators in other towns; International Business Machines, Inc., in Dutchess County and Johnson & Johnson, Inc., in Somerset County, both with thousands of local employees, including many in elected offices, but both reluctant to become so visibly involved in local affairs that they become issues or targets in local elections. And, in town after town, the Republican party.

The suburbs are not the Republican monolith often portrayed in the past. In fact, half the 18 United States Representatives elected from New York's suburbs are Democrats. But Republicans do tend to dominate suburban politics for several reasons, especially because they are permanently organized in many small communities along lines reminiscent of big-city Democratic politics of the nineteen-forties.

The home as the center of politics, of course, is still a major part of the story of suburban power.

"People came here to get away from it all, from the problems of the city, of the country," said Mr. Butler the former Mayor of Wayne "The only thing that arouses them is a zoning change near them or higher taxes. They don't think they have any responsibility for things like low-income housing and the officials they elect understand that their responsibility is to keep the community the way the people here want it."

[From the New York Times, Aug. 18, 1971]

#### RISE IN JOBS POSES PROBLEM IN SUBURBS

(By Linda Greenhouse)

(NOTE.—This is the third of a four-part series on use and control of land in the suburbs.)

Ten years ago much of Bridgewater Township, N.J., still looked much as it did when George Washington camped his troops in the safety of the first range of the Watchung Mountains.

The township's population was 15,000 in 1960 and it contained industrial and commercial property valued at \$30 million. Its mountains were wooded and untouched, corn

grew on its plains and apple trees in its valleys.

Today Bridgewater has 30,000 people. Houses are silhouetted on the crests of the hills and office buildings dot the flat plain. The town's industrial value has climbed to \$161 million.

To a greater or lesser degree, the Bridgewater are everywhere. The physical monuments to the economic success story of the New York suburbs cover the landscape: Office towers rising at every highway intersection; shopping centers providing new definitions of the term with their sculpture gardens and community rooms; the sprawling campus-style headquarters of the corporate refugees from Manhattan.

But that success story has another side.

Land is more than wealth and power. It gives much more than merely physical shape to the suburbs. A team of New York Times reporters who toured the New York suburbs for five weeks found that the economics of land use was the prime factor in the growth of two closely related, vital components of the suburbs' economic health; jobs and housing.

Because local government must pay for itself by—the tax it puts on land—the property tax—land can mean either profit or peril to a town. If, because of the tax structure, some kinds of development—housing—cost the town much more than other kinds—industry—the town will inevitably avoid one and seek the other. Severe imbalance are the inevitable results.

Job opportunities in the suburbs have been increasing, but the availability of housing there lags so far behind that a majority of the region's labor force must endure long and expensive commuting to reach the jobs.

And while industrial development has meant huge tax advantages for some suburban communities, some neighboring areas that are not equally blessed with shopping centers or industrial parks stagger under huge tax burdens.

Although no one is yet suggesting that the boom is about to end or that the suburban monuments are crumbling, the growing imbalances have raised the question: How long can the suburbs sustain their record of economic accomplishment when the benefits fall so unevenly on the region's population?

According to the Regional Plan Association, 2.4 million additional jobs will be created in the metropolitan area by 1985. Two million will be in the suburbs.

In 1910, according to the Regional Plan Association, New York City contained 80 per cent of the region's office jobs. The proportion was 70 per cent in 1940 and by 1960 it had dropped to 60 per cent. The figures are adjusted for the R.P.A.'s current definition of the 31-county metropolitan region.

New York City's proportion of total manufacturing employment dropped from 54 to 51 per cent from 1959 to 1965, and is expected to fall to 42 per cent in 15 years.

Fourteen of the wealthiest suburban municipalities in New Jersey have a combined population of 380,000, almost equal to the population of the state's largest city, Newark. The 14 contain industrial property worth \$2.1-billion, according to figures compiled by the Suburban Action Institute, a foundation-supported research and civil rights organization in White Plains. The value of industrial property in Newark is less than a third of that figure, \$665-million.

#### GROWING INDEPENDENCE

If there is one factor held in common by suburban communities surrounding New York City, it is a growing economic independence from the city.

In many cases, the perception of independence may not yet have caught up with reality. Suburban residents, after a lifetime of hearing their communities described as

bedrooms for the city, often persist in believing that to be true even if no one on their block commutes.

In fact, the city is moving toward becoming the bedroom as the suburbs approach the point of being net importers, rather than exporters, of labor. Brooklyn, the Bronx and Queens, with their vast supply of apartments and aging single-family houses, are becoming dormitories for those who work beyond the city limits.

The new suburban jobs are not only jobs for executives and office workers. As the suburban economy continues to diversify, wholesaling and manufacturing become more important.

According to an unpublished study by the National Committee Against Discrimination in Housing, 150,000 of the 750,000 new suburban jobs, created in the nineteen-sixties were blue-collar jobs, but during the same period the number of blue-collar workers living in the suburbs increased by only 50,000.

By 1985, the study predicts, the suburbs will have 65 per cent of the region's blue-collar jobs but a much smaller share of the workers.

With apartment development blocked by zoning regulations, and with the minimum price for new houses ranging from \$30,000 in Suffolk County to as high as \$50,000 in Westchester, the vast majority of people taking new blue-collar jobs in the suburbs will continue to find themselves priced out of housing near their places of employment.

Figures compiled but not yet released by the Tri-State Transportation Commission show that in Nassau County there are 139,000 more low-income and middle-income jobs than there are comparably priced housing units. In Bergen County, N.J., the deficit is 77,700 units.

The deficit is 82,200 units in Westchester County where, according to the County Planning Department, the number of jobs will exceed the number of employed residents for the first time in history within 10 years—an astounding milestone for an area that is virtually synonymous in the minds of a nation with the stereotyped commuter suburb.

These figures illustrate the change: In 1950, 76,000 people were regular commuters to New York City and elsewhere, and fewer than 10,000 people commuted to jobs in Westchester. Now, 116,000 commute from Westchester and 81,000 travel to the county, with the ratio getting smaller all the time.

The cost of the imbalance between jobs and housing is high, requiring expensive and time-consuming traveling. The cost is also high for the suburban employers, who have to depend on an outside labor force and who are concerned over the possibility of labor shortages.

One such company is the Mem Company in Northvale, N.J., manufacturers of the English Lather line of men's toiletries.

With 350 employees, the company is Northvale's largest employer. Its clerical positions are filled by housewives from the surrounding Bergen County communities. But half its employees are blacks and Puerto Ricans, most of whom commute from New York to their jobs on the assembly line and in the packing rooms.

Every morning, the company runs a bus from the George Washington Bridge terminal to its plant in an attractive industrial park, but a new employee may spend as long as two years on the job before he gains enough seniority for one of the 54 seats.

"Even though most of them can't get on the bus and have to use carpools, it gives us a psychological edge in recruiting," said George Danz, the company's personnel director. The bus costs the company \$13,000 a year.

At least some employers have started to worry about the situation. A survey last year by the Somerset County (N.J.) Planning De-

partment showed that 59 per cent of the county's major employers felt that the cost and availability of housing would restrict their plans for expansion.

More than half said that they would not be able to meet their labor needs under the current residential zone restrictions, and half answered yes to the question: "Do you feel that some of your employees live so far away as to affect their efficiency and present an economic burden?"

Eugene J. Schneider, executive director of the New Jersey County and Municipal Government Study Commission in Trenton said: "Unless the imbalance between jobs and housing is corrected all our natural advantages for industry will disappear."

But there have been few signs so far that companies are willing to exert pressure on local governments to change the zoning restrictions that underlie the housing shortage. Such restrictions rule out apartments and modest houses on small lots that workers with low incomes could afford.

The corporate giants that have the power to influence housing patterns are, because of their size, the least likely to feel the impact of any labor shortage.

"They know for a few dollars extra they can always get someone," said one Manhattan-based company executive who has been a close student of the corporate moves to the suburbs. "If you ask them why they don't use their leverage to change things, they say, 'Well, we just want to be a good citizen.'"

"But, after all, they used their leverage to get in and get their zone changes in the first place."

The argument that suburban towns offer against residential development is nearly always financial. As long as the property tax is the chief source of revenue for local government, a town stands to lose money on all but the most expensive houses.

In Princeton Township, for example, a \$60,000 house barely pays enough in taxes to offset the services—such as schools, sanitation and the like—made necessary by its presence.

North Castle, in Westchester County, breaks even on a \$52,000 house. In New Canaan, Conn., the break-even point is \$70,000.

The tax burden in the metropolitan area is not only heavy—property taxes in the Northeast have historically been the highest in the country—but it is distorted as well by the patchwork nature of development in the suburbs.

An example can be seen in Bergen County, where the two boroughs of Rockleigh and Northvale, each a mile square, sit side by side. Rockleigh has 200 people and a 126-acre industrial park that pays 90 per cent of all local taxes, and, as a result, the property tax rate is 72 cents for every \$100 of assessed valuation.

Northvale, with 5,200 people, depends on residential property for more than two-thirds of its tax revenue. The owner of a \$40,000 house, who would pay \$288 a year to Rockleigh, would get a tax bill in Northvale, where the rate is \$3.87 per \$100, for \$1,362.

George Kershaw, an Eastern Airlines pilot who serves as Councilman, fire chief and tax assessor of Rockleigh, discussed the matter recently as he drove slowly through the industrial park.

#### PLANNING DEFENDED

"The trend may be to try to stop this kind of town," he said, "but we're not simply a tax haven. We did this through good, judicious planning."

Equally dramatic inequalities exist within towns.

Buttonwood Avenue, a hilly dead-end street in the Town of Cortlandt, in northern Westchester County, cuts across a school district line. The houses on the northern half of the street are in the Lakeland School District,

which has 8,500 students and a base of taxable property worth \$178-million.

The other end of the street lies in Central School District 3, which has 3,150 students and property worth \$273-million, including two \$100-million Consolidated Edison power plants. The owner of a \$25,000 house in District 3 pays \$868 in school and town taxes. Halfway up Buttonwood Avenue, the tax on the same house would be \$1,216.

As William Hitt, the Cortlandt Town Supervisor, explains it, the situation has become a vicious cycle. Industry does not want to move into the high-tax area, which has high taxes for the very reason that there is not enough industry on the tax rolls.

The inequities, as well as the actual weight of the tax burden, are what fuel voter resentment and the growing demand for reform, and both New Jersey and New York State have special commissions studying the property tax.

According to Thomas A. Dorsey, staff director of the New York State Joint Legislative Committee on Metropolitan and Regional Area Study, the basic question is "whether the property tax is still at all relevant."

If it is not, the problem is how to replace it. According to Mr. Dorsey, municipalities in New York State raise \$3.8-billion a year through the local property tax, and "you'd have to go a long way to find another tax that can give you that kind of money."

There have been numerous suggestions for reform, although most are still at the discussion stage. Most focus on the financing of education, such as the assumption by the state of all local education costs.

Other proposals include sharing tax burdens, or tax ratables, on a county level or among groups of towns, and consolidating school districts.

Some planners and tax experts are skeptical about what impact reform, however needed, would have on zoning patterns. The economic argument is a valid one, they say, but it is not the only reason the towns resist additional residential development.

"You get rid of the economic argument and then, if you are opposed to certain people moving into your neighborhood, you have to say it," said Arthur Kunz, assistant director of the Nassau-Suffolk Regional Planning Board. "You can't hide behind another argument. It would pull the bigots out of the woodworks."

#### INDUSTRY PEAK SEEN

Dick Netzer, dean of New York University's School of Public Administration, said, "Everyone knows that, strictly speaking, you're not supposed to spot zone on the basis of how it will affect taxes. But short of openly stating that purpose, you can be pretty damn overt about it. But you can't be overt at all about other reasons. There's some question as to how much the fiscal thing is a screen for others."

If suburban towns no longer needed tax ratables, Dr. Netzer suggests, they might quickly become disenchanted with the non-residential development they are now so actively seeking.

"You might find that nobody wants any factories any more," he said. "If it's not going to do them any good, they'll say, put it in the next town."

There are those who think that even without such a policy change, the flow of the glamour companies to the suburbs may be reaching its peak before slowing down.

"If a few things were different, I could argue as a businessman as strongly in favor of staying in the city," said D. Bruce Wesley, a senior vice president of the American Can Company who was in charge of the company's move to Greenwich, Conn., last year.

"After all," he said, "in the city you have modern, beautifully convenient offices. When you pull down the blinds you don't even know you're in New York. And when you



close these blinds, you don't know where you are either."

Others disagree, pointing out that the suburbs have natural advantages that seem to assure their continued economic success.

The Regional Plan Association estimates that a campus-style office building can be built for about 60 per cent of the cost of a skyscraper with the same number of square feet.

And the availability of land is important to manufacturing operations that function most efficiently spread horizontally through a one-story or two-story plant.

And there are such intangibles in the suburbs as the prestige of the suburban address and the commute over tree-lined parkways instead of tenement-lined railroad tracks. And no matter how high a price the suburban housing shortage may exact in the future, the executives who make the decision to move are not themselves much affected by the cost of housing.

[From the New York Times, Aug. 19, 1971]  
NEW HIGHWAYS SHAPING FUTURE OF CITY'S SUBURBS

(By David K. Shipler)

(NOTE.—This is the last of four articles on the development of land in the suburbs.)

The sleek new highways begun under the Eisenhower Administration are nearing completion at the edges of the metropolitan region, and they may have already set the basic course of suburban growth for the rest of this century.

Every graceful multilane ribbon of asphalt that skirts a small town and winds through farmland is like the touch of Midas, transforming old pastures and woods into precious real estate ripe for the developer who wants land for an office building, a shopping mall, a tract of houses.

The metropolitan area is now laced with 575 miles of interstate highways, almost all of them in the suburbs, paid for with 90 per cent Federal funds, 10 per cent state money.

As the region grows—adding a predicted eight million people and enough office space to fill 300 new Empire State Buildings by the year 2000—the highway network virtually guarantees that the growth will lead away from urban areas, into new land, perpetuating the centerless sprawl that has characterized the suburbs built since the end of World War II.

The evidence is visible now in a huge, lop-sided ring around the metropolitan area, the new line where, in effect, country meets city, where the suburbs thin out, where most land is still vacant.

The ring passes through Middlesex County and northern Morris County in New Jersey, Dutchess, Putnam and northern Westchester Counties in New York, eastern Suffolk County on Long Island and parts of Fairfield County in Connecticut. Here is where the 20th century will leave its final mark.

In five weeks of travel through the suburbs, a team of New York Times reporters found that the power of the highways to determine how land developed, and thus how millions of people will live and where they will work, is surer than all the careful reasoning of government planners or the defensive rhetoric of small-town politicians.

Every day in the outer counties, planners who try to fight sprawl and revive mass transportation by encouraging new development in downtown centers are being defeated by the growth that spreads along the highways, that clusters around the new interchanges.

The highways' influence has been enhanced by the resistance of many suburbanites to growth in their own towns.

Strict zoning that limits development is defended with the greatest passion in residential parts of town. Along highways, espe-

cially at the town lines, offices and shopping centers with their badly needed tax payments are often tolerated because they appear to leave the rural nature of the countryside undisturbed.

And yet the highway planners who draw the new routes and thus map the future for the suburbs say they never consider the advantages or the liabilities of rapid growth in one place or another. They never weigh the impact of their highways on the older suburban towns that must compete with the glittering shopping centers.

"We've never been able to be that luxurious," said Nicholas Sinacori, regional chief of the New York State Transportation Department in the Hudson River Valley. He said development patterns were not his responsibility, but rested completely on the shoulders of the towns that controlled zoning.

Highway authorities say they simply try to meet transportation needs, and that in doing so they search for routes where the land is cheapest and the political resistance weakest. This technique brings real estate booms to out-of-the-way places.

"It's gone crazy—it's wild!" exclaimed Robert J. Eckstein, a real estate man in Parsippany-Troy Hills, N.J., which is fast becoming one of the region's major crossroads.

Eventually, five highways—three of them new interstates—will cross in what was once a small town in Morris County. Even before their completion, the roads have begun to stimulate rapid growth.

In 1950, the population of Parsippany-Troy Hills was 15,290. Now it is 55,112. Since 1961, the total value of commercial and industrial buildings and land in the town has jumped from \$14-million to \$86-million. The value of all property has risen from \$107-million to \$483-million in 10 years.

Nine years ago, Mr. Eckstein and a partner bought an old Victorian-style house on an acre of ground for \$30,000. Now he estimates the value of the land alone at \$85,000.

The reason is simple: Only yards from Mr. Eckstein's property, in swirls of dust, steamrollers rumble along a swath of brown-red earth, packing it into a roadbed for Interstate 80. On an overpass above, a little local traffic makes use of the short strip of Interstate 287 that has been completed.

"We all knew where Route 80 would go," Mr. Eckstein said. "When 80 is complete, it's just going to be the ultimate hub."

Route 80 will connect the George Washington Bridge with the Delaware Water Gap, and Route 287 will run from the New York Thruway to the New Jersey Turnpike.

Mr. Eckstein realized the potential of this spot, and five years ago he had the Victorian house demolished. And now, near the intersection of these two incomplete highways, he already has a three-story office building under construction.

Elsewhere, development usually occurs several years after the highway is completed, either because local towns along the roads use zoning to restrain the growth for a time or because the highways probe more deeply into the countryside than people need to go to escape the spreading congestion of the inner suburbs.

Acres and acres of brush and scrub oak and pine along the extended Long Island Expressway in Suffolk County, for example, have recently been opened to industrial development by a rezoning decision in the town of Islip. Local real estate men say the rezoning pushed land values from \$7,500 to \$40,000 an acre.

#### PROPOSAL SPURS DEVELOPMENT

Development has proceeded further along Smithtown Bypass, which runs for 10 miles from Hauppauge to Port Jefferson, and, with its many intersections, is anything but a modern superhighway.

But, stimulated in part by proposals that a bridge be built someday across Long Island Sound from Port Jefferson to Bridgeport, Conn., developers have made the Smithtown Bypass a strip of new car showrooms, Carvel stands, treeless tracts of single-family houses, gasoline stations, movie theaters and even a Holiday Inn. All of this is mixed in with a few remaining potato fields.

In Piscataway, N.J., small one-story and two-story offices and factories already have been erected along a newly completed stretch of Interstate 287. And in nearby East Brunswick, so many shopping centers now line Route 18 that planners have come to call the divided highway "the main street of East Brunswick."

Continuing growth of this sort is viewed as ominous for the cities, not only the core area of Manhattan but also such smaller centers as Jamaica, Queens; downtown Brooklyn; Newark, Paterson and New Brunswick in New Jersey; White Plains; Stamford, Conn., and Hempstead, L.I.

The Regional Plan Association has long been campaigning for an end to what it calls "spread city" and a concentration of future development in subcenters around Manhattan. The planners note that otherwise, the region's residents will continue to be slaves to the automobile, since bus and train service need estimated densities of 5 to 10 families an acre to be practical.

But virtually every force seems to be pushing hard away from the downtowns. Relentlessly, developers are driving out, not up, seeking vacant land, pressuring towns to relax zoning, trying to appeal to what they believe is an insatiable American appetite for open space, even if it is merely the open space of a shopping center's parking lot versus the curbside of a downtown street.

Trenton, for example, found itself the victim of this aversion to downtown, according to Eugene J. Schneider, director of the New Jersey County and Municipal Government Study Commission.

Having spent years condemning property and clearing land for a downtown shopping mall, Trenton was able to obtain tentative commitments from four large department stores to build branches on the site, Mr. Schneider said.

Then, eight miles away on Route 1, a developer announced plans for a vast regional shopping center with four department stores. In the face of that prospective competition, the stores bound for downtown Trenton backed out.

Regional Plan officials are afraid of the same thing happening to Newburgh, N.Y., where the State Urban Development Corporation is trying to renew and revive the decaying downtown.

Macy's has made plans for a major shopping center at Fishkill across the Hudson River from Newburgh, attracted by new Interstate 84, recently opened to traffic, and by state plans to convert intersecting Route 9 into a four-lane highway.

The location of a major shopping center at that intersection, planners reason, threatens to sap downtown Newburgh of what vitality it has retained.

Even government facilities are attracted to the highways. Suffolk County built a complex of county offices not in a downtown, but on rural land near the Long Island Expressway, Veterans Memorial Highway and the Smithtown Bypass. The state is planning an office building nearby, also shunning a downtown site.

Despite the enormous power of highways to determine the pattern of suburban growth, highway planners interviewed in the metropolitan region said they determined routes and located interchanges not with regard to their impact on future development, but instead to catch up with growth and meet what they judge as transportation needs.

"Our planning has been one to date of

reaction," said Keith Rosser, planning director of the New Jersey State Department of Transportation. "The money is not there to plan intelligently."

Mr. Rosser and others said they picked highway routes where land was cheapest, where the fewest structures had to be demolished and where local opposition was the least vocal. They do not locate highways to influence development in one place or another, they said.

"We construct highways, very frankly, where we're permitted to construct highways," Mr. Rosser said.

The view of the highway network as simply a transportation device that responds to existing development was characteristic of the arguments surrounding the proposal of the interstate highway system by President Eisenhower.

In the 53-page message from the President to Congress on Feb. 22, 1955, recommending such a road network, there is not a single word about the impact of the highways on the cities or on the future development of the suburbs.

Mr. Eisenhower gave four reasons for advocating the 42,500-mile system, of which 31,899 miles now have been completed.

He said that present highways were unsafe, that people were experiencing enormous traffic jams, that poor roads saddled business with high cost for transportation and that modern highways were needed because "in case of an atomic attack on our key cities, the road net must permit quick evacuation of target areas."

In a report, the President's Advisory Committee on a National Highway Program, headed by Gen. Lucius D. Clay, hailed the dispersal that planners are now cursing.

The nation's highways, the committee wrote, "have been able to disperse our factories, our stores, our people; in short, to create a revolution in living habits. Our cities have spread into suburbs, dependent on the automobile for their existence.

"The automobile has restored a way of life in which the individual may live in a friendly neighborhood, it has brought city and country closer together, it has made us one country and a united people."

After the House of Representatives approved the program with a voice vote and the Senate voted for it 89 to 1 Lewis Mumford wrote gloomily in his book, "The Highway and the City":

"When the American people, through their Congress, voted a little while ago for a \$26-billion highway program, the most charitable thing to assume about this action is that they hadn't the faintest notion of what they were doing.

#### "ILL-CONCEIVED PROGRAM

"Within the next 15 years they will doubtless find out but by that time it will be too late to correct all the damage to our cities and our countryside, not least to the efficient organization of industry and transportation, that this ill-conceived and posterously unbalanced program will have wrought."

The 15 years have elapsed. The search in those years for an alternative to the city "has provided residents with the worst of both worlds," wrote William B. Shore, a vice president of the Regional Plan Association, in a recent issue of City Magazine.

"In some ways," Mr. Shore declared, "they have little more variety and choice and opportunity than the small-city resident. Yet they are imbedded in a huge urban region—everywhere there are people. Houses march over hilltops, cut into forests, fragment stream valleys, 'Downtown' is the highway strip."

But "spread city," as Mr. Shore terms it, is cheaper for developers to build, and the ex-

pense of new construction has become the major source of fear for builders.

"Everyone is catering to the few who can afford our product," said Robert Weinberg, a partner in Robert Martin Corporation, one of Westchester County's largest builders.

"But that customer can be a super shopper. One misstep is fatal for a builder."

Peter Taylor, a vice president in charge of Levitt & Sons' Long Island region, agrees. "We're a mass builder," he said. "But our market is rapidly decreasing. We've tried to drive the cost down, but we still can't sell to a guy who makes under 17 grand a year."

When the original Levittown was built on Long Island in 1947, Mr. Taylor said, the houses were about 750 square feet in area with one bathroom, and the capacity to have bedrooms added to them later.

For years after that, he said, "our houses had two bathrooms and could not be added to.

"They were larger," he said. "Now high construction costs have thinned out the market so much, we've almost come full circle. We're selling expandable houses, and now two bathrooms are a luxury. We're going back to one-bathroom houses."

In the midst of this economic squeeze, land has become the most precious commodity in the suburbs. Wall Street investment houses and large corporations have begun investing large sums in vast tracts in Putnam County in New York and Morris County in New Jersey, according to planners.

And while most people still try to keep highways out, a growing number of landowners—many of them farmers—are asking for highways and interchanges near their property to enhance its value, according to Mr. Sinacori.

Someday, the land will surely be exhausted, gobbled up by campus-style offices, one-story factories, concrete and asphalt. Housing will then have to go up, Mr. Taylor said.

He foresees a megalopolis of house on two acres, and they'll high-rise apartments on Long Island. "I tell my kids that they can tell their kids that Grandpa Taylor lived in a single-family house on two acres, and they'll say, 'Yeah?'"

#### FIRE COMPANY CELEBRATES 75TH ANNIVERSARY

### HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1971

Mr. WOLFF. Mr. Speaker, in thousands of communities across this country the important job of firefighting is handled in a responsible and professional manner which belies the volunteer status of the men who make up our volunteer fire companies.

One of the oldest such organized volunteer fire companies in the United States is the Atlantic Steamer Fire Company No. 1 of Oyster Bay, N.Y., which is my congressional district. On Sunday, August 29, the Atlantic Steamer Fire Company celebrated its 75th anniversary in a great community demonstration of appreciation and respect.

I think it is important for us to reflect on the role that volunteer fire companies play wherever they are located. By providing their essential service on a volunteer basis they are demonstrating the sense of community that is so important

in a democratic society. And by giving their time from their jobs and families they are saving the residents of the community the great expense of hiring full-time paid firefighters.

The Atlantic Steamer Fire Company No. 1 has a great record built over three-quarters of a century of community service. I am proud to extend my most sincere congratulations and best wishes to the men and their families on this auspicious anniversary.

#### GENOCIDE BY SCHOOL BUSING— RARICK REPORTS TO HIS PEOPLE

### HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1971

Mr. RARICK. Mr. Speaker, I recently reported to my people on school busing. I insert my report in the RECORD at this point followed by the text of the Genocide Convention:

#### RARICK REPORTS TO HIS PEOPLE ON SCHOOL BUSING

The top repeater in the news these days is busing—busing by court order to achieve racial balance—busing to prevent the cutting off of Federal funds to public educational facilities.

And woe be it unto those politicians who support busing for the gnashing of teeth that is now heard comes principally from Northern people who have never before experienced loss of freedom nor felt the tyranny of reconstruction under their own government! The Americans outside that area known as the South are those who refused to believe our warning that a government so powerful it could take care of the individual from cradle to grave could also kidnap the citizens' children and make them political hostages.

As I talk, in Pontiac, Michigan, 10 school buses have been frantically destroyed as a futile gesture; and the Chinese-Americans in San Francisco have appealed unsuccessfully to that great liberal Justice William O. Douglas of the Supreme Court to prevent the destruction of the Chinese culture by the busing of Chinese children outside the Chinese community.

Busing—no one, from President Nixon and Chief Justice Burger to the Negro parent, seems to want it, yet it continues as if propelled by some underground power.

Never in the history of these United States have our people suffered such an enigma—possibly never before in the world since the tragic march of children to the Holy Land during the Middle Ages has the world beheld such carnage and sacrifice of children as the political pawns of misguided leaders and theoreticians of busing not for education or for social advantage but busing only for one goal—achieving racial balance which must mean contact and resulting conflict between the races and cultures.

I think it most interesting that while President Nixon weakly apologizes for busing, his administration will go down in history as making him the greatest of all the exploiters of children—the destroyer of the several cultures in our country—it especially is significant that at the same time political education by busing is occurring. President Nixon is pledging his administration to strengthen the U.N.



The U.N. in the meantime has already condemned busing to achieve racial balance as the international crime of genocide. While the U.S. has not adopted the U.N. Genocide Treaty, the Treaty has been ratified by 67 foreign nations as constituting one of the most heinous and barbarous crimes known to man. Genocide is labeled by the U.N. Treaty as an odious scourge on humanity.

Most people who have not seen nor studied the crime of genocide relate it only to the Jewish people and systematic murder of an identified race or group. Others oppose the treaty because they fear it could be used by the Communists, the U.N. and world politicians to deny American citizens, their constitutionally secured rights. All such possibilities exist but more. Genocide has been identified as more than systematic murder, brainwashing, and birth control of a group.

Article 2, Section E of the Genocide Treaty identifies the heinous crime of genocide as including an act with intent to destroy in whole or in part, a national, ethnical, racial, or religious group as such, by forcibly transferring children of the group to another group.

The act of busing school children for the limited purpose of achieving racial balance is precisely within the intent of the international crime of genocide, for the busing is expressly provided for the purpose of destroying in whole or in part the cultural differences by racially intermixing different races as well as national origins to achieve the express goal of overcoming racial identity in school children, that is, a mythical formula of racial balance.

Therefore, in the eyes of world public opinion—at least to the 67 signatory countries to the Genocide Treaty—genocide, the forcible busing of school children to destroy racial and ethnic identity, is not only immoral and unjust, but criminal.

Likewise, no Federal judge, school administrator, nor HEW bureaucrat can hope to escape his complicity for genocide since the treaty calls for punishment whether they are Constitutionally responsible rulers, public officials, or private individuals. Nor can those carrying out the genocide by busing escape personal liability by blaming their action on the Supreme Court or the political power structure since the Genocide Treaty extends to conspiracy, direct and public incitement, attempt, and complicity.

It makes one wonder how many public officials, including Federal Judges, HEW bureaucrats, Justice Department officials, or even the President of the U.S., are ready to stand trial on charges of genocide by busing.

As against the outlawed international crime of genocide by busing, let us look at several of the flimsy excuses offered to defend busing.

Some of the new police state spokesmen would have you believe busing to achieve racial balance is obligatory because it is the law of the land. This is a deliberate lie. While the Supreme Court has refused to reverse lower court ordered busing, the Supreme Court decisions are not the law of the land. The Constitution prescribes the law of the land as "the Constitution and the law of Congress enacted pursuant to the Constitution." Nothing is even mentioned about federal courts or federal court decisions let alone busing of children to overcome racial balance. Some of our genocidists would like to have a court decision or law to hide behind to escape future responsibility, but there are none except de facto judicial utterances which have the effect of law only so long as they are accepted by the people.

On the contrary, the laws passed by Congress specifically reject busing to achieve some mythical theory of racial balance.

The vocal minority which supports busing and strangely seems to have control of the national communications media seeks to malign and vilify those parents who object

to busing by using the trigger word "defiance". There certainly is defiance, but I suggest that it is the bureaucrats, politicians, and federal judges who are defiant—in defiance of the basic laws of their government and the freedoms of their people. It is those in power and not the people who are in defiance of our laws.

It wasn't the people who have made the problems. Why should the people be made the scapegoat? Any parent should be expected to be concerned over the safety, protection and education of his child. This is not only a Christian teaching and duty, but also a responsibility accepted by the heathen. Even animals defend their young.

Then we hear the NAACP jargon and rationalization that busing is necessary to achieve equal education. Equal education for whom is not clear since there has been nothing said in busing about maintaining educational standards or even quality education. Busing is being forced solely for the purpose of achieving some intellectual idiot's satisfaction of racial balance. Any theory of racial equality is nonsense since the races are not equal in number, nor does the argument that all races must be destroyed to elevate one race speak highly of the anti-minority goals of the NAACP.

Then we hear the argument that busing creates jobs, buys new buses and stimulates the economy. This argument is veiled in self-interest and hypocrisy since if it was the economy and not education that was in the public interest, the dual school systems would never have been destroyed putting thousands out of work and shutting down hundreds of existing schools and classrooms. Likewise, the answer to exploiting education for jobs would seem more apt by returning to the old neighborhood school system—a school within walking distance of every school child without any need for buses. Most understanding parents realize they lost their schools and control over their children when the little neighborhood school was closed and the massive unworkable consolidated school came into being. Most Americans would gladly welcome spurring the economy by a massive program of reinstating neighborhood schools in lieu of busing their children many miles to be used as a teaching aid for political education. Other alert parents look beyond the busing experiment and see in it but an educational exercise to ready the parents for future things to come.

For once parents have been conditioned to give up their children to the dictates of federal judges and the programming of federal bureaucrats, there are new human torture exercises awaiting them. Our children of the future are to be exclusive property of the state or at least chattels of the political arm in power.

Already we hear of federal programs for child development, child advocates, and child day care centers for training and custodial care of America's children. A bill already introduced in Congress and on which hearings have been held authorizes and directs the Secretary of HEW to design "Health, social and educational programs including afterschool, summer, weekend, vacation, and overnight programs." America's children are to receive a fate similar to Stalin's children except Stalin was a piker when it comes to what some "Americans" plan for future Americans.

In another telecast, I hope to report to you on the massive kidnapping of America's children to follow the experiences gained in the massive busing of America's children.

Much as we may sympathize with the northern children because of the child stealing by our government, remember it is a necessary evil, for until or unless Northern parents are rudely awakened and turn on their liberal political leaders, we have little chance of regaining control of public education in our Southland.

The liberal's fascist iron fist is showing. Let Americans awaken!

#### TEXT OF THE GENOCIDE CONVENTION

##### THE CONTRACTING PARTIES,

HAVING CONSIDERED the declaration made by the General Assembly of the United Nations in its resolution 96 (I) dated 11 December 1946 that genocide is a crime under international law, contrary to the spirit and aims of the United Nations and condemned by the civilized world;

RECOGNIZING that at all periods of history genocide has inflicted great losses on humanity; and

BEING CONVINCED that, in order to liberate mankind from such an odious scourge, international co-operation is required:

HEREBY AGREE AS HEREINAFTER PROVIDED:

##### Article I

The Contracting Parties confirm that genocide, whether committed in time of peace or in time of war, is a crime under international law which they undertake to prevent and to punish.

##### Article II

In the present Convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

- (a) Killing members of the group;
- (b) Causing serious bodily or mental harm to members of the group;
- (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
- (d) Imposing measures intended to prevent births within the group;
- (e) Forcibly transferring children of the group to another group.

##### Article III

The following acts shall be punishable:

- (a) Genocide;
- (b) Conspiracy to commit genocide;
- (c) Direct and public incitement to commit genocide;
- (d) Attempt to commit genocide;
- (e) Complicity in genocide.

##### Article IV

Persons committing genocide or any of the other acts enumerated in Article III shall be punished, whether they are constitutionally responsible rulers, public officials or private individuals.

##### Article V

The Contracting Parties undertake to enact, in accordance with their respective Constitutions, the necessary legislation to give effect to the provisions of the present Convention and, in particular, to provide effective penalties for persons guilty of genocide or of any of the other acts enumerated in Article III.

##### Article VI

Persons charged with genocide or any of the other acts enumerated in Article III shall be tried by a competent tribunal of the State in the territory of which the act was committed, or by such international penal tribunal as may have jurisdiction with respect to those Contracting Parties which shall have accepted its jurisdiction.

##### Article VII

Genocide and the other acts enumerated in Article III shall not be considered as political crimes for the purpose of extradition.

The Contracting Parties pledge themselves in such cases to grant extradition in accordance with their laws and treaties in force.

##### Article VIII

Any Contracting Party may call upon the competent organs of the United Nations to take such action under the Charter of the United Nations as they consider appropriate for the prevention and suppression of acts of genocide or any of the other acts enumerated in Article III.

**Article IX**

Disputes between the Contracting Parties relating to the interpretation, application or fulfillment of the present Convention, including those relating to the responsibility of a State for genocide or for any of the other acts enumerated in Article III, shall be submitted to the International Court of Justice at the request of any of the parties to the dispute.

**Article X**

The present Convention, of which the Chinese, English, French, Russian and Spanish texts are equally authentic, shall bear the date of 9 December 1948.

**Article XI**

The present Convention shall be open until 31 December 1949 for signature on behalf of any Member of the United Nations and of any non-member State to which an invitation to sign has been addressed by the General Assembly.

The present Convention shall be ratified, and the instruments of ratification shall be deposited with the Secretary-General of the United Nations.

After 1 January 1950 the present Convention may be acceded to on behalf of any Member of the United Nations and of any non-member State which has received an invitation as aforesaid.

Instruments of accession shall be deposited with the Secretary-General of the United Nations.

**Article XII**

Any Contracting party may at any time, by notification addressed to the Secretary-General of the United Nations, extend the application of the present Convention to all or any of the territories for the conduct of whose foreign relations that Contracting Party is responsible.

**Article XIII**

On the day when the first twenty instruments of ratification or accession have been deposited, the Secretary-General shall draw up a *procès-verbal* and transmit a copy thereof to each Member of the United Nations and to each of the non-member States contemplated in Article XI.

The present Convention shall come into force on the ninetieth day following the date of the twentieth instrument of ratification or accession.

Any ratification or accession effected subsequent to the latter date shall become effective on the ninetieth day following the deposit of the instrument of ratification or accession.

**Article XIV**

The present Convention shall remain in effect for a period of ten years as from the date of its coming into force.

It shall thereafter remain in force for successive periods of five years for such Contracting Parties as have not denounced it at least six months before the expiration of the current period.

Denunciation shall be effected by a written notification addressed to the Secretary-General of the United Nations.

**Article XV**

If, as a result of denunciations, the number of Parties to the present Convention should become less than sixteen, the Convention shall cease to be in force as from the date on which the last of these denunciations shall become effective.

**Article XVI**

A request for the revision of the present Convention may be made at any time by any Contracting Party by means of a notification in writing addressed to the Secretary-General.

The General Assembly shall decide upon the steps, if any, to be taken in respect of such request.

**Article XVII**

The Secretary-General of the United Nations shall notify all Members of the United Nations and the non-member States contemplated in Article XI of the following:

(a) Signatures, ratifications and accessions received in accordance with Article XI;

(b) Notifications received in accordance with Article XII;

(c) The date upon which the present Convention comes into force in accordance with Article XIII;

(d) Denunciations received in accordance with Article XIV;

(e) The abrogation of the Convention in accordance with Article XV;

(f) Notifications received in accordance with Article XVI.

**Article XVIII**

The original of the present Convention shall be deposited in the archives of the United Nations.

A certified copy of the Convention shall be transmitted to each Member of the United Nations and to each of the non-member States contemplated in Article X.

**Article XIX**

The present Convention shall be registered by the Secretary-General of the United Nations on the date of its coming into force.

[From the Washington Post, Sept. 12, 1969]  
FINCH ASKS SENATE TO KILL "FREEDOM OF CHOICE" BILL

The Nixon administration announced its opposition last night to a controversial bill supporting "freedom of choice" school desegregation.

The measure, now pending in the Senate, passed the House as an amendment to the Health, Education and Welfare Department's appropriations bill. It was drafted by Rep. Jamie Whitten (D-Miss.). Whitten was not available immediately for comment last night. HEW Secretary Robert H. Finch pronounced the administration's first formal word of opposition to the amendment, which forbids the federal government from withholding aid to school districts that have freedom of choice plans.

Finch said in a statement that the Whitten amendment would prejudice the ability of the department to carry out its mandate.

The administration voiced no opposition when the amendment passed the House.

Finch said in the statement that HEW is currently completing a "thorough report" on its civil rights activities since the administration took office last Jan. 20.

"I am confident that this report, which I expect to release shortly, will show that remarkable progress has been made during the past eight months," Finch said.

HEW has a broad range of responsibilities, he said, adding, "We are proud of the progress made in all these areas, even as we recognize the job still to be done."

"Since January, we have, taken significant new strides, including greatly increased use of the courts through the Department of Justice to end segregation in schools," Finch said.

He said the report is expected to show significant progress in ending racial discrimination in higher education, health and social services, and employment.

**DEMOCRACY IN SPORTS****HON. JACK F. KEMP**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1971

Mr. KEMP. Mr. Speaker, it was my good fortune to attend the June 30, 1971, meeting of the Washington Pigs Club.

This group is composed of over 500 leaders in civic, professional, religious, educational, and community activities in 10 Atlantic seaboard States and the District of Columbia—men primarily interested in stimulating competitive sports at the high school, college, and professional levels of play.

Over the years the Pigs Club's major objective and program emphasis has been in the area of stimulating a true democracy in competitive sports. Providing college scholarships for worthy high school seniors, financial support for the NAACP, national and local Urban League, Police Boys Clubs, Christians, and Jews, the March on Washington, the Big Brothers Movement, YMCA, Boy Scouts of America, and the United Givers Fund—are a few of the many community agencies and other worthy causes, to which funds are contributed annually.

Mr. Speaker, at the June meeting Rev. H. Albion Ferrell, vice chairman of the District of Columbia Board of Parole, made a very fine talk. I take pleasure in calling this to the attention of my colleagues and include his remarks at this point:

REMARKS BY H. ALBION FERRELL AT THE PIGSKIN CLUB, JUNE 30, 1971

Mr. President and Fellow Pigskinners:

As I sat and heard our President review for our new members the history of the Pigskin Club and its efforts to make real the ideal of democracy in sports, I felt that I could not leave this meeting this evening without sharing with you a matter that is deep in my heart and may well be in the forefront of your thinking.

Many of us have been disturbed over the past few years by a growing demonstration on the part of many of our young people to refuse to accept the responsibility of their actions. They have chosen to protest sometimes peaceably, sometimes violently, many of the conditions that exist and which in their opinion should be changed, but they have refused to be called to account for their actions and having tried to claim amnesty for many things that they have done. They have attempted to write their own rules and to change the rules in the middle of the game.

We have witnessed recently a singular departure from this growing phenomena. There was a man who when faced with the possibility of being required to serve in the armed forces of the country, from the urgings of his conscience, refused to go. He is not a man that some of us admire particularly. Some of us see him as a braggart full of braggadocio and practicing a religion for which we have no sympathy. But he felt that the position he was taking was supported by the laws of the land and that if he was proved wrong he was willing to pay the price. He was reviled in the press, the world's most powerful boxing regulatory agency stripped him of his title. He was called a traitor, he was ridiculed and held up as an example of all that American youth ought not to be. In spite of this he stuck by his guns and played by the rules.

A few days ago the Supreme Court of the United States vindicated him and his position and said to the world that Muhammad Ali, also known as Cassius Clay, was right. I think that this is tremendous example for us and our young people to follow. He was willing to stick by his ideals and to pay whatever price may have been exacted for that. He was willing to suffer rejection and ridicule. But he believed that the important thing was to live by his conscience and play by the rules. I think that he has given us the perfect example of "democracy in sports."