

By Mr. ROY:

H.R. 11477. A bill to extend to all unmarried individuals the full tax benefits of income splitting now enjoyed by married individuals filing joint returns; to the Committee on Ways and Means.

By Mr. BOB WILSON:

H.R. 11478. A bill to amend the Tariff Act of 1930 so as to exempt certain private aircraft entering or departing from the United States, Canada, and Mexico at night or on Sunday or a holiday from provisions requiring payment to the United States for overtime services of customs officers and employees, and for other purposes; to the Committee on Ways and Means.

By Mr. ESCH:

H.R. 11479. A bill to amend the Internal Revenue Code of 1954 to provide income tax simplification, reform, and relief for small business; to the Committee on Ways and Means.

By Mr. CRANE (for himself, Mr. WAGGONER, Mr. SIKES, Mr. ABERNETHY, Mr. ARCHER, Mr. ASHBROOK, Mr. BAKER, Mr. BLACKBURN, Mr. DEL CLAWSON, Mr. COLLIER, Mr. DICKINSON, Mr. DOWDY, Mr. EDWARDS of Louisiana, Mr. FISHER, Mr. GOLDWATER, Mr. GRIFFIN, Mr. HALEY, Mr. HALL, Mr. HOSMER, Mr. HUNT, Mr. HUTCHINSON, Mr. JOHNSON of Pennsylvania, Mr. KING, and Mr. MINSHALL):

H.R. 11480. A bill to limit U.S. contributions to the United Nations; to the Committee on Foreign Affairs.

By Mr. GONZALEZ:

H.R. 11481. A bill to establish a Uniformed Services University of the Health Sciences and to provide scholarships to selected persons for education in medicine, dentistry, and other health professions, and for other purposes; to the Committee on Armed Services.

By Mr. HALL:

H.R. 11482. A bill to amend the Internal Revenue Code of 1954 to allow a deduction for expenses incurred by a taxpayer in making repairs and improvements to his residence; to the Committee on Ways and Means.

By Mr. HELSTOSKI:

H.R. 11483. A bill to order the construction of a Veterans' Administration hospital in the southern area of New Jersey; to the Committee on Veterans' Affairs.

By Mr. KOCH:

H.R. 11484. A bill to amend title V of the Social Security Act to extend for 5 years

(until June 30, 1977) the period within which certain special project grants may be made thereunder; to the Committee on Ways and Means.

By Mr. LONG of Maryland:

H.R. 11485. A bill to amend title 38 of the United States Code in order to establish a national cemetery system within the Veterans' Administration, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. MIKVA:

H.R. 11486. A bill to amend the Internal Revenue Code of 1954 to disallow any deduction for depreciation for a taxable year in which a residential property does not comply with requirements of local laws relating to health and safety, and for other purposes; to the Committee on Ways and Means.

By Mr. MILLER of California (for himself, Mr. TEAGUE of Texas, Mr. DOWNING, Mr. FUQUA, Mr. SYMINGTON, Mr. FLOWERS, Mr. SEIBERLING, Mr. DAVIS of South Carolina, Mr. PELLY, Mr. WYDLER, Mr. WINN, Mr. FREY, Mr. COUGHLIN, Mr. CABELL, Mr. ROE, Mr. PRICE of Texas, Mr. SIKES, Mr. BENNETT, Mr. HALEY, Mr. FASCELL, Mr. ROGERS, Mr. YOUNG of Florida, and Mr. PEPPER):

H.R. 11487. A bill to authorize the Administrator of the National Aeronautics and Space Administration to convey certain lands in Brevard County, Fla.; to the Committee on Science and Astronautics.

By Mr. PATMAN:

H.R. 11488. A bill to amend section 404(g) of the National Housing Act; to the Committee on Banking and Currency.

By Mr. SMITH of New York:

H.R. 11489. A bill to facilitate the amendment of the governing instruments of certain charitable trusts and corporations subject to the jurisdiction of the District of Columbia, in order to conform to the requirements of section 508 and section 664 of the Internal Revenue Code of 1954, as added by the Tax Reform Act of 1969; to the Committee on the District of Columbia.

By Mr. STUCKEY:

H.R. 11490. A bill to regulate the location of chanceries and other business offices of foreign governments in the District of Columbia; to the Committee on the District of Columbia.

By Mr. THONE:

H.R. 11491. A bill to amend the Soil Conservation and Domestic Allotment Act, as amended, to permit sharing the cost of agriculture-related pollution prevention and

abatement measures; to the Committee on Agriculture.

By Mr. WAGGONER (for himself, Mr. SIKES, Mr. CRANE, Mr. BARING, Mr. BROYHILL of Virginia, Mr. DUNCAN, Mr. FLYNT, Mr. GROSS, Mr. LANDGREBE, Mr. PRICE of Texas, Mr. RARICK, Mr. ROBERTS, Mr. ROBINSON of Virginia, Mr. ROUSSELOT, Mr. SATTERFIELD, Mr. SCHERLE, Mr. SCHMITZ, Mr. SPENCE, Mr. SPRINGER, Mr. STEIGER of Arizona, Mr. THOMPSON of Georgia, Mr. YATRON, Mr. YOUNG of Florida, and Mr. ZION):

H.R. 11492. A bill to limit U.S. contributions to the United Nations; to the Committee on Foreign Affairs.

By Mr. BOB WILSON:

H.R. 11493. A bill to provide for the seizure and forfeiture of vessels, vehicles, and aircraft used to illegally transport into the United States certain aliens, and for other purposes; to the Committee on Ways and Means.

By Mr. FAUNTROY:

H.J. Res. 937. Joint resolution designating January 15 of each year as "Martin Luther King Day"; to the Committee on the Judiciary.

By Mr. STAGGERS:

H.J. Res. 938. Joint resolution to amend title 5, United States Code, in order to designate November 11 of each year as Veterans Day; to the Committee on the Judiciary.

By Mr. MONAGAN:

H.J. Res. 939. Joint resolution to extend the authority conferred by the Export Administration Act of 1969; to the Committee on Banking and Currency.

By Mr. BROOKS:

H. Con. Res. 441. Concurrent resolution authorizing the printing of "The Joint Committee on Congressional Operations: Purpose, Legislative History, Jurisdiction, and Rules" as a House document, and for other purposes; to the Committee on House Administration.

MEMORIALS

Under clause 4 of rule XXII,

279. Mr. BRINKLEY presented a memorial of the senate of the State of Georgia, requesting Congress to propose an amendment to the Constitution of the United States to give students the right to attend the public school nearest their place of residency; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

SCIENCE AND PUBLIC POLICY PROGRAM, UNIVERSITY OF OKLAHOMA—STATEMENT OF GOALS

HON. TOM STEED

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1971

Mr. STEED. Mr. Speaker, the University of Oklahoma has established a new science and public policy program, concentrating on a field where there is a serious and obvious need for effective service.

With the rapid and increasing changes in our society technology assessment is an area we cannot afford to ignore. The assessment of the changes associated with the development of particular technologies is a challenging assignment.

The new science and public policy pro-

gram began operating last month under the direction of Don E. Kash, with Irvin L. White, assistant.

Its statement of goals is as follows:

SCIENCE AND PUBLIC POLICY PROGRAM, THE UNIVERSITY OF OKLAHOMA—STATEMENT OF GOALS

The Science and Public Policy Program was established at the University of Oklahoma in September, 1970. The Program is an autonomous budgetary unit under the Provost of the University.

Technology assessment—the anticipation of beneficial and undesirable second and higher order consequences associated with the development and application of particular technologies—will be the research focus of the program. Recognition of society's need for such a capability is widespread, and development efforts are underway in government, industry, non-profits, and other universities as well as at the University of Oklahoma. Our particular effort will be to assess specific technologies, attempting to project

their development ten to fifteen years into the future, the goal being to contribute to the development of society's capacity for maximizing benefits and minimizing the social costs associated with the application of any particular technology.

Our technology assessments are to be undertaken by interdisciplinary core research teams comprised of six to eight persons. Our plan is to use organization, physical setting, and common interests as a means for developing a truly collegial assessment capability. When necessary, the skills and expertise of the core team will be supplemented by bringing in outside consultants.

The teams are expected to produce a report of their completed assessment within a twelve to eighteen month time limit. The reports will be published and distributed widely, the goal being to provide new information and knowledge to those charged with decision-making responsibility in the technological area being assessed, information and knowledge from a broader over-viewing perspective than would otherwise be

available to them. Of course, many of the assessment projects are likely to require that the core team interact with these potential users during the course of their assessment, and this is likely to speed the communication process.

Following the completion of each assessment, the core team which performed the research will offer a universitywide undergraduate course focusing on the technologies and problems assessed. These courses are an attempt to respond to a very real need to assist students in recognizing the linkages among disciplinary areas. Interdisciplinary courses have often failed because the participants are unable to communicate across disciplinary language barriers and because most of the courses are segmented; that is, they often are organized to provide for a number of specialists to present a series of lectures, each from his own disciplinary point of view. In contrast, our assessment teams will have the advantage of being able to base their team teaching on a common research base, a base that required an intensive interdisciplinary effort.

The first core team is now being assembled and the expectations is that the first project—an assessment of the technologies associated with locating, producing, and transporting oil in offshore areas—will get underway in September, 1971. A second assessment project in the bio-medical area is in a preliminary planning stage.

A LETTER THE PRESIDENT DID NOT READ

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1971

Mr. WALDIE. Mr. Speaker, on his recent television appearance at which time he explained phase II of his economic program, President Nixon read excerpts from several letters he had received regarding his initial freeze policy.

I would like at this time, Mr. Speaker, to place in the RECORD a letter I received from a constituent who does not share the views of those correspondents of the President.

I think this letter, from Mrs. Trudy D. Jara, of Concord, Calif., demonstrates the feelings of many, many Americans.

The letter follows:

Congressman WALDIE.

DEAR SIR: President Nixon read letters on TV of support for the wage and price freeze. It is more interesting to us to know what the yearly earnings of such letter writers are.

As a family of four we find it very difficult to survive on the gross earnings of \$9000 a year.

With rent for a two bedroom home plus gas & utilities to keep it livable we pay an average of \$198.00 a month.

Our take home per month average is \$550.00. That makes our rent 36% of our monthly take home pay.

It is impossible for us to purchase a home, because \$750.00 gross a month will not qualify us for a \$22,500.00 home. That is not a large home either—Two bedrooms and one bath.

We hope that you will start to support the middle man or low income families.

This income group needs help!

If union contracts are not honored and the increases continue, even at a slow pace, we, the families who work for a living will be making less than the average welfare family.

We hope that you will try to impress upon the Congress that \$9,000.00 gross a year is really very little money for a family of four.

Vacations are impossible for there is no money left at the end of a year for such luxuries.

We can't even afford an evening out or the drive-in movie anymore.

Without the pay increase which was guaranteed in the Railroad contract with Southern Pacific Police Patrolmen, we will never be able to buy a home or even take a week's vacation.

You must agree that this is a very poor existence. It is not living!

Sincerely yours,

TRUDY D. JARA.

NATIONWIDE SUPPORT FOR PRAYER AMENDMENT

HON. CHALMERS P. WYLIE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1971

Mr. WYLIE. Mr. Speaker, several hundred letters have come into my office recently supporting House Joint Resolution 191, the amendment to permit nondenominational prayer in public schools. Four deserve to be given special attention because they demonstrate support among church leaders and public school officials.

The first letter is from the members of the Town Hill Methodist Church in Pennsylvania and is accompanied by a petition supporting nondenominational prayer in public schools. The second is from a Lutheran pastor in Toledo, Ohio, indicating his support and the support of his congregation for the amendment.

The third letter is from a retired professor of philosophy and religion. Enclosed with it is a statement, adopted by the Presbytery of Shenango which reflects my own views on this issue.

The fourth letter is in the form of a resolution adopted by the school committee of Cambridge, Mass., the governing body of the public school system of the city of Cambridge, endorsing this amendment.

The letters follow:

THE TOWN HILL UNITED METHODIST CHURCH, Shickshinny, Pa., October 18, 1971.

The Hon. CHALMERS P. WYLIE, House of Representatives, House Office Building, Washington, D.C.

DEAR CONGRESSMAN WYLIE: The enclosed petitions were signed by adult members of The Town Hill United Methodist Church seeking to voice their opinion in favor of restoration of non-denominational prayers to the public schools of this country.

We are aware that many church leaders professing to represent us are in opposition to this matter, therefore, we desire to voice our own opinion.

Thank you for taking the time to review the letter and our petitions, and we trust that you will give due consideration to them.

Sincerely,

WILLIAM L. PRICE.

GOOD SHEPHERD LUTHERAN CHURCH, Toledo, Ohio, October 19, 1971.

HON. CHALMER P. WYLIE, Washington, D.C.

DEAR MR. WYLIE: You have our wholehearted endorsement in proposing the prayer

amendment to the U.S. Constitution. It is high time that we as Christians speak up for our rights and privileges and promote that which has made us a great Nation, a trust in God. It is through prayer that we approach the guiding hand of God for our Nation.

I want you to know that the majority of my congregation does not agree with the objection raised by an official of the Lutheran Council in the U.S.A. Whoever it is has strictly spoken for himself and not by a popular vote of the congregations of the church body.

We lend you our support and our prayers. Yours on the upward trail in Christ, O. H. BERTRAM.

GROVE CITY COLLEGE, Grove City, Pa., October 21, 1971.

HON. CHALMERS P. WYLIE, Member of Congress, House Office Building, Washington, D.C.

DEAR SIR: According to the newspaper you said in reference to recent statements by some top church officials opposing the prayer amendment, "Some of the ministers are giving me a little bit of a problem".

The enclosed statement, adopted by our Presbytery in 1964, should reassure you that many of us as well as laymen are solidly behind you. We are glad you are sponsoring the amendment. You are doing the country a distinct service.

Faithfully yours,

PETER H. MONSMA.

A STATEMENT ON THE RELATION OF CHURCH AND STATE AND OF RELIGION AND EDUCATION*

Though our opinions differ concerning both the legality and the desirability of classroom religious programs in the public schools, we, the members of the Presbytery of Shenango of the United Presbyterian Church in the United States of America, feel impelled to register our concern lest recent Supreme Court rulings prohibiting States from ordering such practices be interpreted—by the Court or by others—as favoring a secular philosophy of government which is inherently hostile to theistic attitudes and practices.

We wish to reaffirm the historic position of our nation and of our church with regard to separation of church and state as organized institutions of society. We do not believe there should be an interlocking of church and state governments, nor dominance of either by the other, nor the granting by the state of official sanction or standing to any religious group. But we do not believe such separation of church and state demands a secular attitude or position on the part of the government in its own activities; nor do we believe that the establishment clause of the First Amendment to our Constitution means to rule out theistic attitudes and positions in favor of secular ones on the part of the government.

As the Presbytery sees it, from the days of the Founding Fathers a distinction has been assumed between an establishment of religion by the government for the private lives of its citizens and the religious character of its own activities. This seems clear from the Declaration of Independence, in which our forefathers appealed to the Supreme Judge of the world for the rectitude of their intentions, as well as from such legislative actions as the adoption of a theistic national anthem, the ordering of a theistic motto on our coins, and the theistic amendment of the pledge of allegiance to the flag. It is also clear from such appeals to God for assistance, guidance, and blessing as all our Presidents have made upon assuming office, from

*Adopted by the Presbytery of Shenango at its meeting in New Castle, Pa., January 28, 1964.

the annual Thanksgiving Day Proclamation, and many religiously inspired declarations and actions by government officials across the years.

In this connection, the Presbytery believes Mr. Justice Stewart correctly distinguishes between the established churches in sixteenth century England and eighteenth century America and the religious tradition of our people, reflected in countless practices of the institutions and officials of our government. The quarrels over the Book of Common Prayer in England and the history of the early establishment of an official church in our own States were instances of the government extending its functions to organized religion in a state or nation and prescribing features of it, not instances of the government's own religious position and observances in other functions and pursuits recognized as properly within its province.

We would further observe that though a government can maintain a position of neutrality in its dealings with religious movements and organizations, it can hardly be religiously neutral in its own sponsored activities. This seems especially true in the field of education. It is true, "worldly wisdom" in the sense of prudence and the mastery of various arts and sciences can be taught without specific religious implications. But when questions concerning the justification of moral principles, the nature of truth, and the explanation of existence arise, education enters the sphere of philosophy and religion, and here answers are inescapably placed in either a theistic, a skeptical, or a non-theistic framework. Obviously none of these answers can properly be described as "neutral", for the first affirms, the second questions, and the third slights or denies the relevance God has to life's beginning and to its meaning, goals, and values.

For the government through its schools to foster a skeptical or a non-theistic world view is to counteract our traditional faith and hence to undermine the moral and spiritual foundations upon which this nation was established. A broad theism may not be an adequate religion, but it is basic and important.

While as a Presbytery we stand opposed to narrowly sectarian teaching in our public schools, we do not believe that the reverent faith in a Supreme Being that has prevailed in our nation and its schools in the past should be illegalized and replaced by a non-theistic or a skeptical point of view. This would, to a marked degree, deprive the vast majority of our citizens of the free exercise of their religion and militate against the faith that as none other will prepare our children to live their lives effectively and well in a free land and to transmit their heritage unimpaired to posterity.

Our late President, John F. Kennedy, on the fateful day of his assassination, was to have delivered an address concluding with the Biblical admonition (also quoted by Benjamin Franklin at the Constitutional Convention in Philadelphia), "Except the Lord build the house, they labor in vain that build it; except the Lord keep the city, the watchman waketh but in vain" (Psalm 127: 1). The distinguished historian Arnold J. Toynbee has observed that this verse succinctly summarizes the history of civilization. It is indeed a matter of record that the pathway of history is strewn with the wreckage of those nations which have ignored its warning.

SCHOOL COMMITTEE,

Cambridge, Mass., October 19, 1971.

Resolved: That the School Committee go on record as endorsing a bill introduced in the United States Congress by Representative Chalmers P. Wylie (R. Ohio) calling for a "Constitutional change to allow non-

denominational prayer in public places such as schools."

A true copy.

Attest:

JOHN R. MCCARTHY,
Temporary Secretary of the School
Committee.

INFORMATION THREAT

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1971

Mr. ZWACH. Mr. Speaker, ever since I have been in Congress, I have been pointing out the need for measures to rebuild countryside America.

This neglected segment of our economy is suffering badly from depression-level farm prices and all of the woes that accompany such a price maladjustment.

Lately, there has been a lot of rhetoric about rebuilding rural America. We have legislation and commissions and resolutions aimed at an economic rebirth of this most important segment of our society.

But our actions, most unfortunately, do not match our words.

Our countryside people, right now, are vitally concerned about postage rate increases which threaten to put many of their farm magazines and rural newspapers out of business.

To illustrate that expression of fear, I would like to insert in the CONGRESSIONAL RECORD, an editorial from the Minnesota Farmer dwelling on that matter which I hope my colleagues will give their most serious attention.

INFORMATION THREAT

Loss of Look magazine, which suspends publication Oct. 19, is of concern to you. It points up a danger to your supply of farm information, not from Look but from agricultural magazines, weekly and daily newspapers laboring under the heavy increases in postal rates which hastened Look's demise.

Proposed postal rate increases for national magazines are about 143%. For smaller publications, which circulate primarily in postal zones closer to home, the boost is as much as 200%. For some farm magazines, already caught in a cost-price squeeze, that's too big an added load. They won't survive.

So?

"This can be said to be something for publishers to worry about," stated the Worthington (Minn.) Daily Globe in a recent editorial. "But it is something for the public to worry about as well. For, without access to a widely circulating free press, the American public may soon be largely ignorant of their government and society."

For farm magazines, the relationship is more direct. Repeated surveys, conducted over many years, show farmers look to farm magazines as their main source of new information about farming, crops and livestock. Bert Lund, publisher of THE FARMER, in testimony before the postal Rate Commission in Washington last June, quoted a 1966 study by Bisbing Business Research which asked farmers, "Which of the following sources of information do you find most helpful in farming?" Answers were: "farm publications, 75.9%; radio, 19.4%; newspapers, 9%; TV, 8.1%."

Attempting to throw the full cost of operating the postal system on users would jeop-

ardize that flow of information. Yet price hikes are coming. "Unless the Postal Rate Commission amends some basic decisions, by 1976 there will be still fewer magazines and newspapers across the nation and steeply advanced prices on the remaining publications," points out the Daily Globe.

That's not the way the postal system was designed. "A fundamental function of government under the American system is the subsidization of the exchange of information," Dr. Weldon Barton, assistant legislative director for the National Farmers Union, said in recent testimony before the Commission. "Postage was never meant to pay the cost of mailing."

"Much more is at stake here than the publications which would be adversely affected, or even forced out of business. The viability of small towns, communities and rural people is dependent on the exchange of information. The postal system—especially second class mail which carries information-laden newspapers and magazines—is the nerve center of communications for rural America," Dr. Barton continued.

"If the full proposed rate increases are implemented, small papers will be available only at significantly higher costs. In many cases, they may no longer be available at all. Subscription rates will be increased. Many rural citizens, confronted with declining income and higher subscription rates, would probably stop subscribing to some. Advertisers would discontinue advertisements. The eventual result would combine with other forces to stagnate rural America."

Raising postal rates runs contrary to the growing commitment to end the senseless migration out of small communities and rural areas into the nation's overcrowded cities.

OFFICER MOON GAVE HIS LIFE TO CREATE A BETTER COMMUNITY

HON. CHARLES E. BENNETT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1971

Mr. BENNETT. Mr. Speaker, respect for law and order is a basic tenet in our society, and those who are charged with the responsibilities to uphold the laws of our land deserve the gratitude of all Americans. The mother of Patrolman James H. Moon of the city of Jacksonville, Fla., police force, has written a moving letter concerning the death of her son. I commend her thoughtful message to Members of the House of Representatives and all law-abiding persons. The letter from the Jacksonville Journal of October 2, 1971, follows:

[From the Jacksonville Journal, Oct. 2, 1971]
MRS. MOON: "I HAVE JUST GIVEN MY ONLY SON"

(NOTE.—The mother of Patrolman James H. Moon, who was slain while on duty Monday afternoon, has written an open letter to the community of Jacksonville. The letter of Mrs. Bessie Moon, 3242 Broadway Ave., examines the role of a policeman—past and present.)

"I am writing this letter with hopes that it will create a better understanding of the young people in our community for our policemen. As you know I have just given my only son (Patrolman James H. Moon) in the belief that he was protecting the rights, not only for the whites but for the black people as well.

"I have no bitter thoughts, because he died doing just exactly what he loved to do. That was helping people in the best way he knew how.

"We taught our children when they were small that policemen were their friends, and if they ever became lost or in trouble, if they could find an officer they would find help.

"I am concerned very much with the disrespect and name-calling by children and teen-agers just at the sight of a police car on the street. I can't help but wonder if maybe the parents are responsible for not instilling the right attitude for law in the home.

"My son chose three officers as a little boy to respect, adore and influence his life. He could hardly wait until he became old enough to join the police force.

"I prayed for a son that God could use and he gave us one, and if he can use Jimmy's life to create a better community and city then his death was not in vain.

"These dedicated officers have to neglect their own wives and small children sometimes to help protect the lives of others. They are human and compassionate and can be genuinely touched by the troubles of others. I would not want to live in a city without them.

"Please publish this if you think it will help in some small way to ease the tension in our city."

MORE SUPPORT FOR WYLIE PRAYER AMENDMENT

HON. JOHN E. HUNT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1971

Mr. HUNT. Mr. Speaker, indicative of the widespread support of the so-called Wylie resolution—proposing a constitutional amendment to permit the recitation of voluntary, nondenominational prayer in public buildings—I would like to call to the attention of my colleagues the resolution recently adopted by the messengers of the Garden State Fellowship of Regular Baptist Churches at their annual meeting.

The Garden State Fellowship, incidentally, is the New Jersey State Fellowship in association with the General Association of Regular Baptist Churches located in Des Plaines, Ill. The latter consists of 1,450 local Baptist Churches which believe in the Bible and teach that salvation is by faith in Jesus Christ as the Personal Savior. The Garden State Fellowship consists of about 45 local Baptist Churches throughout the State of New Jersey.

The resolution follows:

RESOLUTION

Whereas, there is at present a Bill before the United States House of Representatives to provide for a Constitutional Amendment allowing resumption of prayer in the public schools of our land, and

Whereas, we have always lamented the removal of prayer and Bible reading from our schools, therefore, be it

Resolved, that we, the Messengers of the Churches in fellowship with the Garden State Fellowship of Regular Baptist Churches, meeting at Caldwell, New Jersey, on this 28th Day of September, 1971, call upon the legislators in the United States House of Representatives, and, pending passage by that body, those in the United States Senate, from our State, to vote for the proposed amendment to the Constitution of the United States, and, be it further

Resolved, that we commend Representative Wylie and others who support the Bill for their interest and leadership in promoting the return of prayer to our schools, and, be it further

Resolved, that we call upon those legislators who are in favor of the return of prayer to our schools to press also for the return of the Bible to our public schools, especially in these days of youthful rebellion, which we believe is directly traceable to the removal of prayer and Bible reading from the schools of our land, and that we pledge to such legislators our prayers and support in this vital undertaking.

ADDITIONAL VIEWS CONCERNING THE CONFIRMATION OF HOWARD P. MACE AS AMBASSADOR TO SIERRA LEONE

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1971

Mr. ASHBROOK. Mr. Speaker, during this month on a number of occasions I have inserted in the CONGRESSIONAL RECORD material on the confirmation of Howard P. Mace as ambassador to Sierra Leone. Perhaps not since the hearings on the selection of Justice Abe Fortas to be Chief Justice of the U.S. Supreme Court has such controversy arisen over a presidential appointment. In the case of Mr. Mace testimony was heard by the Senate Foreign Relations Committee recently both in support of and opposition to his assuming the ambassadorship.

Mr. John Hemenway, a former Foreign Service officer who was selected out of the Foreign Service, testified at length in opposition to the Mace confirmation. On October 25, he addressed a letter to the chairman of the Foreign Relations Committee, Senator FULBRIGHT, offering additional arguments to support his position. The following is the text of his letter, a copy of which was addressed to my office, which I request be inserted at this point in the RECORD:

WASHINGTON, D.C.,
October 25, 1971.

Senator J. W. FULBRIGHT,
Chairman, Senate Foreign Relations Committee, U.S. Senate, Washington, D.C.

DEAR SENATOR FULBRIGHT: Reference is made to Howard P. Mace, ambassador-designate whose confirmation is before the Senate Committee on Foreign Relations. I have testified before your Committee—I write you on this occasion because of the recent publication of a memorandum and a delayed endorsement of Mr. Mace:

1. Mr. Macomber's tardy endorsement of Mr. Mace. In connection with Mr. Macomber's testimony on Senate bill 2023, the Deputy Under Secretary of State for Administration (Macomber) said:

"... from the Secretary on down we have complete confidence in his [Mace's] judgment and in his integrity; we reiterate our recommendation to you that he be confirmed. We believe that he [Mace] will be a very distinguished American Ambassador." (citation is from the October, 1971 "Newsletter", the 'house organ' of the Department of State, p. 31.)

I pass over the fact that Mr. Macomber's belated confidence in Mr. Mace contrasts with testimony of others who were willing to appear at the confirmation hearing and put their views on record at the appropriate time

and place in the "I" form rather than the "we" form.

The Committee will have noticed that Mr. Macomber's views also conflict with statements contained in a letter from retired FSO John Reed who recalls that Mr. Mace "is widely and infamously known throughout the Foreign Service as 'The Executioner.'" That won't jibe in the minds of many with Mr. Macomber's assertions about "judgment and integrity."

At the September 30 confirmation hearing on Mr. Mace, Senator Gale McGee suggested that testimony should be confined to material that was pertinent, i.e., bearing on Mr. Mace's fitness for the office for which he was being considered. I do hope that Senator McGee, or you, or someone, will suggest that Mr. Macomber's testimony regarding Mr. Mace should be included in the Mace Confirmation Hearing Record. In any event, would you please include this letter, because the second matter made public this week suggests that Mr. Macomber is the key figure to the entire matter. I refer to:

2. Mr. Martin Herz' October 6, 1971 Memorandum to Mr. Macomber, subject: "Mace Case and Career Principle" raises several additional questions concerning Mr. Mace's fitness for office—and a number of questions concerning the channels for developing names of foreign service candidates for high positions. (Copy attached was introduced into the Congressional Record of October 21, 1971, page 37400.)

The memorandum speaks for itself. It indicts Under Secretary Macomber by suggesting that Macomber himself is responsible for many of the illegal orders executed by Mr. Mace. On the other hand, it by no means excuses Mace for his role on the plea—seemingly accepted by Mr. Herz—that he was only following orders: "... we are responsible, we have the authority, Mace worked for us within the limits we set for him. . . ."

For the background of senators and others who may not know exactly who Mr. Herz is, it might be useful to identify him a little in the context of the Mace Case. It is already significant that Mr. Herz felt involved enough to write a lengthy three page memorandum on Mr. Mace to a very senior State Department official, Under Secretary Macomber. The material I offer is available to any well-informed Foreign Service Officer; much of it is from open sources; I personally never met Mr. Herz.

According to the Biographic Register of the Department of State, Mr. Herz served with Howard Mace in Tokyo for two years of Mr. Mace's only really lengthy overseas assignment in his entire career. It is not clear from the public record whether Howard Mace, as Director of Personnel (December 1967 to August 1971), played a direct role in Herz' promotion to Deputy Assistant Secretary of State for International Organization (which, like Mace's job did not require Senate confirmation.) It is a fact, however, that Mr. Howard Mace exerted considerable pressure on the executive area of IO (Mr. Herz' area) to secure an IO post for Mace's twin brother Charles, upon the latter's retirement as an FSO. (Like twin brother Howard, the personnel director, Charles Mace entered the Foreign Service at the exalted rank of the FSO-2 and was promoted to FSO-1 without any tested knowledge of foreign languages, a requirement made of other officers.)

It is not possible that Mr. Herz did not know of the interest of the then-Director of Personnel (Howard Mace) in the assignment of his twin brother (Charles Mace) to Geneva in an IO position when Mr. Herz (of IO) wrote his 6 October memorandum to Mr. Macomber in support of Howard Mace. For clarity in this point, a brief chronology of pertinent facts follows:

Early 1970—Martin Herz being considered for the position of Deputy Assistant Secretary of State (IO).

Charles Mace nearing mandatory retirement (max. Time-in-Class) as an FSO-1 and expresses interest in IO job in Geneva.

April 1970—Mr. Herz named Dep. Asst. Sec. of State (IO).

April 1970—Charles Mace, twin brother of the Director of Personnel, retires as an FSO-1 (with a pension of more than \$20,000.00 per year.) By retiring in April, this is increased 9%.

April 1970—Howard Mace, Director of Personnel, appoints his retired FSO brother to the rank of "FSR-1" in the same job from which he retired, thereby retaining the 9% bonus without having to retire, as was the intent of Congress. (Note: other officers such as Charles Thomas were told that such FSR appointments were not possible.)

August 1970—Charles Mace is appointed to the IO-controlled position in Geneva (salary in excess of \$30,000.00) after considerable pressure is put on officers in IO junior to Mr. Herz, the Deputy Assistant Secretary of State (IO). Mace thus returns to a delightful retirement city where he had held the post of Deputy US Representative with the personal rank of Minister (without Senate confirmation) for four years, during an earlier posting.

Sept. 3-Oct. 4, 1971—Senate confirmation hearings for Howard Mace as ambassador. Mr. Macomber does not attend nor does he submit any endorsement in behalf of Mr. Mace at the public sessions. Considerable evidence presented that Mace is not fit for the rank of ambassador.

October 5, 1971—Macomber staff meeting discusses Mace Hearing.

October 6, 1971—Mr. Martin Herz, who attended the October 5, 1971 staff meeting, writes a memorandum to Mr. Macomber. He mentions that a letter writing campaign from within State "... is too easily recognized as not spontaneous." Herz suggests that Mr. Macomber should support Mace who, Herz claims, has been carrying out Macomber's orders and deserves "the overt support of his superiors" (Macomber?)

October 7, 1971—At Senate Foreign Relations Committee hearings on S-2023, in commenting on dissent, Mr. Macomber expresses confidence in Mace's judgment and integrity.

Nepotism is an ugly charge—but set forth above are clear facts. It might occur to you that such a Committee as yours, having clear and unequivocal Constitutional authority, and enjoying the prestige of the Committee on Foreign Relations, should conduct an investigation so as to interpret the facts and their relation to Howard Mace's fitness for the post of ambassador. One wonders exactly what is happening when a high personage like the Deputy Under Secretary of State for Management uses his position to overwhelm "dissenters" by claiming that the lower ranks of the Service "are frankly appalled at what is happening" to Mace. On October 10, 1971, The Washington Post quoted Mr. Macomber as saying:

"Around this building [Dept. of State], it's resented. Howard Mace has a reputation of being a very decent fellow who made his way to the top and I can tell you a heckuva lot of people feel this is terribly unfair to make him the target." (WP, Oct. 10, 1971 p. 1 & A-10)

The questions remain unanswered: Exactly what is happening? Exactly who is appalled? Why are they appalled—at the fair exercise of a democratic process, i.e., a fair hearing before the Senate Foreign Relations Committee?

Frankly, Senator Fulbright, a heckuva lot of people believe that this inquiry into Mr. Mace's (take either one) operations is long overdue. They certainly would agree with Mr. Macomber that Mr. Mace should not be the sole target!

I hope that every member of the Foreign Relations Committee and every Senator will

mark well and remember Mr. Macomber's own words:

"... from the Secretary on down we have complete confidence in his [Mace's] judgment and integrity. . . ."

This statement was made after the following events were a matter of record, i.e., the Deputy Under Secretary made that statement after:

Considerable evidence was before the Senate Foreign Relations Committee revealing serious character deficiencies and errors in Mace's judgment having a bearing on Mace's fitness for confirmation. (See, for example, Congressman Ashbrook's extension of remarks in the Congressional Record of October 1, 1971, p. 34564-34571; October 14, 1971, p. 36323-36325, October 15, 1971, p. 36471-36480; and, October 21, 1971, p. 37400-37401.) Serious charges were made, some under oath. These have not yet been answered. Does this suggest good judgment (Macomber did not call it "good"—he said he had confidence in it) or high integrity? (He also did not say the integrity was "high", merely that he had "confidence" in it.)

Mr. Macomber also expressed confidence in Mace's integrity after FSO Allison Palmer submitted written evidence that Mr. Mace's participation in her affairs (under oath) was different than the description Mr. Mace gave to the Foreign Relations Committee. Has Mr. Mace even bothered to reply? What does this say concerning Mr. Mace's integrity? (Con. Rec. Oct. 14)

Mr. Macomber also spoke in praise of Mr. Mace after Mr. Mace, testifying under oath on October 6 at the Hemenway Hearing, spoke untruths and at least one member of the three-member Hearing Committee, a man qualified to judge (former JAG of the U.S. Air Force Reserve, Major General Hagan) believes that Mr. Mace may have violated criminal statutes. Should one have confidence in such judgement and integrity? (Con. Rec. Oct. 15)

Mr. Macomber certainly spoke after Mrs. Synthia Thomas' moving description of her simple plea (made directly to Macomber) for restoration of her wronged husband's good name and reputation, posthumously. According to Mrs. Thomas, his reply was, "If I do that, everyone will be coming out of the woodwork—like John Hemenway." Does that suggest good judgement or integrity on the part of either Mr. Macomber or Mr. Mace—who may only have followed orders? It may be the kind of integrity in which Mr. Macomber has confidence.

Mr. Macomber evidently believes that dissenters are creatures that crawl out of the woodwork; he believes that "retired" FSOs are some kind of worm! No wonder that he appears to have ordered Mr. Mace to suppress the only Grievance Hearing in the history of the Foreign Service. But Mr. Mace botched the job. We can call that a lot of things, but it is not integrity.

Mr. Chairman, I wish I were not compelled to write this letter. I have five children and strong career interests, both of which require (and deserve) my attention on this holiday weekend. But I can not remain silent—especially in the face of U.S. officials attempting to convert vice into virtue. It clearly is my duty to speak out and bear witness. It is bad enough that the open and honest direct testimony that marked your confirmation hearing for Howard Mace has not been met in the spirit of openness Messrs. Mace and Macomber claim they seek for the Foreign Service. I resent especially the devious technique of indirect testimony at other hearings pertinent to confirmation—and sub rosa support for Mr. Mace via directives to his controlled staff, not to mention free use of the captive "house organ" to spread the word that Mace, after all, is the boss man.

Personally I prefer to respond to the other side of Mr. Macomber's personality. He is a complex man and has many sides. This is

the side he shows to senators. You will recall that in response to Senator Pell, Mr. Macomber answered:

"It seems to me that if a Foreign Service Officer disagrees with a policy he not only has the right to speak up, he is being disloyal if he does not exercise that right." ("Newsletter," October 1971, p. 31.)

I did not have to be told that by Mr. Macomber. I did just that beginning in 1966 as Chief of the Berlin Section in the Department of State. It led to my expulsion from the Foreign Service. I wish Senator Pell had also asked Mr. Macomber about senior officers who resent juniors who follow such advice. I wish Senator Pell had asked Mr. Macomber what should be done when reprisals are set in motion by "the Executioner" for recognizing clear duty and pursuing it.

I wonder just what Mr. Macomber thinks the only Grievance Hearing ever initiated in the history of the Foreign Service is all about? Did the Director of Personnel, Howard Mace, ever tell him? Did he ever ask? Has anyone ever briefed the Secretary of State? The answer to these questions might also shed some light on the state of "judgment and integrity" in which "... from the Secretary on down we have complete confidence. . . ."

Sincerely,

JOHN D. HEMENWAY,
Retired Foreign Service Officer.

TOCKS ISLAND DAM

HON. PIERRE S. (PETE) du PONT

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1971

Mr. du PONT. Mr. Speaker, I was gratified to read that the New York Times has also questioned the need for, and the propriety of, the Tocks Island Dam. In order that the editorial remarks of the newspaper on this subject be given the widest possible circulation, I insert their editorial of October 27, 1971, in the CONGRESSIONAL RECORD:

DELAWARE MUD GAP?

New developments concerning the controversial Tocks Island Dam do credit to the President's Council on Environmental Quality but they do more than that: they strongly suggest that the project be abandoned.

Last February the Council advised the Army Corps of Engineers that its statement on the environmental impact of the proposed 37-mile lake in the heart of the Delaware River Valley was inadequate. It asked for a more thorough study. At the beginning of October the Corps filed another statement, after which it prepared to get down to the business of digging. But its own findings have now persuaded the Council of the need for still more detail on two major points—and more time to study them.

It is hard to see how any environmental agency could have acted otherwise, because the Engineers' report showed that the surface of the reservoir it plans will be lowered 18 feet in an average year and as much as 56 feet in periods of severe drought. The length of the lake could shrink from 37 miles to 22.7. The picture these startling figures conjure up is one of thousands of acres of exposed mudflats, a noxious wasteland created out of a region naturally beautiful—and tranquil as well.

The second point troubling the Council is the eutrophication of the reservoir which is expected to result from the severe pollution of the Delaware River. The Council wants to know how much it would cost to prevent such eutrophication and, if it cannot be prevented,

what effects both eutrophication and draw-down would have on the water quality, water power, and recreational values which the project is designed to offer.

Good questions. They should have been asked—and answered—long ago. Thanks to the Council, the Army Corps of Engineers has agreed to postpone all operations until they are answered. The burden now is clearly on the would-be builders to prove what has become highly doubtful—that the Tocks Island Dam is worth building at all.

THE WHOLE TOWN MOURNS

HON. ELLA T. GRASSO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1971

Mrs. GRASSO. Mr. Speaker, yesterday we buried our friend. In a steady stream, through the damp mist of the holiday weekend, they came to the home they had visited so often to make their last farewells.

Carney, our beloved Dr. Carniglia, friend, counselor, healer, had passed away. He went so quietly that even his beloved wife, Blanche, the constant companion of a hundred joys and sorrows, was almost unaware that he had slipped from time into eternity. Death, the relentless enemy, with whom he did constant battle, in this last encounter paid the inestimable tribute to the man who all of his days fought valiantly and unceasingly for life. He went most gently into the quiet night.

A deep and profound reverence for life and a respect for all of God's creatures were the marks of the man. He gave constant thanks to his Creator for the gifts that were his and lavished these gifts among his people with a reckless abandon as he worked to heal the wounds of the body and the terrors of the spirit.

Dr. Carniglia would say he was just a country doctor, but the license plates outside his door and the transoceanic calls were indicators that his was a large country that knew no bounds. His home was his office and we came to him by day and night to find solace in our ills and comfort in our suffering. I shall see him forever sitting behind the pill-laden desk and the cluttered office where he kept careful order in the chaos, giving help to all who sought his aid, happily dispensing patience and potents.

Carney, for that is what we called him, practiced from the first the doctrine of equality. Officials of government, artists and scientists waited their turn until each one of his people had their full share of his time and his talent. Those of us who were the back-door patients would try to catch him for a fast consultation during his refrigerator trips for sustenance. What a flood of words and anxieties were exchanged in this brief encounter and how we relished the honor of being pantry patients! To this group would be added the corps of bright young doctors who savored also the chance to learn from him the art as well as the science of medicine and develop his same concern for the essential human dignity of every patient. Each of us would tell the most outrageous tales, weaving fact

with fancy as the legend of Carney, his deeds and his wisdom were told and retold.

We, in Windsor Locks, were especially privileged to share this living legend with a host of friends. We boasted of his early years at St. Mary's School and the interest in medicine that was nurtured by Dr. Kelly and Father Grady. Our parents told us of the happy days of his growing up on Oak Street with Jennie and Papa John, the parents who recognized the genius of this prodigy and worked so hard to make sure that he would have school and opportunity. We knew of his sister, Lizzie, who died too young, and shared with his little brother, Francis, the admiration and respect reserved for heroes.

The obituaries chronicle the brilliance of an academic record. The distinction of special honors from Loomis School and the challenges of Harvard and the stimulus of intellectual giants of Cambridge in the twenties were reflected by the record of achievement—Phi Beta Kappa, Summa Cum Laude, Bachelor of Arts, Doctor of Medicine, advanced studies at Union Memorial Hospital in Baltimore, internship at Hartford Hospital, chief of medical staff—all honors that made him humbler and more diligent in his service.

Dr. Carniglia married the young nurse, Blanche Goodsell, and brought her to the house on Oak Street and then to the big Victorian house on North Main Street hill where their lives together for the next 38 years were a kaleidoscope of brilliant work, loving friends, grateful patients and proud neighbors. Their children, Peter and Margaret, and their pets grew up in this marvelous, tumultuous and exciting household where generations met and mingled and, in time, they too, brought new family to the hearth.

The day was never too long nor the night too dark for Carney and Blanche to answer a call. They shoveled their way through blizzards, fought fatigue and constant intrusion and did their job.

Carney delivered our babies, healed our wounds, closed the tired eyes of our dead and gave comfort and sustenance to the living.

In all of this he found time to be an active member of the community, serving on the board of education, the building and loan association, the Knights of Columbus as a fourth degree member, Rotary and the chamber of commerce and all the assorted tasks that go with citizenship in a small town. When a caprice of State law decimated membership on the school board, he and the chairman, a committee of two constituted the whole board and for 4 years conducted all its business with efficiency and dispatch.

Carney had a special love for children, his own and their babies, the many hundreds he brought into the world, the precious foundlings and neglected children who were sheltered at the State Receiving Home in Warehouse Point, for whom he worked and worried for 30 years and the schoolchildren of Windsor Locks who were his special charge. The week of his death he had completed the last of physical examinations on 5,000 schoolchildren in our town, the children

of the children he knew and loved from generation to generation.

We took him to his grave as the sun burst forth in new brilliance after the days of mourning. He took to his grave a thousand secret hearts and the respect, admiration, and affection of a grieving community.

His life was tribute to his philosophy:

I shall pass this way but once; Any good things that I can do or any kindness that I can show, let me do it now. Let me not defer it or deny it, for I shall not pass this way again.

For our part we repeat:

"When he shall die,
Take him and cut him out in little stars
And he will make the face of heaven so fine,
That all the world will be in love with
night."

And as we mourn we say:

"Good night, sweet prince
Flights of angels sing thee to thy rest."

HOW THE FAMILY ASSISTANCE PLAN WILL DIRECTLY AFFECT CERTAIN SOCIAL WELFARE PROGRAMS

HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1971

Mr. DELLUMS. Mr. Speaker, a recent analysis prepared by Dr. Elizabeth Wickenden of the City University of New York for the National Assembly for Social Policy and Development, Inc., indicates some of the devastating effects we can expect if the President's proposed family assistance plan ever is implemented.

Dr. Wickenden's analysis shows what certain States may do to cut back on welfare assistance programs in anticipation of H.R. 1, and she uses the example of two New York State projects as prime examples.

I urge my colleagues to read this perspective on the dangers inherent in the family assistance plan, and I commend Dr. Wickenden and the National Assembly for this timely study.

The analysis follows:

NOTES ON H.R. 1: NEW YORK STATE DEMONSTRATION PROJECTS

THE CHALLENGE

About 24,174 individuals in nearly 7,000 families would have their assistance grants cut from 36% to 50% under a demonstration project proposed by the New York Department of Social Services. They would then be given the "opportunity" to earn back what was taken away by a system of incentive points for work and acceptable behavior. Refusal to work would result in a further reduction amounting to a total of 60% for a family of four.

This pilot project would be operated in three welfare districts, one of which—Hamilton in West Harlem—has a caseload described as 50% black and 50% Puerto Rican. The other districts are in Rockland and Franklin counties.

In a second project in twenty-five welfare districts all adults judged employable (including all mothers with no children under six) will be required to "work out" their welfare grant at projects provided by the de-

partment, unless work is found for them in the regular economy or in public service jobs. This project involves 88,503 families.

The implications, background and status of these projects are summarized below.

BACKGROUND

Three states—New York, California and Illinois—have indicated their intention (with Federal encouragement) to apply for waiver¹ from provisions of the present law that would permit them to anticipate some of the provisions of HR 1. HR 1, the Social Security Amendments of 1971, containing the administration's proposals for two new family assistance programs, has passed the House and is pending before the Senate Finance Committee. These programs would have become partially effective on July 1, 1972 but President Nixon has recommended a year's postponement as part of his New Economic Program. In any event the opposition of Chairman Russell Long and conflicting views of its impact leaves its prospects in considerable doubt.

When it first became known that the waiver provisions of Sec. 1115 were proposed to be used on a statewide basis in California and New York to cut back selectively on present program standards, a widespread protest arose including that of Senators who saw action as an invasion of the legislating authority of Congress. A legal action was brought by the Center on Social Welfare Policy and Law in behalf of the National Welfare Rights Organization, the California Welfare Rights Organization, and the City Wide Coordinating Committee for Welfare Organizations (NYC) demanding access to any project submissions and the opportunity to comment on them. As a result the Secretary of HEW has agreed to furnish copies of any applications from California and New York to these parties for their review prior to approval. Under this arrangement these two projects have been released and will not be acted upon until after October 17 by the Secretary. Any expressions of viewpoint to the Secretary, the Governor, or others concerned must, therefore, be made immediately.

DESCRIPTION OF NEW YORK PROJECTS

At this time two inter-related New York project applications have been made. To answer the charge that statewide modifications of policy under existing law cannot properly be regarded as "pilot" projects, they are limited in the one case to three welfare districts and in the other 25 districts involving 25% of the state ADC caseload. This difference in coverage makes necessary the two projects.

Incentive for Independence would be instituted in three districts: (Hamilton—West Harlem—in New York City; Rockland County and Franklin County.)

Grant Reductions. In these counties all ADC families without earnings or support payments will have their grants cut to the basic payment level of HR 1. For a family of four this level is 200 a month, a cut of approximately 36% from present New York payment levels which have already been reduced from budgetary levels. For a large family the cut is almost 50% because of the \$3600 ceiling in HR 1.

Should a putatively employable member of a family find it impossible or unacceptable to report for work or training the family grant would be further reduced by \$800. This would mean a total reduction of about 60% for a family of four.

Incentive Points. Families will then be encouraged to regain at least part of what has

been reduced through a system of "incentive points" each worth \$25.00 a month or \$12.50 each semi-monthly period. This applies both to families with a member deemed employable and those without such an employable member. The ways points may be earned and their semi-monthly values are:

For each school age child, 5-15 years of age, *cooperating with the teacher* (as determined by the caseworker), given automatically in summer months, 1 point, \$12.50.

For each child in school, 15 years or older *cooperating with the teacher*, ½ point, \$6.25.

For each pre-school child given all *medical required vaccinations and boosters* during previous six months, 1 point, \$12.50.

For each unemployable adult *participating in one or more acceptable activities* during previous six months including: Establishment of paternity, locating of deserting parent, participation in rehabilitation, participation in education, participation of children in community activities and ten others, (see appendix III), 1 point, \$12.50.

For each youth over 15 years of age *participation in school work program*, 1 point, \$12.50 (plus stipend).

For each employable member participation in work (or pre-employment training) either in regular economy, public service employment, public service work opportunity projects (work for relief), and care of children of other recipients, 1 point, \$12.50 (plus disregards).

Those with earnings would be permitted to keep a portion without affecting the assistance grant by deducting: the cost of day care, the first \$720 of earnings, one third up to 150% of flat grant and one fourth thereafter.

The Public Service Work Opportunities Project is proposed to operate in 25 welfare districts and would involve 25% of the state ADC caseload. Its objective is described as follows: "to determine the impact on welfare dependency when every employable recipient is required to be in work and training." Employability is defined as in HR 1. All such persons will be required to work and, if no other employment is available, will be assigned to work out the amount of the family grant either for a governmental agency or in the home caring for children of other mothers. In the districts where the incentives for independence program is operating it is assumed that the disregard provision described thereunder would apply and that in the other districts the usual policies of the department would apply. The hours of work for the participant would be adjusted to the monthly grant so that the hourly rate would be either the state minimum wage or, if higher, the regular rate paid by the governmental unit for similar work.

CRITIQUE

These two projects are subject to the approval of the Secretary of HEW who must personally approve the waiver of state plan requirements under the law. In making his judgment he must consider questions of (1) compliance with the law (including the Federal constitution), (2) the policy implications of the proposal and (3) its feasibility within the terms described in the project application. Each of these is discussed in turn.

LEGAL CONSIDERATIONS

Sec. 1115 is an exceedingly broad authority to authorize departures from the plan requirements of the assistance titles for "any experimental, pilot or demonstration project which, in the judgment of the Secretary, is likely to assist in promoting the objectives" of such title. Each departure from a plan requirement must be specifically authorized. Constitutional requirements for equal and non-discriminatory treatment cannot properly be waived by any law or executive action. This seems especially true where a deprivation of benefits is proposed as in the

incentive project. In other words where an experimental project involving a study of the impact of additional services and benefits might be considered a "reasonable classification" for research purposes, one involving a deprivation for a selected group below otherwise applicable standards raises serious questions of due process and unequal treatment under the law. This is especially true when one group (Hamilton Center) so selected is composed entirely of members of minority groups, Black and Puerto Rican, according to material submitted with the project application.

Special questions are also raised when the group affected by such deprivation is primarily composed of children whose welfare is supposed to be protected by the state. Just as the law protects children against dangerous medical experimentation so, too, should they be protected against dangerous social experimentation.

Discrimination against selected children under this project is apparent. The mother's autonomy with respect to her children is abridged and her behavior coerced by a reduction of the grant to which other mothers and children in similar circumstances are entitled unless she engages in a variety of actions—including but not limited to employment outside the home.

POLICY CONSIDERATIONS

Impact on other states

Because New York has always been regarded as a leader among the states in welfare policy, its policy innovations can be expected to exert an influence on other states. Thus people all over the country should be concerned with these proposals and the Secretary should review them in this light.

Relationship to H.R. 1

While the Secretary has made the point that the projects of New York, California and Illinois are intended as a pre-test of H.R. 1, the proposals of New York go far beyond the proposed Federal programs. In fact, it would appear that the New York proposals would make it difficult if not impossible for New York to benefit from the hold-harmless provisions of H.R. 1 which assume a consolidated federal-state program. The language of New York's submission seems to suggest that it looks upon its program as a substitute for or modification of H.R. 1 which it refers to critically as follows: "Tragically, the Family Assistance Program does not substantially alter the system which, in New York at least, has proven unequal to the job."

A caste system

Both projects are predicated on mistrust and disapproval of the impoverished families of New York and the assumption that second-class citizenship is the price of state aid. Such families are to be treated as children, rewarded for acceptable behavior by the means of subsistence (as determined by minimal budgetary standards reduced 10%) and punished by withholding of such. Not only are all families reduced by at least 36% prior to such showing of good behavior but those deemed employable and declining to leave their homes and children for outside work are further reduced by an additional \$800, thereby reaching—by New York standards—a level of starvation.

In all respects a sub-class of impoverished families is to be created subject to the most detailed scrutiny of their private lives. Not even the Poor Law imposed such conditions and those who sought to overcome its cruelties by requiring an unrestricted cash payment in the Social Security Act can only marvel at such a departure from their intentions.

Welfare practices

Current philosophy of the New York and Federal departments holds that casework services and money payment administration should be totally separated so that they can better serve their separate and independent

¹ Under Sec. 1115 which authorizes such waivers to demonstrate on an experimental basis new ways of promoting the objections of the present titles. For a fuller discussion of this provision see *Back to the Poor Law via Section 1115*. (May 4, 1971. Available upon request.)

purposes. The Incentive Project goes in precisely the opposite direction since it presupposes the closest kind of monitoring of client behavior. For example, the application states with respect to incentive points for the mothers of school age children based on acceptable cooperation with their teachers "Specific guidelines for use by casework staff will be developed to determine cooperation with school authorities." The inclusive and at the same time vague character of other actions subject to monitoring in the interest of winning incentive points is indicated by the attached Appendix III.

On the other hand, child welfare concepts suggest the desirability of compensatory support for children in poorly functioning families or those having school difficulties, including truancy. This project proposes that such families should be reduced to starvation levels of subsistence.

Day care

New York City has conducted some excellent projects using carefully selected AFDC mothers for home day care of the children of other mothers. This project proposes, however, that such arrangements are to serve as the sole optional alternative for work outside the home for mothers of children over six in the twenty-five welfare districts covered by the Public Services Work Opportunities Project. Thus it appears that these women are to be virtually self-selected without regard to their own fitness, suitability of the home, etc. A type of undertaking of considerable promise when selectively used and supervised could become a substandard custodial pattern of child care for a sub-class of poor children.

FEASIBILITY

Both projects offer formidable administrative difficulties which have not apparently been reviewed with those welfare officials selected to carry them out. This is especially true of the Incentives project.

The *Incentives Project* assumes the most detailed monitoring of personal behavior by the casework staff and honest reporting of such behavior by the client on an extremely complex series of requirements. Of necessity it also leaves important questions of judgment to the individual worker because of the vagueness of some of these requirements. (See Appendix III for example.) It seems an open invitation to favoritism, discrimination, judgmentalism, petty dictatorship, chicanery, collusion and general chaos in worker-client relationships. The constant variability of payments also present problems of book-keeping, audit, check writing and appeals procedures which seem almost insurmountable.

The *Public Service Work Opportunities Project* presents all the problems of large scale work-for-relief programs where hours must be adjusted to differing family payment levels. Experience with FERA work relief programs in the early '30s demonstrated the impossibility of creating a genuine work-experience under these circumstances and led to its abandonment in favor of the WPA monthly wage plan. Such plans on a broad scale quickly deteriorate into a meaningless "work test" with no dignity for the worker and little value to the work they perform.

The option for mothers required to work to accept the children of other mothers for care in their own homes also involves formidable administrative difficulties, especially if any effort to maintain standards of physical suitability, health, safety and qualifications are made. Moreover, the whole question of assuring adequate day care for children of the mothers required to work under this large project is scarcely mentioned in the project submission. This is an extremely costly and difficult administrative task under any circumstances yet in this project involving almost 90,000 families it is taken virtually for granted.

APPENDIX III: INCENTIVE OPPORTUNITIES FOR THE UNEMPLOYABLE ADULT

One incentive point shall be earned for each semi-monthly period by each unemployed adult (or woman excused from reporting, employment or training because of a husband living with her who meets these requirements), who undertakes activities which are designed to:

Achieve permanent and adequately compensated employment;

Foster child development; or
Maintain and strengthen family life.

Incentive credits may also be earned upon completion of such activity if the grantee certifies that the unemployed adult engaged in such activity during the previous 6 months. One of the following activities will meet this requirement:

1. Initiating own satisfactory day care plan for children in order to engage in regular employment, training, or public service opportunity.
2. Providing out-of-home day care for a child of another public assistance family.
3. Utilization of remedial medical (health) services by the adult which is designed to enhance employability or self-functioning.
4. Participation by the adult in a program of rehabilitation designed to improve economic independence or self-functioning.
5. Participation by the adult in a program of adult basic education or high school equivalency.
6. Participation in the establishment of paternity for children born out-of-wedlock and/or securing financial support for them.
7. Participation in the location of a deserting parent and/or of securing financial support.
8. Utilization of community resources to overcome problems of child delinquency.
9. Participation of children in citizen building activities, e.g. Boy Scouts, 4-H community centers.
10. Participation in individual or group activities designed to improve money management or home management.
11. Attendance of the adult at a health education program.
12. Attendance of the adult at a family life education program.
13. Improvement in housing standards by self clean-up or self-repair of dwelling.
14. Providing a child with foster care.
15. Serving as a social services agency volunteer.

A PETITION FOR PUBLIC PRAYER

HON. CHALMERS P. WYLIE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1971

Mr. WYLIE. Mr. Speaker, this morning I received another petition for public prayer addressed to all U.S. Representatives. The petition states:

We, the undersigned and deeply concerned citizens of the United States, in cooperation with Mrs. Ben Ruhlin's Prayer Campaign Committee, prayerfully request that each Member of the U.S. House of Representatives vote for the Joint Resolution No. H.J. Res. 191—authored by Congressman CHALMERS WYLIE, Republican of Ohio—on November 8, 1971. This resolution proposes an amendment to the Constitution of the United States with respect to the offering of prayer in public buildings.

The name and address of the organization circulating the petition is the Fort Wayne Bible College, 1025 West Rudisill Boulevard, Fort Wayne, Ind., and contains 321 names.

REVOLUTIONARY ANTIMILITARISM IN COMMUNIST THEORY AND PRACTICE—IV

HON. JOHN G. SCHMITZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1971

Mr. SCHMITZ. Mr. Speaker, in conjunction with the House Committee on Internal Security's investigation into subversion of our Armed Forces I insert in the RECORD at this point part IV of Dr. Robert E. Beerstecher's thesis, "Revolutionary Antimilitarism in Communist Theory and Practice."

This portion of Dr. Beerstecher's study outlines Communist antimilitary work in the mid-1920s against the armed forces of China, England, Finland, Belgium, France, Greece, Czechoslovakia, Germany, and other nations. It also sets forth the basic thoughts found in several important Communist textbooks on the strategy and tactics of antimilitary work which were written during this period.

Part IV of the thesis follows:

REVOLUTIONARY ANTIMILITARISM IN COMMUNIST THEORY AND PRACTICE

(By Robert E. Beerstecher, Ph. D.)

VI. THE STORM IN THE TEA CUP

Great Britain occupied a place of importance in the Soviet scheme for world revolution even before communist propagandists made its name a synonym for imperialist reaction. Karl Marx is reported to have said that revolution without England would be a storm in a tea cup. Zinoviev, in addressing the fifth congress of the Comintern, focused attention on Great Britain. "The main task of the Communist International in all spheres," he said, "lies now in England. A communist mass party in England would mean half the victory in Europe. The circumstances are ripe for it. Therefore, we should not underestimate what is going on in England."

Under the Labor Government of Ramsay MacDonald, the British trade union movement had been swinging to the left. On October 8, 1924, the Labor Government lost a vote of confidence. The dissolution of Parliament followed. The Labor Government had been under severe attack for some time by Liberal and Conservative alike. Criticism stemmed primarily from the position it maintained in favor of an Anglo-Soviet trade agreement. The Labor Government was also unpopular because of its tolerance of communism. Even its subsequent outright rejection of a request by the British communist party to affiliate with it, and its refusal to permit communists to hold membership in the Labor Party, failed to improve the political position of the Laborites.²

On October 10, 1924, the executive committee of the Comintern wrote a letter to the central committee of the British communist party setting forth detailed instructions with regard to the Parliamentary election to be held later the same month. The letter from Moscow bore the signature of Kuusinen, the secretary of the executive committee. During the campaign, the letter directed, conduct of the MacDonald Government was to be sharply criticized. In general, the letter said, the British communists should support the Labor candidates. Slogans were to be raised against the League of Nations, against British naval policy, and against the danger of war. The slogans were also to be used calling for ratification of the Anglo-Russian trade

Footnotes at end of article.

treaty, the fraternisation of soldiers and workers, and votes for soldiers and sailors. A call should be issued to the soldiers not to shoot upon workers on strike, the letter said. It also directed that J. R. Campbell, the editor who had been arrested for his anti-militarist activities, issue another manifesto to British servicemen.⁴

On October 24, 1924, the British Foreign Office forwarded a note of protest to the Soviet charge d'affaires in Great Britain, protesting against direct soviet interference in internal British affairs. Enclosed with the note was a letter purporting to have originated with the executive committee of the Comintern in Moscow on September 15, 1924. Like the later letter of October 10, it was addressed to the central committee of the Communist Party of Great Britain. The letter was signed by Zinoviev, and counter-signed by Kuusinen. It also carried the signature of Arthur Mellarus, a leading English communist and British rapporteur on the presidium of the executive committee. This letter, which was marked "Very Secret," contained instructions to English communists to work for the violent overthrow of existing institutions, to form a nucleus of a red army, to subvert the armed forces, and to make preparation for striking a crippling blow at the nation in time of war. Early in the letter reference is made to armed insurrection:

Armed warfare must be preceded by a struggle against the inclinations to compromise which are imbedded among the majority of British workmen, against the ideas of evolution and peaceful extermination of capitalism. Only then will it be possible to count upon complete success of an armed insurrection.⁵

The letter also discussed the work which had been already carried out by the British communist party in the armed forces:

From your last report it is evident that agitation-propaganda work in the army is weak, in the navy a very little better. Your explanation that the quality of the members attracted justifies the quantity is right in principle; nevertheless, it would also be desirable to have cells in all the units of the troops, particularly among those quartered in the large centers of the country, and also among the factories working on munitions and at military store depots.⁶

The letter also pointed out the possibility of sabotaging the military store depots, and directed that particular attention be paid to establishing cells there in anticipation of the outbreak of war:

In the event of danger of war, with the aid of the latter and in contact with the transport workers, it is possible to paralyze all the military preparations of the bourgeoisie and make a start in turning an imperialist war into a class war.⁷

The letter continued:

The military section of the British Communist Party, so far as we are aware, further suffers from a lack of specialists, the future directors of the British Red Army. It is time you thought of forming such a group, which, together with the leaders, might be, in the event of an outbreak of active strife, the brain of the military organization of the party.

On attentively through the lists of the military "calls," detaching from them the more energetic and capable men, turn attention to the more talented military specialists who have for one reason or another left the service and held socialist views. Attract them into the ranks of the Communist Party if they desire honestly to serve the proletariat and desire in the future to direct not the blind mechanical forces in the service of the bourgeoisie, but a national army. From a directing operative head of the military section.⁸

It concluded on a note of warning: "Do not put this off to a future moment, which may be pregnant with events and catch you unprepared."⁹

The Soviet charge d'affaires, Rakovsky, replied the following day in a note which charged that the letter was a "gross forgery." From the communist point of view, Rakovsky stated, the contents of the letter were a "tissue of absurdities" intended to arouse public opinion in Great Britain against the Soviet Union. The Communist International, he continued, is never described in its official papers as the "Third Community International," because there had never been a first or second Communist International. In addition, Rakovsky asserted, Zinoviev officially signed all correspondence in his capacity as "president of the executive committee" rather than as "president of the presidium of the executive committee," the title used in the letter.¹⁰ The British communist party also issued a statement which was similar in many respects to the one made by Rakovsky. In denying the authenticity of the letter, the communist party stated that such a letter had never been received by them. Moreover, the party stated, it did not have a "military section." The party's statement also contained a denial by Arthur McManus that he had ever signed such a document.¹¹

Zinoviev himself did not remain silent long. On October 26, he sent a telegram to the General Council of Trade Unions in Great Britain, declaring that the letter was a fabrication. To prove that it was a forgery, Zinoviev offered to permit a trade union delegation have access to the records of the Comintern to investigate the facts.¹² Somewhat later, communist publications printed a further declaration by Zinoviev in which he reiterated the points made by Rakovsky, adding that he could not have signed the alleged letter inasmuch as he was taking a holiday at Kislovodsk on September 15, 1924, the date of the letter. Of the contents of the letter itself, Zinoviev stated:

At present there exists no military section in the C.P. of Great Britain. The British C.P. has no need to bother itself with attracting "talented military specialists." It has more important tasks: The winning of the majority of the English workers by means of agitation and the propaganda of the ideas of Marxism.¹³

In addition, Zinoviev concluded, "Everyone knows that the C.P. of Great Britain has far more urgent business than the creation of a British Red Army."¹⁴ The letter, he charged, was fabricated by Polish forgers, and had been used by the Liberal-Conservative bloc in Great Britain to create confusion in the minds of the British people as part of the election campaign.¹⁵

The Zinoviev letter was destined to play a decisive role in British politics. It was also destined to play an important part in the political fortunes of Zinoviev himself. Its release to the press by the British Foreign Office came at a time when Britain was preparing for a new election on October 29, 1924. Publication of the Zinoviev letter reacted unfavorably against the Labor Government, which suffered a serious defeat in the elections. The election brought the Conservatives to power in Great Britain.

The subject of the authenticity of the Zinoviev letter was heatedly discussed in Parliament. However, the British Government refused to disclose the source from which they had received it. They reaffirmed, however, that its authenticity had been determined beyond question by comparison techniques involving other Comintern documents of known validity.

Was the letter a forgery? The answer to this question still has not been satisfactorily resolved. On the one hand, source materials for its fabrication were readily available. There is nothing in the text of the letter itself which represents a departure from

Comintern policy as set forth in these or resolutions of the various congresses or in the writings of Lenin. Compare, for example, the reference in the letter to "the inclinations to compromise which are imbedded among the majority of British workmen" with Lenin's observation in his "Left-Wing" Communism. An Infantile Disorder that "compromises by trade union leaders are particularly plentiful in the history of the British labor movement."¹⁶ The comparison need not end there. In the same pamphlet, Lenin emphasized the necessity for the communists in England to organize "not in a reformist manner but in a revolutionary manner" the work of propaganda and agitation in the armed forces.¹⁷ Had the communists chosen to undertake a comparative analysis of the letter, they would have had a comparatively easy task in "documenting" the original source material used in the alleged fabrication. However, to have followed such a procedure would have been as disastrous for them as the admission that the Zinoviev letter was valid, for the real question posed by Great Britain was whether the Soviets were interfering in internal British affairs. Instead, the communists chose to base their case on the externals of the letter, e.g., on the validity of the term "Third Communist International," on whether Zinoviev signed documents as "president of the executive committee" or as "president of the presidium" of the executive committee of the Comintern, etc.

Here they were on dangerous ground, for both Lenin and *Izvestia* were used to refute the alleged non-use of the term "Third Communist International." In his pamphlet, Ramsay MacDonald on the Third International, the little father of modern communism makes several references to the "Third Communist International."¹⁸ In addition, *Izvestia*, the official soviet organ, both a few days before and five days after the date of the letter contained references to the "Third Communist International."

According to the revisions in the executive committee made at the fourth congress of the Comintern, the presidium functioned as the *politburo* of the Comintern. Specifically included in the presidium's responsibility was the preparation of communist parties for illegal work. The nature of the instructions contained in the Zinoviev letter are such that their formulation would have been a task for the presidium, of which Zinoviev was also the president. Actions taken by the presidium would have validated by Zinoviev in his capacity as "president of the presidium," just as actions taken by the executive committee would have been validated by him as "president of the executive committee." In denying that the British communist party had, or even had need of, a military section, Zinoviev and the communists were ignoring the existence of previous Comintern pronouncements on the need for specialized organs to direct and carry on illegal work in the armed forces. Could it be possible that they had also forgotten the admonition contained in the fourth condition for admission to the Comintern that "refusal to carry on or participate in such work should be considered equal to treason to the revolutionary cause," or that it was "incompatible with affiliation to the Communist International."¹⁹

On November 21, 1924, Sir Austin Chamberlain, the new British Secretary of State for Foreign Affairs, addressed a note to Rakovsky in which he again reaffirmed the British position that the Zinoviev letter was authentic.

The British Trade Union report on the Zinoviev letter was issued after members had allegedly been given access to copies of all correspondence of the Communist International sent to the Communist Party of Great Britain between June 1, 1924 and October, 1924. They had also examined, they claimed, the minutes of the meetings of the

Footnotes at end of article.

executive committee for the same period. However, they reported no evidence had been found that the Zinoviev letter had even been written. Their report concluded that the Zinoviev letter was, in fact, a forgery, as the Soviets claimed.²⁰ But the position of the British Government remained unchanged and there the matter rested.

Ruth Fischer, a leading German communist and member of the presidium of the Comintern, provided an interesting footnote to the Zinoviev affair. Fischer viewed the Zinoviev letter as a forgery, and suggested that it may have been fabricated by the Stalinist faction in Russia. Zinoviev himself told her later, Fischer related, that he suspected the letter was forged by the Russian GPU, but that he was unable to prove it. Fischer had been in England at the time as a delegate of the German Central Committee to a British communist convention, and was herself accused of having smuggled the Zinoviev letter into England, an act which she steadfastly denied.²¹

According to Fischer, soviet foreign policy in 1924 was based upon Stalin's hope that economic difficulties in Russia could be overcome by fostering trade abroad. Soviet diplomats were frustrated in their efforts to improve political relations for economic advantage by the revolutionary policies of Zinoviev and the Comintern which ran contrary to the broader soviet interests.²² The unfavorable publicity which accompanied the publication of the Zinoviev letter severely damaged soviet prestige throughout the world, and caused a serious split in the Russian communist party between conservative and revolutionary wings. Although Zinoviev was publicly defended in official party statements, Stalin and other high soviet officials used the incident as a weapon to weaken Zinoviev's influences in furtherance of their own unscrupulous efforts to seize control of the Comintern.²³

The years following publication of the Zinoviev letter witnessed only the slightest amelioration in the relation of the two countries. Officially, the Zinoviev affair was closed; but the communist press kept the issue alive, continuing to brand the letter a forgery containing "most stupid directions regarding propaganda among the troops and preparation for an armed revolt and such like nonsense."²⁴ From the British viewpoint, whether the Zinoviev letter was actually a forgery ceased to be important: the fact remains that communist disintegration activities in the British armed forces increased significantly after 1924.

SOLDIER'S IMMEDIATE DEMANDS

In January, 1925, the Communist Party in Great Britain adopted and published in pamphlet form the *Soldiers' Immediate Demands*. This was a comprehensive doctrinal statement which outlined certain agitational slogans and appeals which were to be put forward in behalf of British soldiers and featured in all propaganda and agitational campaigns carried out by the British communist party. The *Soldiers' Immediate Demands* covered such general subjects as political demands, legal rights, pay, leave, terms of service, trade training, food and accommodation, cultural demands and pensions. This pamphlet merits detailed study because it presents in capsule form the basic demand themes which subsequently appeared in the antimilitarist action programs of communist organized parties in other countries of Europe and the Americas.

The *Soldiers' Immediate Demands* is brief enough to warrant quoting in its entirety:

1. Political Demands.

(a) The right to join trade unions, and the right to form soldiers' and airmen's trade unions.

(b) The right to elect regimental, battal-

ion and company committees to represent soldiers' and airmen's grievances on questions of legal rights, punishment, leave, working hours, and barrack accommodation.

(c) Lowering the voting age from 21 years to 18 years for soldiers of all ranks. Right of all soldiers over 18 years to be elected to Parliament, and other public bodies.

(d) The right to join political parties and to organize branches of these parties in the army, and the right to attend political meetings and demonstrations.

(e) No compulsory church attendance.

2. Legal Rights.

(a) No military intervention during industrial disputes.

(b) Abolition of courts martials. Military courts to be organized on the basis of an elected jury composed of three soldiers, one non-commissioned officer, and one officer. Right of appeal to civil courts. Abolition of death penalty.

(c) Drastic modification of punishments. Right of appeal to the military court (above mentioned) in the cases of all punishments exceeding three days C.B., or equivalent.

3. Pay

(a) Pay must be fixed according to actual living expenses. Immediate proportionate increases for all non-commissioned grades.

(b) All married soldiers to receive marriage allowances. Abolition of regulation which only entitles soldiers of 26 years of age and over to this allowance.

(c) Special pay for Sunday or general holiday duties, for compulsory or necessary fatigues, for special ceremonial parades and guards, occurring outside the ordinary duties.

(d) Increase in overseas service allowances.

(e) Flying allowances for every man called upon to fly, including mechanics and fitters.

4. Leave.

(a) Right to proceed on pass—without ration allowances—on every weekend when not actually detailed for duty. Right to an "early Friday to late Monday" pass at least once a month.

(b) Right to wear civilian clothes outside barracks or camp whether on leave, or "walking-out."

(c) Increased leaves for overseas service.

5. Terms of Service.

(a) Much shorter terms of service with the colors, which will allow soldiers to return to civil life.

(b) Time of service limited to 8 hours per day covering all duties.

(c) Time served in detention barracks to be included in service period.

6. Trade Training.

(a) All trade training to be thorough and complete and conducted by qualified civilian instructors, and to be under the control of the trade unions.

(b) Full trade union rates for soldiers in the military workshops.

7. Food and Accommodation.

(a) Elected representatives of soldiers to participate in control of food supplies with facilities for obtaining advice of medical experts. Military canteens to be controlled in the same way. Control of the central army, navy and air force institute to be in the hands of an elected board in the ratio of one officer, one non-commissioned officer, and three other ranks.

(b) Provision of better and increased food.

(c) Improvement in the military medical service and an energetic struggle against diseases. Regular attendance of civil doctors.

(d) Improvement of the barrack accommodation. Regular disinfecting of bedding and provision of adequate washing and laundry facilities.

8. Cultural Demands.

(a) Right to form clubs and organizations for enjoyment of spare time. Provision of commodious reading rooms and libraries.

Abolition of Y.M.C.A., church army, and other propaganda institutions.

(b) Right of military sports organizations to affiliate to whatever organization they choose.

9. Pensions.

(a) An all-round increase of pensions and provision of pensions for widows.²⁵

Adoption of the *Soldiers' Immediate Demands* by the British communists so soon after the Zinoviev affair indicates that with or without direct Comintern guidance and instruction of the type contained in the infamous letter, the Communist Party of Great Britain had been actively engaged in antimilitarist work against the armed forces. In a sense, publication of the *Soldiers' Immediate Demands* served to validate the Zinoviev letter.

ON THE SPYING OF DRAGONS²⁶

"Trojan horse" tactics had made their appearance in China before the fifth congress of the Comintern when members of the Kung-ch'an-tang, the communist party, gained admittance to the Kuomintang, the Nationalist Party, by pledging individual allegiance to its principles and submitting to its discipline.

The communists had decided to make the Kuomintang the central force of the national revolution in China. They recognized that the Kuomintang had concentrated its efforts on military action, and had neglected propaganda work among the people. Nationalist Party reliance on military action created a situation which afforded the communists with a ready-made opportunity to capture the political leadership of the Chinese revolutionary movement.²⁷

The position of the communists in the Kuomintang was further strengthened by Sun Yat-sen's acceptance of soviet military advisers which Lenin had provided to assist in the struggle to consolidate China. However, the benefit derived by the communists from the presence of soviet advisers and the dual party system did not become apparent for almost a year.

In January, 1925, the Chinese communists launched a campaign to introduce the soviet or committee system into the armed forces of the Kuomintang. The source of militarism in China, they reasoned, had been the clique of high-ranking officers. Abolish peace time ranks in the standing army above the grade of brigadier general, adopt a committee system of organization, and militarism would disappear. To further their attempt to transfer the allegiance of the army from the Nationalist Government to the Kung-ch'an-tang, the Chinese communists emphasized the theme in their propaganda that soldiers should be provided with land, farming tools, or some other means of earning a livelihood, when they were discharged.²⁸ They also agitated for an improvement in the standards of education of the men in service.

The death of Sun Yat-sen on March 12, 1925, resulted in control of the Kuomintang passing into the hands of Chiang Kai-shek. Chiang was less inclined towards the close cooperation with Russia and the communists, but recognized the necessity for their support in consolidating power. One of Chiang's first acts was to centralize the military organization of the Kuomintang and subordinate it to the control of the Nationalist Party. The military reorganization began in April, 1925, and paved the way for soviet and communist penetration of the Kuomintang's military apparatus. High-ranking soviet officers who had come to China as Kuomintang military advisers were given important positions in the National Revolutionary Army. Soviet General Victor P. Rogachev was made chief of the general staff. He was also given full charge of naval and aviation affairs. Under Rogachev's direction, soviet advisers were appointed to most Kuomintang army units.²⁹ Although the primary duties of the soviet

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advisers in the army were military in nature, they were later directed to suspend purely military activities and engage in "political-military" work.³⁰ In 1925, Chiang agreed to the organization of soviet style political departments in the army "to promote political education, instill a national revolutionary spirit, raise fighting capacity, solidify discipline, and realize Sunyatsenism."³¹ In his determination to subordinate the loyalty of the National Revolutionary Army to the Kuomintang, Chiang unwittingly provided the soviets with the means for overt penetration of the Nationalist military establishment: the political commissar. The political commissar was the representative of the Kuomintang. As director of all party organizations in the army, he was responsible for the work of political education and for the supervision of army clubs, the military youth league, and the Sunyatsenism Society. But even more important, he was superior to the military personnel of the National Revolutionary Army, and his orders, like those of the commander, were law.³²

In addition to carrying on political training in the army, the commissar was empowered to

inquire at all times into conditions of army life and the psychology of the officers and men . . . check whether the men got their food on time and on the quality of the food . . . check that all newspapers and magazines are received on time and equally distributed in the army . . . explain to the soldiers their duty of liberating the people from foreign imperialism . . . maintain contact with the people where the army is stationed . . . exert special efforts to bring peasant and labor organizations close to the army.³³ Communist disintegration work within the National Revolutionary Army could not have been carried on under more favorable conditions. With the assistance of the soviet advisers, many Chinese communists who enjoyed dual membership in the Kuomintang were able to insinuate themselves into the political departments as commissars, positions for which they qualified on the basis of their previous propaganda, agitation and organization experience.

Although the Chinese communists concentrated on strengthening their position within the National Revolutionary Army, they did not neglect their work against the northern warlords who stood in the path of Chinese unity. Advanced contingents of communist-trained agitators and propagandists were sent into northern China to infiltrate the army and organize strikes and peasant revolts behind the lines.³⁴

In February, 1926, Chiang Kai-shek moved to restrict Russian influence in the National Revolutionary Army by proposing the reorganization of the general staff and the replacement of all soviet administrative officers with Chinese personnel.³⁵ The change was effected, and the soviets reverted to their position as advisers. General Rogachev became adviser to the new Chinese chief of the general staff.³⁶ In March, 1926, Chiang struck another blow to strengthen his position by declaring martial law in Canton. Chiang ordered the arrest of a number of communist party leaders, including Li Chih-lung, the head of the political department of the navy. He also ordered the guards at the residence of the soviet advisers to be disarmed. Chiang's action came as a shock to the soviet advisers and to the Chinese communist party, forcing them to suspend their activity until they could determine the extent of Chiang's opposition.³⁷

The soviets adopted a conciliatory attitude towards Chiang, and entertained hopes of still being able to "use" him to gain their ends. Stepanov, the soviet adviser with

Chiang Kai-shek's First Army, blamed Chiang's action at Canton on three factors: too rapid centralization of military power, excessive supervision of the general officers by the soviet advisers causing jealousy, and "inappropriate radical propaganda in the army on the problems of imperialism, the peasantry, and communism."³⁸ Stepanov was also critical of the Chinese communists:

The Chinese communist party has also committed many mistakes in party work and propaganda in the army. Its members fail to understand the process of organizing the Kuomintang and then secretly transferring it. They only try, as their primary policy, openly to expand the Chinese communist party, and to grab complete control over everything. Thus, they have alienated the KMT (Kuomintang) and have aroused jealousy on the party of KMT members.³⁹ According to Stepanov's report to the soviet embassy in Peking, the policy governing work in the National Revolutionary Army remained unchanged. This policy which involved "utilizing Chiang Kai-shek" called for continued centralization of military organization, improving conditions of military service, elevating the standard of officers, improving the quality of the troops, expanding the work of secret agents, expanding aviation and the navy, and expanding political propaganda work in the army.⁴⁰ By April, 1926, Chiang had relieved all communist political commissars and political workers in the army. The Kuomintang and the Kung-ch'an-tang were approaching the party of the way.

In July, 1926, the central committee of the Communist Party of China held a special plenary session in Shanghai. The resolution on the military movement adopted by the King-ch'an-tang at this meeting reveals communist aims and the extent of progress which they had already made in their antimilitarist work. "From the objective standpoint," the resolution stated: We should at least carry out suitable political propaganda among the national revolutionary forces. At the same time, it should be easy for us to work within the armies of the reactionary militarists in view of militarist rivalry and hostility, internal conflicts within the armies, and the excessive mistreatment of mercenary soldiers in the militarist armies.⁴¹

These aims had not been met. "Our organization," the resolution complained, "appears to be a study group."⁴² Party members had neglected the military movement, and lacked understanding of the need for such work:

Our work in enemy armies is largely characterized by attention to conflicts between high-ranking officers. We have failed to establish close contacts with low-ranking officers and the masses of soldiers. We have not begun systematic work with reference to armed peasant organizations.⁴³

"Our party is a proletarian revolutionary party," the resolution reminded the Chinese comrades,

prepared at all times for armed uprisings. In the course of the national revolution, we should participate in armed struggles to help strengthen progressive military forces, smash the power of reactionary militarists, and gradually expand the armed forces of the masses of workers and peasants. This type of work provides our party with the experience of systematically preparing for armed uprising.⁴⁴

The resolution outlined the task which lay ahead for the Kung-ch'an-tang:

Henceforth we should try to organize soldiers' cells under our direction in reactionary militarist armies, and secure close contact with the masses of soldiers. We should utilize daily events in the army for oral and written propaganda among the soldiers. At the same time, we should devote all our efforts to agitation and organization of party cells in arsenals and ordnance bu-

reaus to cut the supply of weapons to reactionary militarists.⁴⁵

"Military work," the resolution concluded, "is a part of the party's work."⁴⁶

THE SOBER REALITIES OF THE WEST

Many European communists believe that the Comintern had been carried away by "the revolutionary romance of the East." In a sense, it had; but not entirely forgotten were "the sober realities of the West."⁴⁷ In some countries of western Europe like Germany, Italy, and Spain, communist disintegration activities were practically nonexistent, but in others the work which had been started in the early 1920's was stepped up. In Sweden, on the initiative of the Young Communist League, an antimilitarist campaign had been organized in connection with the autumn army maneuvers of 1924. The Swedish communists distributed leaflets among the soldiers urging them to take no part in any war against Russia.⁴⁸

According to the Comintern's evaluation of its over-all anti-militarist program, the best disintegration work in the armed forces of the Baltic states was achieved in Finland.⁴⁹ After Finland, the communists ranked their work in Lithuania, Estonia and Latvia in descending order.⁵⁰ Antimilitarist work was carried out on a modest scale in the Baltic states throughout the early 1920's. In November 1925, the Finnish communists had received a minor setback when a communist cell in the army was uncovered by the government, but the Communist Party of Finland continued to organize May Day celebrations and to carry on its antiwar campaign in the barracks.⁵¹ The Communist Party of Latvia concentrated its antimilitarist campaign against the officer class in the Latvian Army. It also organized communist cells among the soldiers, and circulated propaganda to undermine the discipline in the ranks.⁵²

A frequent theme in communist propaganda circulated among the servicemen in the Baltic states was the "conditions" existing in the barracks. This theme was featured in *Puntasotilas*, the illegal monthly mimeographed newsletter for soldiers published by the Young Communist League of Finland. In Lithuania and Latvia, the communists published *Kareivis Tiesa* (*Soldiers' Truth*), which appeared twice monthly in an edition of about 1,500 copies, and *Sarkanais Strelnika* (*The Red Guard*). Both of these illegal publications featured antimilitarist themes, but the communists were relatively unsuccessful in gaining adherents to their cause.⁵³ British and American sailors who visited Baltic ports found the local agitational appeals unpalatable, but the communists persisted in their attempts to sow dissension whenever the opportunity presented itself.

In Great Britain, the *Soldiers' Immediate Demands* formed the basis for the communists' antimilitarist campaign in the army. A similar program of demands was also drafted and applied to navy work. The Young Communist League of Great Britain made September 6, 1925 the Eleventh International Day of Youth, the focal point for a mass "fight the war danger now" campaign. The danger of imperialist war, British communists said, could be fought by securing the unity of the workers and soldiers and sailors, and by educating the soldiers and sailors to fight for political rights in the forces, which is a fight against the capitalist army and for the formation of the red army of the workers.⁵⁴

Soldiers and sailors, the Young Communist League of Great Britain declared, were mainly sons of the working class, so they should not be used in industrial disputes or in a new imperialist war.⁵⁵

An active propaganda program was also carried out by the Communist Party of Belgium against what it described as the "utter militarization of the country."⁵⁶ The communists agitated against the proposed re-

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organization of the Belgian armed forces, and worked to create a closer association between the soldiers and the workers. On September 25, 1925, the *Drapeau rouge* (Red Flag), official organ of the Communist Party of Belgium, began publication of a separate antimilitarist supplement, *La Tribune du Soldat* (The Soldier's Tribune) which was the forerunner of a series of specialized barracks newspapers.⁵⁷ It was published in both French and Flemish.⁵⁸ The appearance of the *Tribune du Soldat* was closely followed by the publication of two barracks newspapers which the Belgian communists claimed were edited and distributed by the soldiers themselves.⁵⁹ Belgian conscripts under communist discipline were ordered to exercise great caution in the manner in which they carried out their mass propaganda activities, to give every appearance of being good soldiers, to profit as much as possible from the instructions given them, and to attempt to better themselves by gaining a position of trust in their units, preferably in the office. Sympathetic Belgian conscripts were also reminded frequently that they must go into the army in order to learn how to handle arms, for such was the purpose of the "good" communist.⁶⁰

Communist propaganda in France emphasized the danger of a new war. The main work was carried on by the Young Communist League which encouraged its members to establish personal contacts with the men in the armed forces. In addition, great reliance was placed on the power of the written word. Special editions of *L'Humanité*, the official organ of the French communist party were published periodically for dissemination among the servicemen.⁶¹ Antimilitarist propaganda was also featured in *L'Avant-garde*, the weekly central organ of the Young Communist League.

In 1925, publication of a special antimilitarist newspaper, *Conscript*, was launched to reach the new recruits. It was later followed by a special Young Communist League paper, *La caserne*, for soldiers, and *La page de Jean-le-Gouin*, a similar publication for navy men.⁶² A separate edition of *La caserne* was also published in Arabic under the title *La caserne coloniale* for dissemination among the French colonial troops in North Africa.⁶³ The outbreak of a wave of disorders among the Rifis in Morocco provided the focal point for a major antimilitarist campaign against war. At its national conference in August, 1926, the Young Communist League of France decided to sustain a maximum effort in their antimilitarist activities as long as the war in Morocco continued.⁶⁴ All communists were ordered to employ every method available to penetrate into the barracks and on board ship in order to sabotage the French armed forces and bring the war to a halt.⁶⁵

By 1926, the Balkan Communist Federation began to achieve results through its centrally-directed antimilitarist program. Communist "cadres" were set up among Greek officers to serve as the foundation of a future "red army."⁶⁶ Cells were also organized among the enlisted men in the Greek army and navy.⁶⁷ The work of the communists extended into the maritime industry, from which Greece drew men for naval service. Communist activity permeated the whole trade union movement. The marine transport workers of Greece were singled out as the target for special antimilitarist work, for Greek ships had been used to ship troops to the Ukraine during World War I. To finance its campaign, the Greek communist party borrowed a page from the case book of Lenin, adapting the "soldier's son" concept to local circumstances. A special levy of one drachma a month for each member of the trade unions was established by the party which went into a special fund for the soldiers. This fund was used to buy gifts which were sent to the

soldiers in the name of the communist-dominated trade unions.⁶⁸

Antimilitarism made its appearance in Czechoslovakia about the same time as it had in Greece. Focal point of the antimilitarist campaign in the Czechoslovakian army was the illegal newspaper, *Vojak* (The Soldier), which the Young Communist League circulated clandestinely in the barracks.⁶⁹ So that they might observe and benefit from the revolutionary example set for them by the Russian proletariat in 1905, the communist party encouraged its members to attend the film "Potemkin" which played Prague in the fall of 1926.⁷⁰ The war danger permeated all communist propaganda, but little direct antimilitarist work was conducted in the other Balkan countries. In Germany, however, the sword of revolution had again begun to rattle in the communist closet.

In 1926, the German communist movement began to display signs of recovery from the devastating effects of the unsuccessful October revolt which preceded the fifth congress. Zinoviev's assertion that a proletarian revolution in Germany was inevitable, and that the revolutionary crisis would become more acute with time had not been forgotten. Nor had the German communist party ignored his directive that it "must on no account remove armed risings and the conquest of power" from its program.⁷¹ But they were no longer content to contemplate passively past events when the decisive battles were yet to come. In August, 1926, the Communist Party of Germany began making plans for the penetration of the organized military forces of Germany and the organization of an apparatus capable of paralyzing the Reichswehr.⁷²

The importance of the Reichswehr and the police in civil uprisings had been one of the most important lessons of the October defeat.

When the Communist Party of Germany revived its antimilitarist program, disintegration and demoralization activities in the organized military forces became the order of the day. In addition to circulating numerous propaganda leaflets addressed to the *Soldaten der Reichswehr*, the communists revived publication of several of their clandestine antimilitarist newspapers.⁷³ Included in those published for distribution among the armed forces were the special navy paper, *Der Kuli* (The Coolie), and *Rote Soldat* (Red Soldier) and *Die Reichswehr* for the army. Special newspapers were published for distribution among the police in the major cities, e.g., *Die Brennessel* (Lepzig), *Der Schupmann* (Frankfurt), *Das Kuckucksei* (Chemnitz), *Die Schutzpolizei* and *Der Rote Gupmmiknuppel*, to name but a few.⁷⁴

Publication of a special antimilitarist magazine, *Oktober*, under the editorship of leading German communist, Ernst Schneller, also began in 1926. *Oktober*, which appeared quarterly, specialized in historical articles on revolution and theoretical discussions on armed uprisings. A second antimilitarist journal was also launched in 1926 by communist editor Bertha Lask, but it was suppressed the following year by government order.⁷⁵ When the soviet film "Potemkin" was shown in Berlin in the fall of 1926, the Communist Party of Germany made attendance compulsory for its members as a lesson in the "mechanics of mutiny."⁷⁶

The Communist Party of Holland conducted an active antimilitarist propaganda and agitation program among the Dutch soldiers and sailors. The fight against militarism had been the most important plank in its national program even before the fifth congress of the Comintern.⁷⁷ During the autumn maneuvers of 1926, Dutch communists carried on a special campaign among the reservist which succeeded in stirring up a considerable amount of unrest among the troops. The party also carried

on agitation among the sailors. The primary campaign in the navy involved the circulation of manifestos and appeals demanding the return of the Dutch cruiser, *Sumatra*, from Shanghai.⁷⁸ The antimilitarist program was not limited to Holland alone, but extended into the Dutch colonial possessions. In Indonesia, the *Perserikatan Komunis Indonesia* (Indonesian Communist Party) which was directed by the Far Eastern Section of the Comintern from Shanghai, received some guidance and support for its local antimilitarist program from the Communist Party of Holland.⁷⁹ In November, 1926, revolts broke out in Indonesia, first on the island of Java, then in Sumatra. They were communist-inspired, and represented an organized attempt to overthrow Dutch rule by armed forces. The revolts failed, but the Comintern began to prepare the ground for future revolutionary struggles. Like the proletarian mothers', the communists' work was never done.

On November 22, 1926, the Comintern convened a special plenary session in Moscow. The primary item on the agenda was the national and colonial question in the Far East. The plenum defined the tasks of the communists in Indonesia as its first order of business. The Indonesians, it decreed, were to agitate in favor of an independent Indonesian republic, amnesty for political prisoners, the abolition of Dutch as the official language, and the withdrawal of the Dutch occupation forces.⁸⁰

The plenary session considered the question of the Chinese revolution. Stalin was the principal speaker.

Chinese communists, Stalin said, ought to devote special attention to the work in the army. They "must use every means in their power to intensify political work in the army," he continued, "and must succeed in making the army a real and model impersonation of the idea of the Chinese revolution."⁸¹ Stalin was highly critical of the Chinese communists' failure to agitation against foreign intervention:

There is an inclination to understand by intervention a condition in which foreign troops march into Chinese territory; if this does not take place, then there is no intervention. This is a serious error, comrades; intervention is by no means limited to the entry of troops, and the entry of troops is by no means an essential characteristic of intervention. In the present circumstances of the revolutionary movement in capitalist countries, where the direct entry of foreign troops might lead to a number of protests and to conflict . . . imperialism prefers to intervene against the revolution by organizing civil war within a dependent country, by financing the counterrevolutionary forces against the revolution, by moral and financial support of its Chinese agents. . . . Intervention by using other people . . . that is the kernel of imperialist intervention at present.⁸²

The surest way to demoralize the reactionary armies, the Chinese communists were told, was through revolutionary work among the peasantry.⁸³ Stalin expressed his concern about the revolutionary role of the peasant element in the army. His admonition to the Chinese communists: "Neutralize the elements in the army which are hostile to the peasants."⁸⁴

VII. THEORIES, TACTICS AND TEXTBOOKS

In January, 1927, the Comintern issued secret instructions for the establishment of a clandestine apparatus to penetrate the armed forces and organs of government in Spain.⁸⁵ Communism was no Johnny-come-lately to the Iberian Peninsula. Adherents of Marx had been active in Spain in the last half of the nineteenth century, but achieved little success as an organized movement until after the advent of the Communist International. When the invitation to the first congress of the Comintern was drafted by Trot-

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sky in January, 1919, it included a call to the "left" elements in the Spanish socialist party to participate on the basis of full membership as a section of the new International. Although difficulties in traveling to Moscow prevented the Spanish socialist left from participating in the first congress, subsequent congresses found the Spanish communists well represented. Their delegates to the second congress of the Comintern in 1920 heard Lenin make a prediction that the next proletarian revolution would take place in Spain. Before the revolution could be accomplished, however, General Primo de Rivera came to power, forcing the Spanish communist movement underground for an extended period of illegality.

Although they had engaged in antimilitarist propaganda on a limited scale, the Communist Party of Spain and the Young Communist League had not been successful in penetrating the armed forces. To a degree their work had been hampered by the fact that many of their officials were known and under surveillance by the Spanish internal security forces. Therefore, as an added precaution, the Comintern decreed that no official of the existing communist party or youth league could participate in the now apparatus which it set up in 1927.⁵⁴

To guide the antimilitarist work of the new organization, the Comintern furnished the Spanish communists with copies of a booklet describing how the Bolsheviks carried out the disintegration of the Russian army. The booklet was the work of Emilian Yaroslavsky, a veteran Bolshevik and one of the foremost Soviet theorists on revolutionary antimilitarism. It was called *The work of the Bolsheviks in the Army Before the October Revolution*.⁵⁵ With the booklet went a warning. It was not possible, the communists were told, to transport mechanically the experience of the Bolsheviks to other countries. Although the fundamental directives which guided the Bolsheviks in their work among the soldiers in Russia still retained their forces, changing conditions throughout the world made it necessary to adapt the form and methods of work to the concrete situation and special circumstances which existed in each country.⁵⁶

Because of its importance, the original version of Yaroslavsky's work was closely held within the Comintern, and distributed only on a strict "need-to-know" basis.⁵⁶ Copies of the 1927 Priboy edition are known to be available anywhere in the West. However, analysis of Yaroslavsky's public statements and the text of the revised edition of his pamphlet published later has made it possible to reconstruct his statement of basic communist doctrine governing antimilitarist work under both legal and illegal conditions.

Yaroslavsky developed the thesis that every army contained the seeds of its own destruction. The army, he said, existed in every country as a force to safeguard and defend the capitalist regime. It was the capitalist's most powerful instrument of class oppression. Unless the working class could attract at least a part of the army to their cause, they would be unable to free themselves from the yoke of capitalism. The possibility for carrying on such work, Yaroslavsky stated, was contained in the system of obligatory military service common to all modern armies. As the masses of the soldiers were drawn from the workers and peasants, they were able to grasp and defend the political ideas of their class.⁵⁷

Yaroslavsky placed primary emphasis on organization. The winning over of the masses, he said, was not a spontaneous act:

Unless special men are appointed for the work, without organization and without de-

voting great effort and attention to propaganda and agitation in the army, it will be impossible to organize the forces of the social revolution or be able to utilize the army as a sympathetic force on our side.⁵⁸

Wherever, possible, he wrote, communists should establish a small secret group or cell in every military unit. This secret group represented the illegal regimental and battalion committees which maintain contact with the secret communist military nuclei outside of the barracks. Contacts between the military organizations must be kept in strict secrecy, Yaroslavsky warned. To insure organizational integrity, members should be given careful screening before selection. The size of the organization, Yaroslavsky stated, was relatively unimportant: communists need not be concerned with numbers, for these organizations were never to be considered as a complete force capable of undertaking independent action. Rather they were to be regarded as an organized force which, at the proper moment, would be able to win the masses of the sailors and soldiers in the armed forces to the communist cause.⁵⁹

The form which communist work should take, Yaroslavsky wrote, was dictated by the fact that modern military forces were not homogeneous in character. Instead of setting out to win all elements of the armed forces over to their cause at any cost, communists should concentrate their attention on those elements within the force which were most responsive to revolutionary propaganda and agitation by virtue of their proletarian class origin. Because of the large number of workers in their ranks, the greatest possibility for successful organizational work existed in the navy and in the more specialized units of the army, particularly among the artillery, sappers and technical troops. Cavalry troops, which in western European countries were recruited primarily from the well-to-do-peasant class, and officers, offered the least possibilities for success.⁶⁰

Unlike the revolutionaries who preceded the Bolsheviks, e.g., the Decembrists and the *Narodnaya Volya* (The Will of the People), Yaroslavsky stated, communists should hold no illusions about creating separate officers' organizations. Officers, he said, generally came from the "propertied" class. Only a few were capable of understanding the ideas of the proletarian revolution or being influenced by agitation.⁶¹ Lenin noted, Yaroslavsky reminded his readers, that class origin and professional military caste interests bound officers to uphold the army. Officers in general were reactionary, Lenin had written, but seldom played active roles as members of opposition groups. Lenin had also acknowledged the possibility that some officers might pass over to the side of the revolution, but he warned against forming separate officers' organizations. Officers, he said, should be cultivated as indicators of trends and sources of information, but attached to communist military organizations only as instructors and practical assistants.⁶² To Lenin's remarks, Yaroslavsky added further words of warning. Extreme caution, he said, should be exercised to insure that only those officers of proven reliability were permitted to join secret nuclei.⁶³

Communist parties could use officers to learn the strength of the enemy. Yaroslavsky stated, for the preparation and organization of revolution demanded knowledge of the forces and techniques which the enemy could employ.

Yaroslavsky emphasized that communists should avoid *putschism*.⁶⁴ Premature outbreaks, he noted, were suppressed with extreme severity and could only lead to the collapse of the organization. Revolutionary energy should not be expended uselessly in such actions. Lenin observed, he stated, that unless revolution had a mass character and

included the army, there could be no serious battle. In quoting Lenin's remark, Yaroslavsky created a precedence which was followed by most communist authors on the doctrine of revolutionary antimilitarism.⁶⁵

The character of work in the army, Yaroslavsky held, should be determined by the objectives of the proletariat.⁶⁶ The concrete immediate demands of the soldiers, he said, were to be supported by the communist cells. Yaroslavsky listed typical slogans which might be raised. These included the reduction of the length of obligated service to two years for the army and three for the navy; the right to appear at public gatherings in uniform; the abolition of corporal punishment, disciplinary battalions, and military prisons; equal rights for soldiers without regard to nationality or religion; and the right to possess and read in the barracks whatever literature they desired without interference or censorship by their officers. Yaroslavsky also listed several typical legal demands which should be supported, including the right of petty officers to go to officer candidate schools; the right to register complaints against officers before a trial board; the right to defend oneself against physical abuse by an officer; and the improvement of living and working conditions.⁶⁷

Yaroslavsky emphasized the importance of establishing a revolutionary press. In addition to publishing leaflets, he stated, it was necessary to carry on comprehensive agitation among the soldiers and sailors through special newspapers. The specific conditions of their daily lives provided plenty of material for such newspapers. Space should be allocated in every issue for publishing letters from the men describing their problems, e.g., the lack of rights, the harsh discipline of the officers, etc.

Communist work against the armed forces was not to be limited to propaganda and agitation among the soldiers and sailors, Yaroslavsky continued. Considerable attention should also be devoted to the revolutionary conditioning of youth who were about to be drafted into the armed services. Conscripts were to be trained to carry on both revolutionary propaganda, agitational, and organizational work in the army and navy.

Yaroslavsky was one of the first of the Soviet theorists to recognize the need for a library of specialized literature to acquaint foreign communists with the techniques of revolutionary work within the armed forces.⁶⁸ His concern was generated not in response to any requirement of the Spanish communists who first benefitted from his work, but by the failure of the communist movement in Germany to carry out the proletarian revolution.⁶⁹ The reawakening of the revolutionary spirit in Germany also created a requirement for specialized literature on the art of insurrection, armed rising and civil war.

THE ROAD TO VICTORY

Both Marx and Lenin wrote on the art of armed uprising, but it remained for an obscure German theorist writing under the pseudonym of "Alfred Langer" to interpret their doctrine in the light of the revolutionary experiences of the decades following the Russian revolution.⁷⁰ In March, 1927, a small brochure attributed to the authorship of Alfred Langer came from the Berlin presses of communist publisher, Ernst Schneller.⁷¹ The booklet was printed in German, and carried the title of *Der Weg zum Sieg, or The Road to Victory*. Schneller's introduction states that its purpose was to point up "the correct way to bring about the Marxian revolution."⁷²

The Road to Victory presented a theoretical analysis of the art of uprising.⁷³ According to Langer, armed uprising was the initial phase of civil war.⁷⁴ It was "the direct fight for the capture of the political power through

a revolutionary class" in contrast to civil war, or the fight for "the retention and the defense of the power once it has been captured."¹⁰⁸ Conditions for armed uprising were often quite dissimilar from those for civil war. Therefore, preparation by the revolutionary class was to be made not for civil war but for armed uprising.

The importance of proper timing, the necessity for numerical superiority, the imperativeness of maintaining the offensive, and the danger of permitting the opposition to concentrate its forces were all emphasized by Langer in *The Road to Victory*. When the uprising began, Langer said, the front was everywhere.¹⁰⁹ Leaders of uprising should prevent the formation of a regular front. To keep the counterrevolutionary forces scattered, the revolutionary proletariat should concentrate their force by carrying out simultaneous attacks everywhere.

"The fighters of the counter-revolution—the army and police—who undeniably come from the proletariat," Langer noted, "are always exposed to the danger of disintegration."¹¹⁰ When these forces were divided, disintegration work against them could be carried out with relative ease. When the forces of opposition were concentrated on a regular front, they could be isolated by their leaders from any contact with the revolutionary masses. Under such conditions, disintegration work became considerably more difficult.

Langer counted military organization as one of the primary strengths of the counter-revolution. This organization, he stated, was usually qualitatively superior to the armed forces of the revolutionary masses. Qualitative inferiority could be offset, however, by quantitative superiority.¹¹¹ In addition, instead of attempting to match this organization, the revolutionary masses should set their goal as an attempt to disorganize it using any and all means available.¹¹²

According to Langer, complete mastery of the art of the uprising demanded "above all some strictly military knowledge."¹¹³ For this reason, he stated, the revolutionary party should provide a thorough military education to the largest possible number of its members. However, the military aspects of the uprising were a "subordinated but inseparable part of the political aspects—it is an armed political fight."¹¹⁴ Thus the leadership of the armed uprising should be primarily political, rather than military.

Langer concluded his consideration of armed uprising with a discussion of the "peaceful" capture of the armed forces of the enemy.¹¹⁵ "From the military point of view," he observed, "the art of uprising consists in the prevention of concentration, disintegration, disunity, disorganization, and splitting up of the armed forces of the enemy."¹¹⁶ Revolution must be a revolution of the masses, and must "touch" the military, he said, for otherwise, according to Lenin, there could be no "serious battle."¹¹⁷

"An effective fight for the destruction of the armed forces of the enemy," Langer continued, "demands that it be waged not just from the outside but also from the inside."¹¹⁸ In addition to emphasizing the development of "forces" to penetrate and work for the disintegration of military organizations from within, Langer highlighted the need for carrying out "peaceful" propaganda within the armed forces. This task, he asserted, represented "the best preparation for the armed uprising."¹¹⁹ Once the uprising had started, however, this type of propaganda was not enough. According to Langer, what was needed was "an armed fight against the police and the military and a physical battle for the military, that is to say, an active, desperate fight with the counterrevolutionary elements for the winning over of the mass of soldiers."¹²⁰ Propaganda in the armed forces

was only "work in anticipation of such a battle."¹²¹

THE COMRADES' REDSIDE COMPANION

France produced an important addition to the communists' little library of revolutionary antimilitarism in 1927. It was *La révolte de la Mer Noire (The Black Sea Revolt)* by André Marty, the veteran French communist who had figured so prominently in the attempted mutiny aboard the *Protet* in 1919.¹²² After his release from prison, Marty had become active in the French communist movement. As the "hero" of the Black Sea revolt, he was considered to be the party expert on agitation and propaganda techniques inside the navy. Marty's activities also included preparing the party for armed rebellion. Under his direction, French communists stopped counselling desertion from the armed forces and emphasized instead the development of calls capable of destroying the military from within. Their 1927 program to penetrate the military structure of France paralleled communist employment of "Trojan horse" tactics to penetrate the government through the *Chambre des députés* with Marty as one of their candidates.¹²³

Marty also played an important role in the French communist-front navy organization, *Fédération de la Marine*. As its president, Marty is reported to have established communist cells in at least forty French warships, arsenals and naval centers by mid-1927.¹²⁴ Special agitation schools were also established under his direction at Toulon and Cherbourg. Each class accommodated 15 students, consisting of servicemen and party workers, who were to be graduated as antimilitarist experts for work in the armed forces of France.¹²⁵

Marty's book revealed how bolshevik disintegration techniques resulted in the demoralization of important components of the French military and naval forces deployed in the southern Ukraine and Black Sea area in 1919. He stressed the importance of studying the revolutionary episodes of the past, and culling from them lessons which could be applied to the future. Like Lenin, Marty emphasized the necessity for proper preparation. Communists should not be misled, he said, thinking that mutinies or revolts were spontaneous occurrences.¹²⁶ To believe that the mutinies of the French servicemen in southern Russia in 1919 were spontaneous manifestations, Marty stated, was to ignore the primary lesson of the Black Sea revolt. What happened in the Black Sea area, he explained, was but the final surge of a revolutionary wave of strikes against the war which had swept over France since 1916.¹²⁷

The real means of struggle against war, Marty wrote, was through mass revolutionary action. This required mass propaganda, agitation and organizational work among the men of the armed forces.¹²⁸

The struggle against a new anti-soviet war, he stated, must be carried out before it begins.¹²⁹ To be effective, the struggle in the armed forces demanded systematic propaganda and agitation in defense of the immediate demands of the soldiers. Every mutiny, Marty ascertained, broke out as the result of some trivial incident, e.g., a concrete immediate demand on the condition of the food. The incident itself organized the French sailors, he noted, although it would have been "extraordinarily easy" to have created one or more illegal cells in every unit and on every ship of a fleet. Marty pointed out that the presence of a large number of reservists in service would also have permitted the creation of legal reserve groups. These groups in turn could have been brought under the influence of the illegal communist cells, and used as the nuclei for mass revolutionary organizations embracing entire military units and crews. It was evident, Marty concluded, that the Black Sea

mutineers had known nothing about the art of insurrection.¹³⁰

Marty's detailed account of the Black Sea revolt was used by the French communists as the basic textbook on disintegration tactics against naval forces. It was later translated into other languages so that communists outside of France could also benefit from Marty's "wisdom" and experience. Marcel Cachin's judgment of Marty's book summarized the official communist party view of its significance. Cachin called it a basic "bedside" reference work for all communists. "It was not written for dusty archivists," he said, but "for those militants who wish to learn."¹³¹ In their hands, Cachin stated, it would be a weapon. And a dangerous weapon it proved to be.

SOBER REALITIES IN THE EAST

In May, 1927, the executive committee of the Comintern held its eighth plenary session in Moscow. The agenda featured two important subjects: the Chinese question and the danger of war. In April, the split in China between the Kuomintang and the Kung-ch'an-tang had broken out into open warfare, and required a redefinition of military and political strategy for the Communist Party of China. The eighth plenum decided that the Chinese communists should continue to support the military operations being conducted against the northern territories. At the same time, it directed them to "conduct intensive demoralization work in the rear and within the armies of Chiang Kai-shek with the aim of liquidating them which does not exclude, of course, conducting military operations against them at the appropriate moment."¹³² The three principal tasks of their party, the Chinese communists were told, remained the creation of illegal organizations within the Kuomintang, the organization and leadership of the peasant movement, and work among the soldiers.¹³³

The Comintern's resolution on the Chinese question contained some familiar observations on rebellion. The tactic of rebellion under any and all circumstances was not, the Comintern reminded its sections, a Leninist tactic. Those who thought otherwise, including some Chinese comrades who had proposed such tactics in connection with Chiang Kai-shek's Shanghai coup, were "absolutely stupid." As Lenin had pointed out, there was no playing with rebellion. Rebellions were to be started only when there was some chance of success. Once started, the only course was to "advance."¹³⁴

The eighth plenum directed all sections of the Comintern to support the Chinese revolution by agitation and propaganda against intervention in China in the press, in the trade unions and in all mass organizations. Sections in imperialist countries which had colonies or dependencies were also to carry on work there. More important, however, was the order to intensify the work being carried on among the soldiers who were to be sent to China. Serious preparations, the Comintern said, should be made to prevent the dispatch of supplies and troops to China. This required all sections to conduct work among the soldiers, urging them to go over to the side of the revolutionary troops in China.¹³⁵

A program to secure active support for the Chinese revolution had been initiated earlier in 1927 by the western European bureau of the Comintern. Working through the Young Communist International, the western European bureau had channeled the main efforts of the communist youth organizations "to the practical antimilitarist struggle within the navies and imperialist armies."¹³⁶ In Great Britain, communists youth groups were assigned to cover all ports of embarkation, to distribute leaflets and manifestos and to organize meetings among servicemen and the working class. The slogan

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of "sabotage" was advanced to prevent the transport of munitions to China. When British warships sailed for the Orient, leaflets were distributed among the soldiers and sailors calling on them to fraternize with the Chinese soldiers, workers and peasants.¹²⁷ The soviet *chargé d'affaires* in London was also active in sowing dissension in Great Britain. On April 1, 1927, he sent a dispatch to the Commissariat for Foreign Affairs, Moscow, in which he complained that "one of the principal obstacles for conducting a campaign of protest against British violence in China is the appalling supply of information."¹²⁸ But the lack of facts did not bother the British communists, or the "Hands off China" committees which they sponsored. By the end of 1927, they could boast of the existence of at least seventy such committees in England.¹²⁹

A similar "Hands off China" campaign was also carried on in France. On May Day, 1927, the Young Communist League of France raised slogans designed to awaken the class consciousness of the troops so that in the event of an armed clash in China, the soldiers would refuse to fight. Typical of the type of propaganda which the French communists disseminated within the armed forces during this period was the statement by Henry Barbé, the chief of the Young Communist League and a member of the central committee of the Communist Party of France. In the April 13, 1927 edition of *L'Humanité*, the central communist organ, Borbe declared that the generals and admirals were the real enemy of the soldiers and sailors of France. These officers, Barbé stated, left their men to starve and die on foreign shores.¹³⁰ The Young Communist League of France published its antimilitarist organ, *La caserne* in special additions running between sixteen and twenty-one thousand copies for distribution among the soldiers. The communist newspaper for sailors, *La Page de Jean-le-Gouia*, increased its press run to four thousand copies. French communists attempted to get their propaganda and copies of these two newspapers aboard every ship leaving French ports for Far Eastern waters. Their efforts were concentrated in the ports of Charbourg, Lorient, Brest and Toulon, but mass "Hands off China" meetings were held throughout France.¹³¹

Campaigns against intervention in China were also carried out in Canada and the United States. "Hands off China" committees and conferences were organized in many cities throughout the United States. In one city, the communists claimed to have gotten sixty local unions to support their "Hands Off China" conference. The communists penetrated into the Chinese-American organization, "Kuomintang in America," and attempted to take over control. Demonstrations against intervention were organized in front of the gates of navy yards in New York, Philadelphia, Norfolk and Seattle.

Propaganda leaflets were distributed inside Fort Slocum and other military camps.¹³² An attempt was also made to agitate among the American marines who were being sent to the Far East, but the task proved to be an unpopular one, for several of the party members who were assigned to carry on the work were "roughed up" by patriotic marines. When the communist party's district organizer in California was instructed by the central committees to distribute leaflets among the marines, he refused, stating, "Only a provocateur could instruct a communist party to distribute leaflets among the marines."¹³³

The Comintern also created a special antimilitarist section within the Far Eastern bureau at Shanghai. According to Richard Krebs who at that time was active in the Comintern's international antimilitarist apparatus, the disintegration of military morale by means of persistent propaganda was considered to be the only means available for

neutralizing the threat posed by the British, French, Japanese and American military forces aboard the warships deployed along the China coast. The major point of contact with the men from the warships was Hongkong, but the work there was hampered by the inability of the Chinese communists to make themselves accepted by the British and American sailors. This problem still had not been resolved when Krebs arrived in Hongkong.

The Far Eastern bureau of the Comintern allotted Krebs one hundred Shanghai dollars a week to carry out his agitational activities. Supplies for the portable mimeograph machine on which he turned out his English language propaganda leaflets quickly ate up his allowance, which made it impossible for him to carry out the instructions he had been given: "Pull the foreign warships' teeth!"¹³⁴

How successful was the "Hands off China" campaign? The communists' own assessment of it comes close to answering the question: "Although this campaign did not produce big results, a certain amount of sympathy was awakened among the foreign troops for the revolutionary movement in China."¹³⁵ Sympathy is a poor substitute for action, but from the communist standpoint, it was a beginning.

On May 29, 1927, the eighth plenum of the Comintern adopted new theses on the war in China and the danger of war against the Soviet Union. Soviet leaders had conjured up the spectre of a new world war. According to their interpretation of world events, not only had all of the "objective" conditions for a major war matured, but the outbreak of war itself was imminent. The world was rapidly dividing itself into two opposing camps, with the powers of imperialism in the one, and China and the Soviet Union in the other.¹³⁶ Everywhere the soviets saw themselves surrounded by imagined enemies, a recurring theme which they emphasized in directives which were translated into action programs through the Communist International. There existed, they asserted, "a constantly growing menace of war against the Soviet Union by an imperialist bloc under the leadership of Great Britain."¹³⁷ France and Italy were also named as co-conspirators of Great Britain.

In retrospect, the idea of these countries, either singularly or in concert with other European powers, embarking on a war against the Soviet Union appears ludicrous. Nevertheless, this idea was firmly entrenched in official soviet thinking of the period. It motivated the Communist International's antimilitarist program, for the soviets believed that revolutionary antimilitarism offered the best possibility for neutralizing offensive power in the event of a war against Russia.

The classic examples of true international revolutionary slogans, e.g., "war against war," "convert the imperialist war into civil war," "defeat the home bourgeois government in an imperialist war," remained valid, the thesis stated, but the fundamental tasks of all communist parties required reorientation to meet the new war danger. The main watchword of all parties was to be "defend the Chinese and Russian revolutions." Popularizing the slogan "Hands off the Soviet Union and China" through demonstrations and committee action was to continue. Work was to be intensified in the colonies, while in the trade unions, strikes were to be organized. Above all, an untiring propaganda and agitation campaign was to be carried on in the press.

Only through mass struggle, the thesis indicated, could the approaching war be changed into a civil war. Mass struggle required work in the armed forces. All parties were directed to strengthen their activities in the army and navy. Women and children were to be utilized in their work. Whenever

troop movements occurred, the women and children were to line the routes to the railroad stations and to the port areas. They were also to be used in antiwar demonstrations in front of the foreign embassies. Antiwar work was also to be intensified "among the working and peasant youth from whom modern armies are recruited."¹³⁸ All sections of the Comintern, the thesis concluded, must cooperate in the struggle against war.

FOOTNOTES

- ¹ *Ibid.*, p. 99.
- ² *Ibid.*, p. 26.
- ³ *The Times* (London), October 8, 1924, p. 14.
- ⁴ This letter formed the basis for communist action in Great Britain during the election campaign. No question has ever been raised as to its authenticity. (Great Britain, Foreign Office, *Communist Papers* Cmd. 2682, "Documents Selected from those Obtained on the Arrest of the Communist Leaders on the 14th and 21st October, 1925," (London: His Majesty's Stationery Office, 1926), p. 50.)
- ⁵ *The Times* (London), October 25, 1924, p. 12.
- ⁶ *Ibid.*
- ⁷ *Ibid.*
- ⁸ *Ibid.*
- ⁹ *Ibid.*
- ¹⁰ *Ibid.*, October 27, 1924, p. 11.
- ¹¹ *Ibid.* It was subsequently revealed that McManus had been in Moscow at the time the document was allegedly signed, and was in habit of signing correspondence emanating from the Comintern addressed to the British Communist Party. (Eden Paul and Cedar Paul, *Anti-Soviet Forgeries* (London: Workers' Publications, Ltd., 1927), p. 62).
- ¹² *Ibid.*
- ¹³ *The Communist Review*, V, No. 8 (December, 1924), 365.
- ¹⁴ *Ibid.*
- ¹⁵ *Ibid.*, p. 366.
- ¹⁶ Lenin, *loc. cit.*, X, 109.
- ¹⁷ *Ibid.*, p. 142.
- ¹⁸ *Ibid.*, p. 44.
- ¹⁹ Chamberlin, *loc. cit.*, p. 67.
- ²⁰ Paul and Paul, *loc. cit.*, pp. 60-61.
- ²¹ Ruth Fischer, *Italian and German Communism* (Cambridge: Harvard University Press, 1948), p. 459.
- ²² *Ibid.*, p. 461.
- ²³ *Ibid.*, pp. 462-63. Not all communists held Zinoviev in high esteem publicly. An Indian communist in London at the time of the Zinoviev affair stated that Zinoviev was "only a sucking babe in the art of revolution," (*The New York Times*, October 26, 1924, p. 28).
- ²⁴ *International Press Correspondence*, VIII, No. 6 (February 2, 1928), 130.
- ²⁵ *The Communist Review*, V, No. 10 (February 10, 1925), pp. 395-96.
- ²⁶ In speaking of Marxists who had failed him, Karl Marx once said, "I have sown dragons and have gathered a harvest of fleas." (Lenin, *loc. cit.*, VI, 75).
- ²⁷ Brandt, Schwartz and Fairbank, *loc. cit.*, pp. 71-72.
- ²⁸ *Ibid.*, pp. 75-76.
- ²⁹ Wilbur and How, *loc. cit.*, p. 184.
- ³⁰ *Ibid.*, pp. 197-98.
- ³¹ *Ibid.*, p. 200.
- ³² *Ibid.*
- ³³ *Ibid.*, p. 201.
- ³⁴ Eudin and North, *loc. cit.*, p. 290.
- ³⁵ Wilbur and How, *loc. cit.*, p. 215.
- ³⁶ *Ibid.*, p. 245.
- ³⁷ *Ibid.*, p. 248.
- ³⁸ *Ibid.*, p. 251.
- ³⁹ *Ibid.*
- ⁴⁰ *Ibid.*, p. 253.
- ⁴¹ *Ibid.*, p. 316.
- ⁴² *Ibid.*
- ⁴³ *Ibid.*, p. 317.
- ⁴⁴ *Ibid.*, p. 316.
- ⁴⁵ *Ibid.*, p. 317.
- ⁴⁶ *Ibid.*

⁴¹ *Fifth Congress of the Communist International*, p. 7.

⁴² *The Communist International Between the Fifth and the Sixth World Congresses* (London: Communist Party of Great Britain, 1928), p. 194.

⁴³ Finland was one of the first Baltic countries to engage in antimilitarist work. The Finnish communists boasted that their demoralization program among the "white" troops on the Finnish-Russian border during the period 1918 to 1920 had been so successful that numerous detachments had to be withdrawn from the front. (*International Press Correspondence*, VIII, No. 61 (September 11, 1928), 1082).

⁴⁴ *Ibid.*, p. 1092.

⁴⁵ *La vague rouge*, No. 3 (March 1, 1927), 35.

⁴⁶ *La revue antibolchévique*, No. 2 (August 1926), 14.

⁴⁷ *International Press Correspondence*, XII, No. 36 (August 18, 1932), 765; *The Communist International Between the Fifth and the Sixth Congresses*, p. 314 and p. 330.

⁴⁸ *Communist Papers*, Cmd. 2682, pp. 66-67.

⁴⁹ *Ibid.*

⁵⁰ *International Press Correspondence*, VIII, No. 61 (September 11, 1928), 1075.

⁵¹ *La revue antibolchévique*, No. 1 (July, 1926), 22.

⁵² *La correspondance internationale*, V, No. 75 (August 1, 1925), 626.

⁵³ By mid-1928, the Communist Party of Belgium sponsored six different barracks journals for dissemination among the military garrisons at Brussels, Antwerp, Charleroi and Namur. (*International Press Correspondence*, VIII, No. 61 (September 11, 1928), 1075).

⁵⁴ *La revue antibolchévique*, No. 1 (July, 1926), 22.

⁵⁵ *La correspondance internationale*, V, No. 75 (August 1, 1925), 626.

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⁵⁷ *La revue antibolchévique*, No. 1 (July, 1926), 22.

⁵⁸ *La correspondance internationale*, V, No. 75 (August 1, 1925), 626; *Fifth Congress of the Communist International*, p. 202.

⁵⁹ *La revue antibolchévique*, No. 3 (September, 1926), 9.

⁶⁰ *Ibid.*, No. 4 (October, 1926), 7-8.

⁶¹ *Ibid.*, No. 6 (December, 1926), 7.

⁶² *La vague rouge*, No. 5 (May, 1927), 50-51.

⁶³ *International Press Correspondence*, VIII, No. 61 (September 11, 1928), 1092.

⁶⁴ *La vague rouge*, No. 1 (January 1, 1927), 25; *ibid.*, No. 9 (September, 1927), 29-30.

⁶⁵ *La revue antibolchévique*, No. 6 (December, 1926), 7.

⁶⁶ Kenia Eudin and Harold Fisher, *Soviet Russia and the West* (Stanford: Stanford University Press, 1957), p. 219.

⁶⁷ *La revue antibolchévique*, No. 2 (August, 1926), 14.

⁶⁸ *Ibid.*, No. 3 (September, 1926), 14.

⁶⁹ Alfred Dupont and Fischer, *L'antimilitarisme révolutionnaire*, p. 62.

⁷⁰ *La vague rouge*, No. 9 (September, 1927), 29.

⁷¹ *La revue antibolchévique*, No. 2 (August, 1926), 14.

⁷² *Fifth Congress of the Communist International*, p. 95.

⁷³ *The Communist International Between the Fifth and the Sixth World Congresses*, p. 188.

⁷⁴ *La revue antibolchévique*, No. 5 (November 1, 1926), 9.

⁷⁵ *International Press Correspondence*, VIII, No. 69 (December 8, 1927), 1562-63.

⁷⁶ Budin and North, *loc. cit.*, p. 352.

⁷⁷ *Ibid.*, p. 351.

⁷⁸ *Ibid.*, p. 354.

⁷⁹ *Ibid.*, p. 360.

⁸⁰ *La vague rouge*, No. 2 (February 1, 1927), 27.

⁸¹ *Ibid.*

⁸² Benito Agulleiro, in his *Técnica de la infiltración comunista* (Buenos Aires: Editorial La Masorea, 1943), p. 102, claims that a similar booklet was published in 1926. It is probable that Agulleiro is actually referring to the Priboy edition which did not appear until 1927. This first edition of Yaroslavsky's work was named for the famous Priboy revolutionary press in Petrograd. It was probably published simultaneously in limited Russian, Spanish, French and German language editions.

⁸³ Yaroslavsky, *op. cit.*, p. 3.

⁸⁴ Later, when its value as a basic text for for teaching mass antimilitarist methods became recognized, a sanitized version was reprinted and sold through communist channels in both France and Spain.

⁸⁵ *Ibid.*, p. 4.

⁸⁶ *International Press Correspondence*, VIII, No. 64 (September 19, 1928), 1152.

⁸⁷ *Ibid.*, p. 1151.

⁸⁸ Yaroslavsky, *op. cit.*, p. 5.

⁸⁹ *Ibid.*, p. 4.

⁹⁰ *Ibid.*, p. 29.

⁹¹ *International Press Correspondence*, VIII, No. 64 (September 19, 1928), 1151. Eight years later, Yaroslavsky's interpretation of the role of officers in revolutionary movements cost the communists the effective use of the navy during the decisive period of the Spanish civil war. Yaroslavsky's mistake in evaluating Lenin's remarks was to ignore the fact that the disintegration of the armed forces only marked a turning point in civil war, that communist work extended beyond that point and involved consolidating the pieces into an effective fighting force for the proletarian revolution. During his struggle to consolidate power in Russia, Lenin realized the importance of having trained officers in the Red Army. The record of communist antimilitarist work in western Europe before 1927 revealed several instances where separate communist officers' nuclei were formed, e.g., in Latvia, Greece, etc. Between 1927 and 1935, however, the influence of Yaroslavsky's dictum on officers reversed the previous trend. Since 1935, communist doctrine has recognized that officers can play an indispensable part in communist revolutionary movements, and that their official positions offer an important "leverage" potential.

⁹² Yaroslavsky, *op. cit.*, p. 11.

⁹³ *Ibid.*, p. 13.

⁹⁴ *Ibid.*, p. 19.

⁹⁵ *Ibid.*, p. 22.

⁹⁶ *International Press Correspondence*, VIII, No. 64 (September 19, 1928), 1152.

⁹⁷ *Ibid.*, p. 1151.

⁹⁸ Possony, *op. cit.*, p. 178, suggests that Langer was the pseudonym of either Hane Kiepenberger, onetime chief of the military apparatus of the Communist Party of Germany, or Tuare Valdemar Lehen, a Finnish communist. Possony favors Kiepenberger, but I am inclined to believe that Langer was actually the pseudonym of the German publisher, Ernst Schneller, who signed the preface. The evidence in favor of Schneller is circumstantial but convincing. As editor and contributor to the clandestine communist monthly, *Oktober*, Schneller qualified both as an expert and an author on the subject of military insurrection and irregular warfare. While the penalty for publishing such a brochure represented a relatively minor risk for Schneller, his identification as its author would have entailed somewhat more serious and longer lasting consequences. The absence of any reference to the author in the preface, and the tone which Schneller imparted to it, suggests an author's introduction as well as a publisher's preface. In the 1931 Zurich edition published by P. Meier, the preface has been rewritten and is signed "the author." It is interesting to note that other than Marx and Lenin, the primary sources quoted in the work are articles from *Oktober*. Authors' names were seldom given in *Oktober*, but initials were used. An exception was the appearance of the name "W. Langer" in the

⁹⁹ *Ibid.*, p. 13.

¹⁰⁰ *Ibid.*, p. 19.

¹⁰¹ *Ibid.*, p. 22.

¹⁰² *International Press Correspondence*, VIII, No. 64 (September 19, 1928), 1152.

¹⁰³ *Ibid.*, p. 1151.

¹⁰⁴ Possony, *op. cit.*, p. 178, suggests that Langer was the pseudonym of either Hane Kiepenberger, onetime chief of the military apparatus of the Communist Party of Germany, or Tuare Valdemar Lehen, a Finnish communist. Possony favors Kiepenberger, but I am inclined to believe that Langer was actually the pseudonym of the German publisher, Ernst Schneller, who signed the preface. The evidence in favor of Schneller is circumstantial but convincing. As editor and contributor to the clandestine communist monthly, *Oktober*, Schneller qualified both as an expert and an author on the subject of military insurrection and irregular warfare. While the penalty for publishing such a brochure represented a relatively minor risk for Schneller, his identification as its author would have entailed somewhat more serious and longer lasting consequences. The absence of any reference to the author in the preface, and the tone which Schneller imparted to it, suggests an author's introduction as well as a publisher's preface. In the 1931 Zurich edition published by P. Meier, the preface has been rewritten and is signed "the author." It is interesting to note that other than Marx and Lenin, the primary sources quoted in the work are articles from *Oktober*. Authors' names were seldom given in *Oktober*, but initials were used. An exception was the appearance of the name "W. Langer" in the

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¹⁰⁷ *Ibid.*, p. 22.

¹⁰⁸ *International Press Correspondence*, VIII, No. 64 (September 19, 1928), 1152.

¹⁰⁹ *Ibid.*, p. 1151.

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¹¹² *Ibid.*, p. 19.

¹¹³ *Ibid.*, p. 22.

¹¹⁴ *International Press Correspondence*, VIII, No. 64 (September 19, 1928), 1152.

¹¹⁵ *Ibid.*, p. 1151.

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¹²⁰ *International Press Correspondence*, VIII, No. 64 (September 19, 1928), 1152.

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¹²³ *Ibid.*, p. 13.

¹²⁴ *Ibid.*, p. 19.

¹²⁵ *Ibid.*, p. 22.

¹²⁶ *International Press Correspondence*, VIII, No. 64 (September 19, 1928), 1152.

¹²⁷ *Ibid.*, p. 1151.

April, 1927 issue of *Oktober*, as the author of an article on the Red Army. Immediately preceding it was a theoretical discussion of disintegration tactics by "A. Sch." The possibility exists that the pseudonym "Alfred Langer" was a convenient fabrication using a name previously created by Schneller. Note the correlation between the publication date of *Oktober* and March 18, 1927, the date on which Schneller signed the preface.

¹²⁸ Cf. publication date given with previously accepted date of early 1928 cited by Possony, *op. cit.*, p. 178. The date is probably somewhere between the preface date of March 18, 1927, and October, 1927, the publication date of a review of Langer's book by *La vague rouge*, No. 10, p. 10. According to the author's preface in the 1931 Zurich edition, the book was actually written in 1926.

¹²⁹ Langer, *op. cit.*, p. 1. This and subsequent references to page numbers refer to the pagination of the English mimeographed translation by Morella Hansen on file in the U.S. Army Library, Washington, D.C.

¹³⁰ Schneller states that no attempt to supplement the purely theoretical analysis with practical examples had been made because of "understandable reasons." (*Ibid.*). Communist reticence to reveal details of how theory was carried out in practice was not limited to Langer alone. Cf. Bukharin's statement on the necessity for illegal organizations in the armed forces, *infra.*, p. 294, and D. Z. Marmilsky's reference to the necessity for communists to "decipher" the "Trojan Horse" tactics mentioned by Dimitrov, *The Work of the Seventh Congress of the Communist International*. (Moscow: Cooperative Publishing Society of Foreign Workers in the U.S.R.R., 1935), p. 80.

¹³¹ Langer, *op. cit.*, p. 4.

¹³² *Ibid.*, p. 3.

¹³³ *Ibid.*, p. 4.

¹³⁴ *Ibid.*, p. 33.

¹³⁵ *Ibid.*, p. 18.

¹³⁶ *Ibid.*, p. 30.

¹³⁷ *Ibid.*, p. 6.

¹³⁸ *Ibid.*, p. 37.

¹³⁹ *Ibid.*, p. 40.

¹⁴⁰ *Ibid.*

¹⁴¹ *Ibid.*

¹⁴² *Ibid.*

¹⁴³ *Ibid.*

¹⁴⁴ *Ibid.*

¹⁴⁵ *Ibid.*

¹⁴⁶ Only the first half of Marty's book was published in 1927. The second half was printed in 1929.

¹⁴⁷ "Que nous y penetrons comme nous penetrons dans l'arce bourgeois pour la saper de l'interieur." (*La vague rouge*, No. 11 (November, 1927), 6).

¹⁴⁸ *Ibid.*, No. 6 (June, 1927), 6.

¹⁴⁹ *Ibid.*, No. 11 (November, 1927), 3-4.

¹⁵⁰ Marty, *La révolte de la Mer Noire*, p. 571.

¹⁵¹ *Ibid.*, p. 572.

¹⁵² *Ibid.*, p. 105.

¹⁵³ *Ibid.*, p. 573.

¹⁵⁴ André Marty, "The Black Sea Revolt," *The Communist International*, II, No. 9-10 (May 20, 1934), 341-42.

¹⁵⁵ Marty, *La révolte de la Mer Noire*, p. 12.

¹⁵⁶ Eudin and North, *loc. cit.*, p. 375.

¹⁵⁷ *Ibid.*

¹⁵⁸ *Ibid.*

¹⁵⁹ *Ibid.*, p. 376.

¹⁶⁰ F. Rilloux, "The Antimilitarist Work of the Communist Youth Against Intervention in China and for Defense of the Soviet Union," *International Press Correspondence*, VII, No. 47 (August 17, 1927), 1062.

¹⁶¹ *Ibid.*, p. 1063.

¹⁶² Great Britain, Foreign Office, *Russia No. 2* (1927), Cmd. 2874, "Documents Illustrating the Hostile Activities of the Soviet Government and Third International Against Great Britain" (London: His Majesty's Stationery Office, 1927), p. 30.

¹⁶³ *The Communist International Between the Fifth and the Sixth World Congresses*, p. 126.

¹⁴⁰ *La vague rouge*, No. 5 (May, 1927), 3.

¹⁴¹ Billoux, *loc. Cit.*

¹⁴² *The Communist International Between the Fifth and the Sixth World Congresses*, p. 339.

¹⁴³ *International Press Correspondence*, VIII, No. 61 (September 11, 1928), 1095.

¹⁴⁴ Jan Valtin, *Out of the Night* (New York: Alliance Book Corporation, 1941), pp. 154-55.

¹⁴⁵ *International Press Correspondence*, VIII, No. 61 (September 11, 1928), 1094.

¹⁴⁶ *International Press Correspondence*, VII, No. 40 (July 14, 1927), 890.

¹⁴⁷ "The Struggle Against Imperialist War and the Tasks of the Communists," *Ibid.*, VIII, No. 84 (November 28, 1928), 1583.

¹⁴⁸ *Ibid.*, VII, No. 40 (July 14, 1927), 896; *La vague rouge*, No. 7 (July, 1927), 39-41.

HOUSE RESOLUTION 630

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1971

Mr. JACOBS. Mr. Speaker, I was wondering, in view of the events of the past few weeks in Saigon, if any Member of Congress or any member of the executive branch would care to say he or she is willing, from this day forward, to give his or her life, limb, sanity, or freedom—POW even for another day—further to prop up the Saigon dictatorship.

Other Americans are being ordered to do so today.

Following is the language of H. Res. 630, which I introduced on Sept. 30, 1971:

H. Res. 630

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

Whereas Madame Nguyen Thi Binh, chief delegate of the Provisional Revolutionary Government of the Republic of South Vietnam stated on July 1, 1971, that the policy of her government is: "If the United States Government sets a terminal date for the withdrawal from South Vietnam in 1971 of the totality of United States forces and those of the other foreign countries in the United States camp, the parties will at the same time agree on the modalities:

"A. Of the withdrawal in safety from South Vietnam of the totality of United States forces and those of the other foreign countries in the United States camp;

"B. Of the release of the totality of military men of all parties and the civilians captured in the war (including American pilots captured in North Vietnam), so that they may all rapidly return to their homes.

"These two operations will begin on the same date and will end on the same date.

"A cease-fire will be observed between the South Vietnam People's Liberation Armed Forces the Armed Forces of the other foreign countries in the United States camp, as soon as the parties reach agreement on the withdrawal from South Vietnam of the totality of United States forces and those of the other foreign countries in the United States camp."

Resolved, That the United States shall forthwith propose at the Paris peace talks that in return for the return of all American prisoners held in Indochina, the United States shall withdraw all its Armed Forces from South Vietnam within sixty days following the signing of the agreement: Provided, That the agreement shall contain guarantee by the Democratic Republic of

Vietnam and the Provisional Revolutionary Government of the Republic of South Vietnam of safe conduct out of Vietnam for all American prisoners and all American Armed Forces simultaneously.

PEACE CORPS

HON. F. BRADFORD MORSE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1971

Mr. MORSE. Mr. Speaker, the Peace Corps has been in existence now for more than a decade, and during that time, circumstances, both international and domestic, have changed significantly. But many of the needs for which the Peace Corps was originally formed still remain to be filled.

In recent testimony before the House Foreign Affairs Committee, Joe Blatchford, Director of the recently created ACTION agency of which the Peace Corps is a major component, outlined the directions that this vital organization is currently exploring in an attempt to adapt to these changes and to improve its already enviable record in the field of self-help to the people of developing countries. Mr. Blatchford stressed especially the Peace Corps' emphasis on reacting more flexibly to the needs of host countries as the leaders of those countries see them.

In addition, the Peace Corps has attempted over the last several years to open up the organization to a broader range of potential volunteers by sending abroad married couples and, in certain circumstances, families with children.

Nothing could be more illustrative of these extremely commendable new approaches on the part of the Peace Corps than the story of Mr. Dick Soule and his wife, Phoebe, that recently appeared in the Lexington Minute Man. Mr. Soule, a 51-year-old businessman has sold his business, rented his house, and temporarily said goodbye to friends, family and his dog, Brahms. He and his wife left last week for Sierra Leone, West Africa, where Soule will become a teacher.

Mr. Speaker, I insert this article in the RECORD:

[From the Lexington (Mass.) Minute-Man, Sept. 23, 1971]

SOULES JOIN PEACE CORPS, BOUND FOR SIERRA LEONE

(By Tom Curran)

Just about a year ago, Dick Soule was driving along the Southeast Expressway in Boston listening to the radio. A commercial started and he found himself answering the announcer's questions.

For the remainder of the 30-minute ride to his home at 16 Hancock st., Soule thought about the questions and his answers. He also figured out how to sell his business and rent his house.

When he arrived home, he walked into the kitchen and asked his wife Phoebe "How would you like to join the Peace Corps?" to which she replied "Yes" not knowing if he was serious or not.

The discussions and conversations that followed over the next year have resulted in the Soules now preparing for a flight which will start in the middle of October, bringing them eventually to Sierra Leone, West Africa.

For the Soules, the 27 month stay in Africa was a big decision, which involves leaving family and friends, selling the general contracting business Dick started in Roxbury in 1948, and moving temporarily from their 11 room house.

For giving up these things, what are they guaranteed in return? In Sierra Leone, the Soules are guaranteed a cinderblock house with corrugated roof and a refrigerator. However, there is no guarantee of electricity.

TURNING POINT

Why are the Soules joining the Peace Corps? Dick said he was "tired of the rat race. Where can you go at 51 when you find yourself making money to make money to make more money. We wanted to do something before we were too old to do something."

The decision to join the Peace Corps also marked a professional move for Dick from businessman to teacher.

Dick started his business—Soule Brothers Inc.—in 1948 and it grew, with the exception of his time spent in the Korean War, to a large general contracting business which has been in Lexington since 1953. This spring, the business was sold to Walter Johnson, 26 Bedford st.

The requirements for becoming a teacher in a vocational school are not the same as an academic high school. This summer Dick took courses at Fitchburg State College and has earned his teaching certificate.

Dick has applied for a teaching position at the Minute Man Regional Vocational High School which is scheduled to be completed by the Fall of 1974. The Soules are scheduled to leave Sierra Leone in the spring of 1974.

AFRICA

While the Soules had decided they wanted to join the Peace Corps and were almost certain they would be leaving for someplace, sometimes, it was not until the first week of this month that they found out where and when they would be going.

At a meeting held in Chicago early this month, the Soules attended day and night meetings and programs arranged by five volunteers who had served in Sierra Leone.

When the Lexington couple decided they wanted to go, interviews in Chicago started and the Soules were accepted into the program.

On Oct. 12 or 13, Dick and Phoebe will leave for Philadelphia where passports and records will be checked. From there they fly to Dakar in Senegal, West Africa, and then on to Sierra Leone's capital, Freetown, for a few days of orientation.

PROGRAM

Dick, along with 11 other volunteers, are taking part in a new Peace Corps training program.

Under the program, volunteers are trained for their particular assignment in the country they will be working in during their two years. Usually, training is conducted in the United States.

While Dick is training, Phoebe will be looking into projects she is interested in helping.

The group Dick is assigned to consists of contractors, engineers and architects—mostly married—and water management specialists—mostly single.

The training will be conducted in McKinney, which is about 120 miles inland and one of the three provincial capitals in the country.

The training will consist of building in addition to the Peace Corps headquarters and the construction of a small grain shed.

Volunteers will learn about the materials available through government stores and the type of architecture in the country during their few days of orientation in Freetown.

It is expected the training period will end just prior to Christmas with assignments being taken by the group in January.

THE WIVES

While Dick is training, Phoebe will be deciding on a program in which she would like to work.

At the Chicago meeting the Peace Corps director of Sierra Leone talked about the possibilities of teaching in the country. Following college, Phoebe taught for about eight years, starting out at the Shady Hill School in Cambridge.

The wives were asked to consider their interests when deciding on a program. When they first arrive and for about the first 12 weeks, the wives will be mostly getting acquainted with the country.

A particular interest Phoebe is considering is the possibility of doing library work.

When asked what she thought about joining the Peace Corps, Phoebe said "It's exciting." While concerned about adjusting to possible health hazards, she said she thinks she can do without radio and television for a while.

Dick said he is fortunate to have a wife who would allow such a move at this time in his life adding, "She's a great girl."

The Peace Corps assignment means a temporary separation of their family.

The Soules have three sons Gerry, 18, Ben 20 and Mark 22.

Ben is presently working at the De-Cordova Museum assisting in the children's woodcarving classes and in pottery classes. During his free time he is studying sculpture. Ben is a junior at Hamilton College in New York.

Mark is a computer science student at Worcester Polytechnical Institute.

Dick is the son of Mr. and Mrs. Frederick J. Soule who now reside at Captain Parker Arms. At the time Dick was born, his father was the director of the settlement house Norfolk House Centre in Roxbury.

The Soules will also be saying a temporary goodbye to Brahms, their active dog who Dick says "needs 24 hours of love." When asked what type of dog Brahms is, Dick answered "An all-American."

During the past 18 years the Soules have lived in Lexington, Dick has been active in community and church affairs.

The move to the Peace Corps assignment has resulted in Dick handing in several resignations including those as a Town Meeting Member, a member of the Republican Town Committee, a town representative on the West Suburban Regional Refuse Planning Board and as District Chairman of the Batteroad District of the Boy Scouts of America.

Dick is also a member of the Simon W. Robinson Lodge AF&AM, the Lexington Rotary Club and the Hancock Men's Club. From 1957 to 1962, Dick was also a member of the Lexington Planning Board.

Phoebe's main interest has been in the town's program with METCO and the Soules have served as a host family.

MAN'S INHUMANITY TO MAN—
HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1971

Mr. SCHERLE. Mr. Speaker, a child ask: "Where is daddy?" A mother asks: "How is my son?" A wife asks: "Is my husband alive or dead?"

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

How long?

NBC DOCUMENTARY ON BLOOD
BANKING

HON. VICTOR V. VEYSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1971

Mr. VEYSEY. Mr. Speaker, last Friday night the NBC program "Chronolog," featured a carefully researched description of how blood is collected, processed, and dispensed in this country. The program makes clear that blood is not only treated as "just another commodity" at present, but also that it flows into the veins of recipients with few, if any, of the assurances of purity and safety that accompany other commodities. A \$150 million industry that vitally affects the health and safety of every one of us operates with almost no supervision at any level.

Seventeen States have no laws at all to protect the recipients of blood transfusions. Very few others have given the dangers of blood banking more than cursory consideration. The NBC documentary demonstrates that even the limited Federal regulations that do exist go unenforced. The program showed blood being purchased by the Veterans' Administration from a bidder who operated under a license that had been revoked at least 6 months earlier. Use of the license number constitutes a Federal crime.

I have today written the Veterans' Administration and the National Institutes of Health for a report on the steps they have taken to prosecute this alleged crime and see that similar violations are prevented in the future. The health and safety of hospitalized veterans or any blood recipient should not depend on the chance presence of a television camera crew.

I mentioned in a recent letter to my colleagues that I have been working with experts in this field over the past several months and am preparing legislation to bring some assurance of safety to blood recipients. I expect to introduce my bill in November and will be contacting my colleagues again in the future.

In the meantime, I am today inserting the first half of the NBC documentary script, and a review of the program that appeared in the Washington Post. I expect to insert the second half of the program tomorrow:

[From the Washington Post, Oct. 23, 1971]

CHRONOLOG

(By Tom Zito)

NBC News presented last night an intensely educational, finely researched, well edited and competently photographed look at America's blood industry.

The report was the result of nine months of investigation and filming by correspondent Tom Pettit and was broadcast as half of the opening edition of "Chronolog," a monthly new program that replaces "First Tuesday." "There are no national statistics on blood collection and sale," said Pettit, "because there is no national policy." For example, the National Institutes of Health, which control blood distribution for the country, allow the blood plasma collecting industry to police itself, he said.

"What we have now works," he said, "and what we have now is laissez-faire . . . pure capitalism where only the money matters.

"America's blood industry brings together three groups: those who buy blood with money, those who buy money with blood and a small minority who give blood for nothing," he added.

Almost half of the country's blood comes from privately owned blood banks, many of which simply use store-front collection centers, the show revealed. The rest comes from the American Red Cross.

Most of the private blood banks pay \$5 per pint of blood or blood plasma. While whole blood can only be collected every eight weeks, plasma can be supplied twice weekly. Consequently, a donor can make \$520 annually. One man's rare blood allowed him to collect over \$12,000 per year, more than he made at his daily auto worker job. He had initially made his blood available through competitive bidding.

According to Pettit, the collection of plasma in particular is under no regulation and is pursued on an international scale. Even maternity wards are tapped. Major corporations including Dow Chemical, Parke Davis and Lederle Laboratories all extract plasma from afterbirth, Pettit said.

It takes an hour and a half to donate a pint of plasma. The blood is first extracted from the patient and the red blood cells are separated and re-injected into the donor. In 1963 Lorenzo Reed died in the Cook County Hospital when he received the red cells of another donor. The incident was officially ruled an "accident" and NIH has still, after nine years, taken no action.

Over 800 inmates of the Louisiana State Penitentiary at Angola donate blood plasma each week in a \$100,000 installation run by Cutter Laboratories. The company pays \$5.75 for each pint, with \$1 going to the prisoners' welfare fund and the rest going to the donor. Some of the inmates work at the installation and by giving plasma in addition to their work, they can make as much as \$9 weekly. The most any prison job pays is \$2 per week.

The major problem still surrounding blood collection, Pettit said, is the lack of a complete test for hepatitis. It can only be identified 30 per cent of the time. In addition, blood cannot be used after it becomes 21 days old. Between 10 and 25 per cent of the blood donated to the Red Cross becomes too old before being used.

Pettit said the major reason the Red Cross does not control more of the blood supply in the country is that the association did not have the power or chose not to take issue with "local blood baronies, many of which are owned by private physicians."

BLOOD SEGMENT

UTLEY. This is a pint of human blood. The person who sold it was paid five dollars. The person who receives it in a transfusion may pay as much as 70 dollars or more. Despite all the folklore about blue blood and blood brothers, despite a lot of noble sentiment, blood in this country is a big business. It is considered an item of interstate commerce by the United States government. Blood and its by-products are an important part of modern medicine and a profitable part of the medical supply industry. Blood cannot be synthesized. It can only be manufactured in the human body. Nonetheless, it has become just another commodity.

PETTIT. This open-heart operation at an Army Hospital in San Francisco required ten pints of fresh blood—type O-positive. For one full hour, the life of Jack Eichman was sustained by an artificial heart and lung machine, pumping his blood thru synthetic vital organs to provide adequate oxygen to his body and brain. It took four pints of blood just to start up the machine. Six more pints were given to the patient during and after the surgery to correct a defective vein within his heart. Without the operation, Jack Eichman, who is an army sergeant, probably

would have died. He is 46 years old. A thousand miles away, at a small community hospital in Carlsbad, New Mexico, another patient was awaiting surgery and a blood transfusion. The doctor had ordered one pint of blood—type A-positive.

NURSE. Mrs. Aguilar, we're going to give you a unit of blood. Stella, could you tell her? Uh, yes I will.

PETTIT. Victoriana Aguilar was to undergo surgery for a gall bladder condition. The blood would correct serious anemia, before the operation. No one asked where the blood came from. In fact it came from here: the La Tuna Federal Prison, near El Paso, Texas. It was donated by a prisoner serving 3 years for robbery. The blood for Miss Aguilar came from a man named Ricardo Hernandez. He was donating blood to gain cash credits for his brother, who had been stabbed and who had used up 14 pints of blood during emergency transfusions. Ricardo Hernandez had no idea who would get his pint of A-positive blood. In San Francisco, the required units of type O-positive blood had been collected specifically for this operation, because open-heart surgery requires very fresh blood—with maximum oxygen-carrying capacity. Sergeant Jack Eichman also did not know who gave the blood. One pint came from a San Francisco attorney named Jim Richman.

NURSE. I see you've given 18 times. Have you been feeling well since your last visit?

PETTIT. Richman now has given blood 19 times. Even though he is a regular donor, he never knows who gets his blood. By chance, his blood is the same type as Jack Eichman—a man he has never met.

Doctor Eichman, Jack . . . 26, 49, 037. Blood number one four three two six. OK. O-positive. O-positive.

NURSE. 149857. Right. 19—1490857. A-positive. A-positive. Right.

PETTIT. In Miss Aguilar's case, the fresh blood did not help. It had been intended to build up the iron in her system to permit surgery. But she was deteriorating too rapidly. And during the transfusion, she had a serious allergic reaction to the blood.

NURSE. Yes, to that blood that was given this morning or this afternoon on Mrs. Aguilar. Oh, a severe reaction. She chilled, she broke out in a rash. Has a 103 temperature. Has a temperature of 103.

PETTIT. The transfusion was halted—immediately. Miss Aguilar never got the fresh blood she needed. She never became strong enough to undergo surgery.

NURSE. I'm sorry, I've got to check this patient. If you don't mind, just a second.

PETTIT. One week later, Victoriana Aguilar died. She was 48 years old.

UTLEY. The bill for Miss Aguilar's abortive blood transfusion was paid by the state of New Mexico because she was a welfare patient. The bill, covering the blood, the lab work and the actual transfusion, came to exactly 41 dollars—which is just about the average price patients pay to get one pint of blood in this country. In some cities it is much more. However, some hospitals or blood banks will give a 25 dollar credit if you can persuade a friend or relative to donate blood—a 25 dollar credit for each pint donated. If you cannot find someone to give blood for you, the 25 dollars remains on your bill—even if you are dead.

PETTIT. East Fifth Street in Los Angeles is skid row. Some of the people who had given up on competitive society were already stirring at six o'clock of a warm August morning. Except for the juke box from a bar on the corner, it was very quiet. Only one other business operates at this hour. This blood bank is licensed by the United States government. License number 178, issued by the National Institutes of Health. Buying blood on skid row may be a cliché. But it is also true. In July of this year, federal license number 437 was issued to this blood bank. This one is license number 140—held by a large and

respected company—Hyland Division of Travenol Laboratories. These men were waiting to sell their blood—or their blood plasma. They were given a thorough medical examination if a preliminary blood sample drawn from the ear indicated a proper iron count. If not, they were given iron tablets and told to come back later. If a check of records and other blood banks down the street showed they had sold their blood too recently, they were told when to come back.

NURSE. See you sold whole blood the 30th of March and then you sold it April the 8th, which was twice within a month. See? And you can only sell once every eight weeks, because it takes it that long to rebuild, so on August the eighth you can sell again.

MAN. OK, thank you.

PLASMA

PETTIT. You can sell blood only once every eight weeks. But plasma is different. You can sell plasma twice a week. Until now, this segment of the blood industry has operated in almost total secrecy: the large-scale procurement of blood plasma on an "assembly-line basis." A man can earn 520 dollars a year selling plasma—more than ten times what he can make selling his blood. You can sell plasma twice a week because the human body keeps on regenerating the lost liquids and proteins. It is a very simple process. This is step one: 500 CC's of whole blood are drawn from a vein in the arm. This part is exactly like a normal blood donation, the blood flowing into a plastic bag. Step two: the blood is centrifuged, causing the red cells to settle at the bottom of the bag. The plasma, which is lighter, collects at the top. The plasma is squeezed out of the bag, and drawn by a vacuum into another container. Step three: the red cells are prepared for reinfusion back into the donor. It is exactly like a blood transfusion, except you get your own blood back and a saline solution is added to replace lost liquid. The whole process takes an hour and a half and you get five dollars. This plasma collection center caters to students from UCLA. It is just a few blocks from the campus. Sellers of plasma are supposed to be at least 18 years old and they must sign a legal document releasing the company from liability. The danger is very simple: if you get the wrong red cells back, they can kill you.

Dr. PESTOOM. One has to provide a safe system in order to prevent that no accidents occur. And so the personnel is trained to watch the infusion to see if there would be ever any symptoms indicating that the wrong transfusion is taking place. And since it has such a high fatal risk, one cannot leave any of these steps to chances.

PETTIT. For this man, selling his plasma is exceptionally lucrative and well worth any risk. He is Joseph Thomas of Detroit—a production worker at the Chrysler Motor Car Company. His blood plasma contains a very rare antibody. The antibody can be extracted and sold for laboratory analysis of other people's blood. His concentration of the antibody is so great, that Joseph can make \$12,000 a year selling his plasma. This is far more than he makes at his job as an auto worker.

JOE THOMAS. At the present time I have a contract with Dade Company in Florida and their contract for eight quarts of blood which equals \$12,000 and that's broken down to approximately \$1500 a quart. I was told there was approximately five different bids on it and at the final analysis, Dade received the contract. Q—You submitted, or you, you held competitive bidding for your blood, in other words. Yes. Q—How did that work, did they submit sealed bids, or how, just tell me how it worked? A—No, actually how they did it, well, they made the contract, my lawyer, and they submitted, it was buying I think in volume prices and they would offer a certain amount for so much and as it came out, the amount that Dade, Dade wanted,

and the amount of money that Dade offered was the more sufficient one. They did go up to \$1500 a quart.

PETTIT. But the great demand is for ordinary plasma—by the case, by the gallon. At the Hyland Division of Travenol Laboratories in Los Angeles, on one day, shipments of plasma arrived from Arizona, New Mexico, Tennessee, and Missouri. It is stored frozen, at 4 degrees below zero. Before it can be processed, the plasma is allowed to thaw into slush. Each bottle represents the plasma sold by one man for five dollars. Plasma from 26-hundred men is pooled into one batch. At one time plasma was a widely-used blood substitute. But in 1968, it was found that pooled plasma carried a very high risk of transmitting hepatitis. This created an enormous demand for other plasma products which, by intense heating, can be made safe. One such product is normal serum albumin, used as a blood substitute for treatment of shock in accident cases and surgery. Albumin is in great demand at 59 dollars for one of these vials—wholesale. The raw material costs ten dollars. At least ten major pharmaceutical houses are involved in mass production of albumin and other plasma products, such as gamma globulin and special substances used for treating hemophiliacs—people with clotting problems. These products are sold by American firms both in this country and overseas: the market is virtually unlimited. Companies which make plasma products are inspected and licensed by the national institutes of health, thru its division of biological standards. But the collecting of plasma, even though it has become a massive industry of its own, has never been subject to federal regulation. NIH has plans to issue some regulations, but right now the only federal requirement is that companies which process plasma must file a report on where and how they buy it. By examining NIH records and from other sources, we have learned that human plasma is bought and sold on an international scale. This contract for a plasma company named Hemo Caribbean of Port-au-Prince, Haiti to supply the Armour Pharmaceutical Company was signed on June 12th, 1971. A company in San Salvador, the capital of El Salvador, contracted to deliver 2500 liters of plasma per month to the Hyland Division of Travenol Laboratories. Another source has been the maternity wards of hospitals, which have contracted to sell human placentas, after-births, which are rich in blood plasma. Dow Chemical Company, Lederle and Parke Davis have filed contracts covering the purchase of placentas from hundreds of hospitals, many of them in Canada and the Philippines.

PRISON PLASMA

The demand for plasma as a raw material has even led to competitive bidding for exclusive contracts with prisons, especially in the deep south. This is the Louisiana State Penitentiary at Angola. The Louisiana Department of Corrections agreed to permit Cutter Laboratories of California to construct a 100-thousand dollar building on the prison grounds. Cutter has a five year contract with the prison to buy plasma from prison volunteers. The prisoners and the warden see it as a good deal:

WARDEN HENDERSON. This was originally put out for open bid and Cutter was the high bidder. They pay \$5.75 per bleeding. A dollar of this goes into the inmate welfare, and \$4.75 to the prisoner. As far as the prisoners are concerned, it cuts down on assaults because the prisoners have more money to spend. There is no reason to strong arm one another for cigarettes and so on. So we feel like it is a good arrangement all the way around.

INMATE. That little black spot here is where I was in here this morning and tomorrow morning it will be gone. All that is is coagulated blood and it's gone in a little time, but the scar is there more or less permanent. Cutter only lets us participate once a week.

Hyland was letting us go twice a week but I think Mr. Davis stated that he would let us go just once a week and that's it and it didn't hurt us, you know, as far as I'm concerned, but some people just can't do it.

PETTIT. Cutter uses elaborate precautions—double-checking names and numbers at every step. But none of this is covered by federal regulations—there are no formal rules or inspections. NIH has permitted the plasma collecting industry to police itself. Some prisoners also are employed alongside Cutter's own technicians, but they are not allowed to puncture veins or put red cells back in. The pay is five dollars a week. (The most they can make at any other prison job is 2 dollars a week.) If you work for Cutter, and also sell your plasma, you can earn 9 dollars and 75 cents a week.

INMATE. I come to work on a Monday morning, the first thing Monday morning I do is bleed. I get my plasma and from there we have new people that come in every day. If a man doesn't want to give plasma, like I didn't want to give it, but I had to do something. I wanted to smoke, I decided to go on and sell my plasma and see what it was like at first.

INMATE. Well, you know, a man sometimes feels like he wants to eat a little something different. If he's got a little change, he can go to the commissary and buy whatever he's able to buy.

INMATE. As far as getting any money from home or anything from my folks, I don't receive any money from my folks and so I otherwise, I wouldn't have any money. I think, I think it's a darn good deal.

INMATE. What's in it for me? Well to tell you the truth I don't know to be exact but they said they're paying for the bleeding. I haven't got no kind of nothing on it yet, so I'll . . . this would help me in leaving when I leave. I have a long way to go.

INMATE. Before this place was here, a man never had nothing. He never had the bread to eat or the cigarets to smoke unless his people sent them money. Now we don't have to depend on poor people. The only person that you have to depend on is—Cutter.

INMATE. There's a big need for plasma the way I understand, all the time, you know. And I figure that if Cutter's not here, some other laboratory would be here, you know.

PETTIT. Eight hundred prisoners a week sell their plasma. It should be pointed out that this arrangement is medically-supervised and perfectly legal.

UTLEY. On February 18th, 1963, a 42-year old man named Lorenzo Reed died at Cook County Hospital in Chicago—a few hours after he had sold his plasma for five dollars. A coroner's jury found that Lorenzo Reed died because he had been given somebody else's red blood cells during the plasma-extraction process. His own blood was type O. The red cells he got were type A. Mr. Reed's death was officially ruled an accident and there was no criminal prosecution. But the widow filed a lawsuit against the company involved which settled out of court for 16-thousand-500 dollars. The National Institutes of Health took no action because it had no jurisdiction in 1963 over the plasma-extraction industry. Today—nearly nine years later—NIH still has no jurisdiction.

HEPATITIS

Hepatitis is an infection of the liver. It can be painful and debilitating and even fatal. There is no treatment for it other than bed rest and a good diet. Doctors don't know too much about hepatitis—except they believe there are several viruses which can cause hepatitis. None of the viruses has been isolated. The risk of getting hepatitis exists in any transfusion, but the danger is greater in big cities where the hepatitis rate is higher than in small towns. One of the worst is Los Angeles where John Wesley County Hospital specializes in hepatitis cases. Chief of the hepatitis service is Dr. Alan Redeker.

Dr. REDEKER. The cardinal symptoms most common to most patients by far are profound weakness and profound loss of appetite. Now additionally, jaundice appears in some patients with hepatitis, yellow jaundice. That's usually the feature that brings the patient to the doctor's attention. There are a number of other symptoms that may appear in certain cases: high fever, abdominal pain, nausea, vomiting. The whites of the eyes become yellow, if the jaundice is sufficiently deep, and if the jaundice becomes even deeper yet, the skin assumes a yellow hue.

PETTIT. Dr. Alan Redeker probably sees more hepatitis patients than any other American physician. One of them was Harold Crowder, 48.

REDEKER. We feel that his hepatitis has the background of blood transfusions about 2½ months ago. He is a man who has had a long standing rheumatoid arthritis and has had a number of reconstructive surgical procedures. He had one two and a half months before he became ill, on his knee, and he received two blood transfusions at that time and he became ill now about 2½ weeks ago.

PETTIT. The patient's blood came from a commercial blood bank. Like most hepatitis experts, Dr. Redeker believes that such blood usually carries a higher risk of infection.

REDEKER. It will vary from commercial source, but uh . . . uh blood purchased and sold for profit does cause hepatitis more often than blood voluntarily donated. A number of investigations which have compared the amount of hepatitis from transfusions to the donor source have invariably shown that commercial-source blood carries a higher risk rate for hepatitis than volunteer, donated blood.

EPISCOPALIANS OPPOSE PRAYER AMENDMENT

HON. FRED SCHWENDEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1971

Mr. SCHWENDEL. Mr. Speaker, as evidenced by the following statement, the Protestant Episcopal Church of this country is opposed to the proposed constitutional amendment regarding prayer in public buildings:

STATEMENT OF NATIONAL COUNCIL OF THE PROTESTANT EPISCOPAL CHURCH, ADOPTED MAY 27, 1964

Opposition to Amendments to the Constitution of the United States Designed to permit Devotional Exercises in Public Schools.

Whereas, Recent decisions of the United States Supreme Court relate only to prayers and Bible-reading which are part of official exercises in public schools; and

Whereas, We believe that these decisions are not hostile to religion, and that it is no proper function of government to inculcate religious beliefs or habits of worship; and

Whereas, We are advised that nothing in these decisions prevents voluntary expressions of reverence or religious sentiments in the schools, nor forbids the offering of prayers on public occasions, such as inaugurations; and

Whereas, The Court clearly allows for the objective study of religion, and particularly of the Bible, in public schools, and suggests the possibility of including within the public-school curriculum an understanding of the role of religion in society, culture, and history; and

Whereas, We believe that worship and religious education are the responsibility of Church and home, and not of the public schools or governmental institutions; and

Whereas, There are no easy solutions to the task of infusing all of life with God's purpose without, at the same time, violating the religious liberty of citizens; now, therefore, be it

Resolved, That the National Council of the Protestant Episcopal Church record its considered opinion that amendments to the Constitution of the United States of America which seek to permit devotional exercises in our public schools should be opposed.

Adopted by the Council.

DEVELOPMENT OF LOW-POPULATION REGIONS

HON. BILL ALEXANDER

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1971

Mr. ALEXANDER. Mr. Speaker, today I would like again to share with my colleagues information that I have gathered which supports pleas being heard from me and other Members of this Congress for greater attention to the development difficulties of regions of low population.

The data are in the form of testimony presented during my first hearing on community development. I believe it further illustrates the efforts leaders and the citizens of such areas are making to revitalize their economies. The projects they have planned in alleviation of their needs have similar ends to those of metropolitan areas. And, like metropolitan areas they have financing problems—too few funding resources.

This testimony deals with the difficulties facing Cross County, Wynne, Brinkley, and Parkin, Ark.

The testimony follows:

TESTIMONY AND FACT SHEET FOR WYNNE AND CROSS COUNTY, ARK., AS REGARDS COMMUNITY DEVELOPMENT BANK PROPOSAL HEARING AUGUST 30, 1971, BRINKLEY, ARK.

(By Mayor Robert Ford of Wynne, Ark.)

This testimony should comply and complement the total policy plan for Eastern Arkansas as outlined by the Conference on The Future of Eastern Arkansas held recently by the Brookings Institution. It is our understanding that this policy statement under the title of Growth Policies for Eastern Arkansas: The Hope and Promise of the Future, will be given by Henry P. Jones III, Director, East Arkansas Planning and Development District, Jonesboro, Arkansas.

We would preface any remarks that might be made concerning witnesses from Cross County, Arkansas, by saying that we are hopeful that a community development bank as established by the Federal government could be of great benefit to us, however we are mindful of the limitations placed upon our cities and counties by the Constitution for the State of Arkansas. We would encourage a thorough study and investigation of these limitations prior to a legislative act being approved.

Cross County contains an area of 400,640 acres or 626 square miles with a 1970 census of 19,783. Presently, the City of Wynne covers one section of land for approximately 640 acres within its city limits with 40 miles of improved streets.

Following the suggested fact sheet that you submitted to us for testimony we will at-

tempt to use it as a guide in the answer to the suggested questions.

Question: (1) The five or ten most urgent needs of the cities and counties as related to their efforts to increase and improve their economic development . . . where possible, please give specific examples.

Answer: A. County. (1) Transportation—agriculture is the main enterprise for Cross County and will be in the future as we are in an area with fertile lands making it ideal for the raising of cotton, soybeans, rice, peaches and many other crops. Also, the livestock industry in Cross County is very productive at this time and appears to be on a growth trend. Therefore, Cross County is in need of transportation whereby these products may be transported to a centralized shipping center for processing and shipment to other markets. This highly agricultural area has recently shown an increased desire on the part of Cross County citizens to build homes and live out in the county area rather than move into a municipality. This has caused the rural area to take on a new look as regards new and improved homes and these people need improved transportation arteries whereby they may take advantage of health and shopping services that are in the city limits.

(2) Disposal of garbage and sewer wastes—At the present time Cross County does not have a system of garbage disposal or of sewage disposal. It is felt that as our county continues to grow that from a health standpoint we will need to take immediate measures in order to provide disposal service as well as water and sewer services. . . . It is felt that Cross County definitely needs a master plan for a county water and sewer system.

(3) Fire protection—Cross County does not have a fire fighting association as such, however municipal fire fighting units will make fire calls outside their city limits provided the rural family will pay for that particular call. The cities subject themselves to liability as a result of these calls and it is not a desirable way of handling a county's fire protection needs.

(4) Improved ambulance service—At the present time the county subsidizes the Magnolia Ambulance Service for Cross County. The ambulance is based at Wynne and as a result many of the communities feel that they are without ambulance service due to the length of time that it requires for the ambulance to make the calls to the outlying parts of the county. It is felt that ambulances need to be based within the other municipalities of the county in order to insure proper emergency vehicle service.

(5) Civic Center—The county is in need of a meeting facility whereby county wide meetings and other programs could be held. It is felt that the Civic Center would provide this need with it being made available throughout the county for calendared program activities.

(6) Improved health facilities—County hospital and county health center. The Cross County Hospital is a twenty year old structure that needs a complete renovation. The hospital attempts to provide semi-private rooms in square foot space that is really not practical for proper health services. Also, the County Health Clinic is located as a part of the hospital building and therefore creates a problem as such in that inadequate parking is not available for the hospital due to space taken up by the County Health Clinic as well as this space being needed for the expansion of laboratory and other related health services. It suggested that Cross County establish a County Health Clinic separate and apart from the Cross County Hospital in order that outpatient service might not be confused with hospital services and in order that the county might provide its services to a greater number of people. The hospital is presently experiencing

difficulty in the fact that no state agency has any guide lines as to the Hill-Burton Act and if there are any funds available for the 1971-72 fiscal years.

(7) County wide drainage. Cross County, being primarily an agricultural county, has always had a drainage problem due to the heavy amounts of rainfall that occur in this area. From Crowley's Ridge West the water drains very satisfactorily into the Brushy Lake and Languille River areas which in turn carry the water South to the St. Francis River and subsequently on to the Mississippi River. On the west side of our county where the water needs to be brought back into the Languille River the primary drainage ditches have become extremely clogged and the water will not flow properly. Funds are greatly needed to clear these ditches of fallen timbers and other debris whereby the water could drain on a proper grade back to the Languille River area.

(8) Adult education as pertains to land use on Crowley's Ridge and the establishment of truck farming. Crowley's Ridge runs from the north line through the south line of Cross County and is approximately three to four miles wide throughout its length. Greater use could be made of this natural wonder if proper research could be made and this knowledge imparted to the land owners who live on the ridge. Also, due to fertility of our soil the small farmer could increase his economic position by small truck farms should a program be established which would educate and encourage such farming operations. For the future, this educational approach could become one of the most important factors for the development of Wynne and Cross County.

B. City of Wynne—County Seat, Cross County, Arkansas.

(1) Drainage—The number one problem in Wynne in regards to the health and safety of our community is our total drainage situation. We are in a heavy rainfall area and due to a lack of funds for a period of years our drainage situation has gotten out of control. We are in desperate need of sanitary storm sewers and proper curbing and gutters in order to carry off water that at this time lies stagnant and creates many health problems.

(2) Sidewalks—The sidewalk problem corresponds to the drainage problem. Due to the high number of automobiles and the priority of paved streets our sidewalks have gone untouched. We have many new streets within our city that are totally lacking sidewalks. Over the past several years our schools have enlarged and built new plants and at this time many children have to walk on the edge of the street without an available sidewalk in order to get to these new school areas. Sidewalks are a number one priority for older age citizens who cannot drive and our school age children who must walk to school.

(3) Funds for capital improvements—The City of Wynne will operate on approximately \$260,000 for the 1971 fiscal year. Of this amount of money, approximately \$30,000 must serve for our total capital improvements, i.e., new street vehicles, police cars, new street paving, culverts, etc. For example, we desperately need a new fire fighting vehicle and it will cost our city approximately \$30,000 in order to purchase said vehicle. This means that in 1972 our entire money for capital improvements would have to go for that one vehicle only.

(4) Recreational facilities—Wynne is without a swimming pool or city park. We do have three baseball fields thanks to the county and school systems however we do not have anything upon our own property. Money is available through the Department of Housing and Urban Development and the Bureau of Outdoor Recreation with the Department of Interior but providing the matching funds creates a problem which our city cannot handle at this time without asking donations from our residents.

Question: (2) Outline the funding needs, capabilities and problems facing these government units and their effort to provide financing for these projects. Please include both general and specific information in this area, if possible. Of particular interest will be information concerning tax payer attitudes toward funding for such projects; the effect of out-migration; the market atmosphere; the market condition with regard to the salability of bonds for public work projects and future prospects for the funding of the project if an easily accessible new source of financing at favorable rates on loan terms is not developed.

Answer: A. County—Cross County has a ten mill limit under the Constitution for the State of Arkansas which limits the amount of revenue that can be raised in order to pay off bonds for any public project. At present Cross County has a new Courthouse and the county has taxed itself the full limit in order to meet this indebtedness, therefore, it will be several years before additional funds could be raised in order to develop the capital improvements that are needed.

Cross County has not been harmed by the out-migration of people within the past ten years. Our county has been very stable and this might be due to a 70% white population.

B. City of Wynne—At this time, most federally financed programs require matching funds in order to complete any public project. We have found that acquiring these matching funds is really beyond the capabilities of a municipality the size of Wynne. We can only provide a limited amount of in-kind service in order to offset cash dollars that would have to be used as matching funds and as a result we do not take advantage of some of the programs that we should. Another factor is the upkeep of that particular public facility once it has been completed. We have been considering for some time a possibility of building a sizable park and swimming pool in Wynne, however, we do not see a clear way whereby we might pay for the upkeep and maintenance that would be required on this park once it was fully completed. This would be true of basically any facility that would require full time maintenance and employees.

Out-migration has not particularly affected the City of Wynne. We have noticed an increase within our city limits and feel that the future is good.

Ability to finance bonds for public work projects for a city our size hinges on the tax structure as outlined under the State constitution. At the present time, we have taxed ourselves to 6½ mills in Wynne and are capable of increasing this by an additional 3½ mills. Should the voters be willing to do so, we could finance, by a tax increase within our city limits, bonds for a certain amount of public works projects. We have not had any experience in Wynne for the past several years as regards the salability of bonds for public works projects, however it is certainly possible that such projects would be easier to sell to the public provided financing at favorable rates on long terms could be developed through this proposed piece of legislation.

Question: (3) An analysis of the accomplishments made under, problems encountered in, and current attitude of local (municipal and county) governmental officials toward present federal program directed at giving lower levels of government aid in community development projects.

Answer: County and City.

(1) Taxpayer attitudes appear to be approximately the same throughout the county regardless of whether you live in the rural area or within a municipality. In the past, it appears that both city and county officials have turned away from present federal governmental programs directed at giving lower levels of government aid in community development projects. The reason appears to be the so called "red tape" that one would have to go through. It is understandable that the

local community would know better how to spend its money in a more beneficial way than could a national policy of spending. The cities and counties would prefer to have the money to use toward projects without having so many "strings" attached. Perhaps there is a way that legislation could be passed which would put this responsibility upon the Quorum Courts for the county and upon the city councils for cities. We presently are guided by state laws as regards accounting procedures and we could certainly be under a similar procedure in order to account for the moneys as spent in federally financed programs.

(2) Cross County has previously received federal aid in its hospital and two small county road projects; the City of Wynne has received federal aid in the building of its municipal airport, its low rent housing through the Wynne Housing Authority, and for the development of its sewage oxidation pond; the City of Cherry Valley is presently installing a water and sewer system under federal aid; Hickory Ridge, the county's smallest municipality, has previously used federal aid in its water and sewer system; and the City of Parkin, the county's second largest municipality, presently has an application submitted for approval to expand its water and sewer system.

TESTIMONY OF FRED MACDONALD, CITY ATTORNEY, BRINKLEY, ARK.

Some of the major needs for the City of Brinkley to continue the growth and prosperity of the community are as follows:

1. The second and third phase of the Master Sewer Plan for the Community which consists of installing sewer lines to areas not now serviced by sanitary sewer lines and the installation of an interceptor line around the City. The need for this is evidenced every time a 1" or over rain falls as we continually attempt to service the city with inadequate sewer lines which are partly over 60 years old. The health of the citizens are jeopardized greatly when these inadequate sewer lines overflow into streets and open ditches.

Estimated cost of second phase, \$800,000.

Estimated cost of third phase, \$1,500,000.

The total revenue received through sewer service charges is approximately \$44,000 annually of which 50% of this total is pledged toward retirement bonds.

Even if funds were available, matching funds as great as 80-20, the Brinkley Sewer Department would be unable to obtain their 20% to add their needed improvements.

2. Many improvements are drastically needed within the Brinkley Water Department which include:

A. Install service lines to areas not now served with a Municipal Water supply.

B. Replace inadequate lines now serving areas of the City with lines of sufficient size to insure fire protection to thickly populated areas and high value commercial areas.

C. A complete new source of water supply needs to be located and piped into the city eliminating a major portion of the use of chemicals for the purification of the water system.

Estimated costs:

a. \$350,000.00.

b. \$500,000.00.

c. \$1,250,000.00.

Estimated revenue from the sale of water—\$107,000.00 of which 30% is now pledged for the retirement of bonds and 25% is for chemicals used in purification of water.

3. The improvement of the Brinkley Airport which is now in the process of making application to the Federal Aviation Agency for matching funds to increase the present runway from a 50' x 3,000' to a 75' x 5,000' runway thereby enabling business jets to land in Brinkley will greatly increase the economic status of not only the City but the en-

tire surrounding community. The estimated cost of this project is \$300,000.00 of which, if approved, will be matched on a 50% basis by the FAA and the City of Brinkley. Here again we are faced with needed improvements without sufficient finances as the city's total bonding capabilities are \$80,000.00.

4. Over 50% of the population of Brinkley live on unimproved streets making up a total of 104 city blocks, the estimated cost of improving these streets at the barest minimum is \$1,500.00 per block. This in itself does not indicate an unsurmountable problem; however, with the increased demands on the Public Works Department by new Federal and State laws the finances are not attainable through present revenues to do this work and also give the new services demanded by new laws such as solid waste disposal and ambulance service. The cost of operating a solid waste disposal system is as great for a city of five thousand people as it is for a city of fifteen thousand people. In addition the cost of operating a municipal ambulance service is as great for a city of five thousand people as it is for fifteen thousand people. The revenues received from operation of the two added services is only one-third as much in a five thousand population city as it is in a fifteen thousand population city. The enforcement of the two new services on the small communities has drained them of their financial resources.

5. Drainage of the low lying areas concludes the Five most needed improvements of the City of Brinkley. The long talked about, long awaited Big Creek-Piney Ditch Drainage District will "if and when it is completed" solve many of these problems; however, the connection of the City's cross sections of drainage systems to this drainage district will cost an estimated \$740,000.00. The completion of the system will also aid in the never-ending fight against the mosquito problem in the low lying sections of Eastern Arkansas.

CITY OF PARKIN, Parkin, Ark., August 24, 1971.

HON. BILL ALEXANDER, House of Representatives, Washington, D.C.

DEAR BILL: We welcome this opportunity to present to this committee the many problems facing non-metropolitan areas such as ours.

As you know, Parkin is a small rural farming community of somewhat over 2000 people and we have just as many pitfalls in government as large communities represented here today, only on a smaller scale. I think all of us must agree that if the problems of small non-metropolitan areas could have been solved ten years ago, the out-migration from our communities to the larger cities where all the industries and job availabilities existed would not have happened. Many, many complex problems in the larger areas as pertains to slums, welfare and other problems of the poor would not be as great and pressing as they are now.

Give us, the smaller communities, help to improve our municipal services and jobs for our people and many of the large metropolitan problems will be solved immediately.

The most urgent needs in our community are as follows:

1. Up-date and expand our present water and sewer system. Cost: \$1,000,000.00. The city has been trying desperately to implement this project since 1964 and believe it or not, we are no further along now than when we started. . . .

2. Develop our National Historical Site. Now known as the Parkin Indian Mound. Cost: \$350,000.00. This is one of the very few sites still intact and offers tremendous possibilities for camp grounds, a park and a museum. The University of Arkansas Archeological Department has made many studies

on this particular site and they are 100% for this project when funds become available.

3. Purchase and Develop 160 acre Industrial Park. Cost: \$250,000.00 and obtain some type of Industry for this community.

4. City wide drainage and street improvements. Cost: \$250,000.00.

5. Develop City Park and Play Grounds. Cost: \$100,000.00.

6. Municipal Airport. Cost: \$75,000.00.

7. Doctors Clinic. Cost: \$75,000.00.

8. Purchase several downtown buildings and lots and convert to parking area and mini-park.

We would like to say further, our water and sewer system is working at peak capacity this very day, major improvements in the system have not been made since 1957. We must do something now. This community has an emergency situation and must be resolved immediately. There is no way possible for this city to finance a one million dollar water and sewer improvement project. Farmers Home Administration will loan us the dollars for the improvements, but like other cities, a grant must be included. After working with FHA for these last few years, it is my opinion, getting a grant out of FHA is almost impossible.

At this writing, not a house is vacant in our city. Every week we have inquiries from out of town about housing—we have none. Two new sub-divisions are ready to start construction when city water and sewer services become available. New water hook-ups to the city system must be stopped until this situation can be resolved. We have had an EDA application for these improvements for over a year. However, with EDA, new jobs must be obtained. We cannot attract industry to our community till adequate water and sewer is available. We have had eight industrial prospects look at our community in the last two years—in each case we lost to another larger area. FHEA will not participate in a system that is needed for the city to grow and attract industry.

Gentlemen, our situation is the same as many other smaller communities in this great country of ours. We have a national crisis on our hands and at the present time Congress has not passed one law solely to help the small communities in this country. Billions of dollars are being given to the larger metropolitan cities by our Federal Government to help solve their problems. Now I ask you, what has been done for the smaller communities in this country? We have a desperate need for balanced growth in both urban and non-urban areas and we must have the same type of help that the larger areas have.

In our opinion, find a way to fund the small communities in this country for the basic necessities, which are: Water, Sewer and Housing facilities, then give some type of tax advantage to industry for locating in smaller communities, many problems would be solved for all concerned.

If the mass migration to big cities is not reversed or slowed down—chaos beyond imagination will certainly follow.

Sincerely,

S. SLABAUGH, Jr., Mayor.

This is the sixth, insertion in the CONGRESSIONAL RECORD of testimony and other materials which I have gathered during my search for ways to assist community development in areas of low population. Other materials on this subject appear in the CONGRESSIONAL RECORDS of September 22, pages 32740-32741; October 1, pages 34505-34506; October 6, pages 35409-35410; October 13, pages 36133-36135 and October 21, pages 37358-37361.

JULIUS HOBSON ON EQUAL EMPLOYMENT OPPORTUNITY LEGISLATION AND THE CIVIL SERVICE COMMISSION: PUTTING THE BILLY GOAT IN CHARGE OF THE GARDEN

HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1971

Mr. DELLUMS. Mr. Speaker, recently Julius W. Hobson, a man I consider one of the finest and most courageous battlers for equity and justice offered his views on pending equal employment opportunity legislation before the Senate Committee on Labor and Public Welfare.

I have read Mr. Hobson's statement, and I believe it warrants serious consideration by all Members of the House and Senate.

Mr. Hobson concentrates his statement on the role of the Civil Service Commission in implementing needed—and required—equal opportunity measures. He documents the severe shortcomings of the Civil Service Commission, and I agree with Mr. Hobson's doubts about the efficacy of CSC to deal with these issues.

I highly recommend this analysis to my colleagues. The statement follows:

STATEMENT OF JULIUS W. HOBSON

I submit testimony as a former federal employee with both the Library of Congress and the Department of Health, Education and Welfare for a total of 25 years. In addition, I have pending before the United States District Court for the District of Columbia a complaint for declaratory judgment, injunctive relief, and mandamus against the administrative branch of the government to eliminate discrimination in federal employment. It is a class action, brought by blacks, Mexican-Americans, and women, in which we are asking for relief and reparations in:

1. Employment "equality" for members of the plaintiff classes in each agency, each sub-unit of 50 employees and in each grade level.

2. The achieving of such equity within one year, through a "separate system of employment, promotion and other such procedures." Falling such achievement in a year, we want a freeze on hiring and promotion of others: if the goal isn't met within two years, we ask "removal of personnel" to create vacancies for the plaintiff classes.

3. Back pay to members of these classes "for the results of past discrimination." We estimate this as totalling perhaps \$5 million.

4. The enjoining of present regulations and the replacement of the present decision-making by supervisors with a system in which "determinations by racial (or sexual) considerations will be either impossible or at a minimum, including if necessary a system based entirely upon machine computations."

5. The designation of some other group or agency to supersede the Civil Service Commission "in whole... or as to matters specifically concerning equal employment opportunity..."

The case still pending is being financed through the American Civil Liberties Union. Obviously, the overwhelming financial support and personnel resources to fight such a case lie with the government, not with individual employees, and this is why I am augmenting my basic testimony given in

1969 in support of S. 2453. I hope this will be valuable to the courts, as well as to the committee in reaching a decision as to which agency should be accountable for the enforcement of EEO in the federal service. I have appeared before Congress on every hearing involving job discrimination in a continuous effort to expose, through harsh statistical facts, the bias of both the federal and the private sectors in the employment of minority citizens. My testimony in support of S. 2453 included information on discrimination based on sex. This year, since Federally Employed Women (FEW) has submitted independent testimony, mine will focus on updating information provided in support of S. 2453 and the addition of several items that may not have been brought to the attention of the committee.

The Civil Service Commission Chairman Robert E. Hampton, James Frazier, Jr., and Irving Kator testified in 1969 to the effect that Executive Order 11478 would indeed eliminate problems of discrimination in federal employment. As reported in Joseph Young's August 31, 1970, issue of the Federal Employees' News Digest:

"Hill Units Back Anti-Bias Change: Key committees of Congress have endorsed transferring enforcement of the anti-discrimination program for federal workers from the Civil Service Commission to the Equal Employment Opportunity Commission.

"The shift is strongly opposed by the Nixon administration. But it's given a good chance in the Democratic-controlled Congress.

"Both the House Education and Labor Committee and the Senate Labor and Public Welfare Committee have issued reports alleging a "conflict of interest" between the CSC's role as personnel policy-setter and violations overseer.

"In transferring jurisdiction to the EEOC, the legislation also would shift from the employee to the government the cost of litigating a complaint.

"The committees appear to have made much use of data compiled by civil rights activist Julius Hobson in his pending *de facto* discrimination suit against the government. It shows that despite a government affirmative-action program, few blacks, Hispanics and women hold upper-level jobs.

"The legislation would also provide for back pay, promotions and other relief not now available to a complainant who wins his case.

"The Senate committee's report said that the SCS's primary responsibility for personnel matters "creates a built-in conflict of interest in examining into that system. . . .

"The committee believes that an agency outside the regular personnel "chain of command" is needed to insure continued elimination of discrimination," the Senate report says.

"The House report notes that present law does not permit industry and labor organizations to be the judges of their own conduct."

"There is no reason why government agencies should not be bound by the same rule," it says."

These facts still stand. I assume the same old tired minds from the CSC have testified in opposition to S. 2515; however, additional information suggests that it is even more urgent for this committee to transfer EEO enforcement powers for federal workers from the CSC to EEOC for the reasons that follow.

At the time of the Senate hearings in September of 1969, the CSC representatives placed in testimony Executive Order 11478, Equal Employment Opportunity in the Federal Government, a memorandum for heads of departments and agencies, dated August of 1969 and signed by the President, and a report to the President from the United States Civil Service Commission, signed by Robert E. Hampton. I charge that in every area important to the elimination of discrimination in employment, the Civil Serv-

ice Commission has been negligent. The two years since the last CSC testimony have been filled with rhetoric, speeches, and directives aimed at covering up the lack of basic progress.

Employment of the disadvantaged: I would like to enter a new subject that was first alluded to in the President's 1969 memorandum:

"In addition to assuring equal employment opportunity for all persons, the government, as a responsible employer, must do its part along with other employers to provide special employment and training programs to those who are economically or educationally disadvantaged. We must hold out a helping hand and imaginatively use the facilities of the government to prepare such persons for useful and productive employment."

The CSC Chairman's report to the President included this similar comment:

"The new thrust for equal opportunity that I have outlined in this memorandum will apply to all Federal employees and applicants regardless of race, color, religion, national origin, or sex. At the same time, we must not forget our obligation as the Nation's largest employer to do our share in meeting the problems of the disadvantaged and the hardcore unemployed. Government agencies can hire and train disadvantaged persons. A number of special programs in different agencies are now underway to provide training and employment to youth and to the hard-core unemployed.

"This effort must be strengthened. We will seek to work cooperatively with other departments of Government so that Federal agencies may participate with other employers in the application of programs funded for the employment and development of disadvantaged Americans. We must find ways to give incentive to Federal agencies to develop imaginative programs so that the facilities of the Government can be used even more extensively for training disadvantaged persons for possible Federal employment. In addition, exempting from manpower ceiling controls position held by disadvantaged persons, at least during the initial employment period when productivity is necessarily low, and offering classroom training during work hours for up to 25% of a new employee's time are examples of possible approaches."

Since the above comments were made at the top level two years ago, it would seem that if any progress were to be made, it would certainly be done in the area of hiring and training the disadvantaged, particularly since federal employees in lower grade levels (GS 1 through 5 and equivalent) are almost exclusively minority group persons or women. The real facts, however, are that the Congress of the United States requested the Comptroller General to conduct a study of the employment of disadvantaged persons in the federal government in 1970. Although the GAO report has not yet been released to Congress, I would like to predict:

1) The report will indicate that the various programs sponsored by the federal government, such as Operation MUST, Project VALUE, Project HIRE, Project 250, Neighborhood Youth Corps, and other similar programs directed to the training of the disadvantaged and eventual employment in full-time, career-conditional positions in the lower grade levels of the federal service, have not actually provided employment for more than a few thousand persons during the last two years. 2) Summer aide programs and train-in-school campaigns are temporary "Band Aids," which do not provide meaningful permanent work to the minimally skilled segment of our society and, in fact, permit few participants entrance into permanent full-time jobs in the federal service. 3) Upward mobility efforts, including Operation MUST, have been so low in priority and

such failures in actual practice, that the commission has avoided maintaining statistics on actual placements. In fact, I would suggest that the Nation's largest employer, with about 2.8 million civilian employees in 1970, has been less responsible than the private sector in providing full-time employment for disadvantaged persons during the past two years—a real indictment of the commission's EEO priorities.

I would also suggest that the GAO report will state that the Public Service Careers Program (Plan D), initiated in late 1970, represents the first concerted government-wide effort for permanent employment of the disadvantaged in the federal service. This program, with the greatest potential for implementing the President's promises under Executive Order 11478, may be phased out before Congress even finds out it had begun.

The 1971 Employee Training Report, published in March by the Civil Service Commission for fiscal year 1970, indicates that lower-level employees (GS-1 through 8 and wage systems) received less training than in FY 1969, while higher-level employees received more training than in the previous year. The report's conclusion that lower-grade employees received less training than did any other grade grouping of federal employees is in direct conflict with the CSC Chairman's early promises to this committee in 1969. For this committee to continue to permit the same agency to establish and evaluate its own goals is unqualified irresponsibility; the commission is free to issue directives and then manipulate or withhold information vital to a successful EEO effort. There is no final accountability to a responsible monitoring unit such as EEOC could be; for instance, in the following areas, how can an individual government employee prove commission negligence?

Staff Employment: Professional staff working full-time in the Civil Service Commission to implement Executive Order 11478 have not increased. On the other hand, current programs to reduce staff and grade levels within the federal government will minimize EEO enforcement responsibilities. The commission has not published any directives to the contrary. No one expects the commission to recommend successfully to OMB that an exemption be made from reduction requirements for civil rights enforcement staffing.

CSC Employment: If the CSC were asked to list by categories minority employment data for 1971 comparable to that submitted by the commission to this committee in 1969 (question 11, page 145, S. 2453 Hearings, 1969), the data would reflect almost no progress in the employment of minority persons. The same data on the employment of women in the CSC would be even more discouraging.

Complaints: The number of complaints filed involving racial or ethnic discrimination and the number of complaints alleging sex discrimination that were considered in FY 1971 increased. In evaluating complaints, the following categories must be considered: informally reconciled by EEO counselor, decided by formal procedures, and appealed to the CSC. Of those appealed, few have resulted in findings. Of those which have resulted in findings, almost none have ended in substantiation of discrimination. Of those cases in which discrimination was substantiated, in most instances, no disciplinary actions were taken against those found guilty of discrimination; in fact, the CSC would be hard pressed to define any disciplinary action taken.

Use of Sanctions: During the 1969 hearings, CSC submitted carefully detailed information under question 6 (page 142, S. 2453 Hearings, 1969) outlining its authority to restrain/use of sanctions against an agency that has been found to engage in discriminatory employment practices with respect to employment in the competitive serv-

ice. Such sanctions have never been used by the commission, even in cases of flagrant discrimination during the past two years. Friendly persuasion and admonishing letters are not sufficient in combatting uninterrupted discriminatory practices or refusal to comply with EEO directives.

Monitoring Federal Agencies: No special studies, evaluations, or analyses of minority employment data or data by sex have been conducted by or for the CSC during the past two years, other than compliance with regular reporting requirements. No positive actions have been taken in direct response to the Civil Rights Commission report, "Federal Civil Rights Enforcement Effort," dated September, 1970. In spite of the rhetoric on upward mobility, no specific plans have been presented to the commission by major agencies. There has been no measurable progress (except in the amount of paper pushed), particularly in terms of how many positions were filled as a result of the upward mobility publicity. Until very recently, in fact, there were no special workshop-training sessions sponsored by the CSC to provide agency personnel and training specialists with practical information on implementing upward mobility directives.

Goals and Timetables: All agencies have not submitted changes to their affirmative-action plans incorporating a numerical "goals and timetables" approach for minority groups in their EEO program. The CSC has taken no action against those agencies that have not yet proposed goals and timetables in compliance with their directive issued more than 6 months ago. The CSC has not developed any dependable procedure for an interim review of agency numerical goals and timetables to measure progress achieved. No similar goals have been established for the employment of women.

Training: The CSC has taken no direct action, other than initiation of the federal component of the Public Service Careers Program during FY 1971, to develop and conduct on its own or to promote within federal agencies training programs designed to improve the skills of minority group employees and women at lower grade levels, so that they might accelerate in upward mobility. Agencies are planning very little for FY 1972, and funding for the PSC program may be dropped by the Department of Labor, eliminating the only program with any real potential.

Testing: Percentages of test failures in the FSEE and the Management Intern examinations among those persons taking such tests at predominantly black institutions, as compared to those at predominantly white institutions, indicate racial bias in the content of those tests. No additional test results are available, according to the commission, on the basis of race. Recent court cases have exerted little actual influence in changing federal examining practices.

Damages: The principal of awarding back pay for damages suffered has long been recognized by the courts in private employment discrimination cases, but the CSC has failed to request authority from Congress to provide such assistance to individuals who have had such cases against the federal government.

Equal Status of EEO: Discrimination by sex is not given equal status with other forms of discrimination outlined in EO 11478 in the commission's enforcement program, as indicated by the October 31, 1970, data receiving a decrease in the total employment of women, as well as a decrease at higher levels—grades 14, 16, and 17.

Obviously, the responsibility for eliminating discrimination in the federal government has been taken lightly by the Civil Service Commission. The fate of low-level employees, who are primarily minority persons and women, above all has been farcically dealt with.

We believe that all human beings, all

Americans, all men, all women have an unqualified constitutional, moral, and ethical right to earn a living through employment in a society that places such heavy emphasis on the work ethic. Any government that eliminates thousands of jobs for the poor and the minimally skilled; enacts slave legislation, as evidenced by the pending legislation forcing welfare recipients to work; creates a psychological atmosphere causing the unsuspecting pawn to accept a philosophy of dole; and grants aid and privileges to the wealthy through tax-write-offs, amortization, and loan guarantees for Lockheed and its ilk must be called to task by its citizens. In no case should the Billy goat be placed in charge of the garden, such as permitting the CSC to be the judge of its own conduct.

BRITAIN'S COMMON MARKET DECISION: TWO VIEWS

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1971

Mr. ROSENTHAL. Mr. Speaker, the coming decision, scheduled for the House of Commons this Thursday, October 28, on British entry into the Common Market will have momentous effects.

If the British Government's endorsement of entry carries, the historic isolation of British from the continent will end with political, economic, and social effects reverberating throughout the British Isles for the rest of this century.

If the Labor Party's opposition, coupled with the suspicion of many segments of the population, succeeds in thwarting British entry, the consequences will be severe for both Britain and the European Economic Community.

A few weeks ago, the outcome seemed certain. Polls showed that the support for entry had bypassed opposition decisively with the parliamentary margin somewhat ahead of popular support. Today, the proponents seem to have reached a plateau in their strength. Thursday's vote may be very close.

Two weekend articles from the New York Times present the contrast in attitudes in Britain as it approaches this decision. I include below an article by John Gilbert, a Laborite Member of Parliament, which describes why many Britons have doubts about entry into the Common Market.

Anthony Lewis sees the peace of Europe, not the price of oranges, at stake in the decision.

[From the New York Times, Oct. 24, 1971]

BRITAIN DIVIDED ON MARKET

(By John Gilbert)

LONDON.—As the vote in Parliament on Britain's entry into the European Economic Community next Thursday draws near, the British are embroiled in an increasingly bitter controversy over the whole issue.

Both the main political parties are badly split on the issue, and the opinion polls, which had shown a fair increase in support of entry after Geoffrey Rippon's last negotiating visit to Brussels, are all now showing a perceptible falling off of support for the idea—despite a massively financed propaganda campaign for the Government by the professional lobbyists.

As I know from the discussions I had during a visit to the United States in September, much of all this comes as a surprise to even well-informed Americans. The simple fact is that although from the other side of the Atlantic it may seem self-evident that both Britain and Europe will stand to gain politically and economically from Britain's entry, matters appear far less straightforward over here.

The economic costs to Britain are large and immediate. The economic benefits, if any materialize, are uncertain, unquantifiable and far off. Indeed, an impressive range of Britain's best economists are against entry, while certainly the great majority freely admit today that the economic case for entry is not proven.

In exchange for tariff-free entry into Europe, we have to give up all our preferential arrangements with the Commonwealth. We also cede to our E.E.C. competitors free entry into European Free Trade Association markets. We are expected to accept the common agricultural policy, abandoning our traditional cheap-food policy. We are being asked to make a huge contribution to the Community budget for which we shall receive virtually nothing in return. We shall, in fact, be the largest net contributor to that budget.

We shall be asked, in addition to accepting the common external tariff, to introduce a value-added tax, and to harmonize our corporation taxes with those of the Six, both as to their structure and their rates.

As entry into the E.E.C. also involves accepting free movement of all capital, portfolio and direct, these constraints over a huge range of future tax policy will reduce our theoretical freedom to make more than minor adjustments in our income-tax system. Britain will no longer be able to alter the degree of progressiveness in her income-tax system, or to change the balance between direct and indirect taxes as a whole, without risking a sudden hemorrhage of capital to other parts of Europe.

A substantial net outflow of capital is likely to take place anyway, for the very reason that growth rates and corporate profitability are higher in the Six than in Britain.

It is, in fact, these higher growth rates that the advocates of entry point to most enthusiastically in claiming that the dynamics of Europe's big and fast-growing markets will pull Britain's economy out of the post-war doldrums.

In attributing great economic virtue to the Six, however, they overlook the fact that they bear much less of the defense burden than Britain does, that the Six have had a prolonged influx of cheap labor, that they have had considerable movement of labor off the land, that they enjoyed the advantage of being in a "catch-up" position and that much of their war-damaged industry was rebuilt with brand new equipment supplied by American aid. Last but not least, several of them have benefited from running undervalued currencies for considerable periods.

There is, of course, no evidence that larger markets themselves bring faster growth. If this were so, Britain would have the highest and not one of the lowest growth rates in the industrialized world. Similarly, the argument often heard over here, that Britain's joining the market would facilitate the formation of huge European multinational concerns, better able to compete with the American corporate giants, takes no account of the fact that in Britain the largest companies have the lowest growth rates.

The truth is that whereas economic benefits might flow to Britain if we were to join the Six, no one has been able to demonstrate that they necessarily will. The only concerns that would obviously greatly benefit are those capable of supplying the entire enlarged community from a single plant and for whom transport costs would form only a small part of the unit selling price. Even for them there

will be inexorable pressure at the time of plant expansion to move into the Ruhr, Paris, Milan-Turin triangle, and serve even their British markets from there.

For the multi-plant company, the present tariffs are at worst an irritant. Both Britain and the British multinationals are already inside the E.E.C. and have been for years.

Add to this consideration the fact that Britain has serious regional unemployment coupled with low investment and declining industries, that the whole of Britain would be outside the economic center of gravity of the market, and, most crucial, that the non-elective European commission has powers to prescribe the type and amount of assistance that can be given to the depressed regions, and to demarcate the geographic boundaries outside which it may not be granted, it is hardly surprising that many in Britain are balking at the whole idea.

For many, moreover, the political implications of British accession to the Treaty of Rome are even more disturbing. This Parliament is being asked to cede its sole right to levy taxes and spend the proceeds to an unrepresentative commission. The supremacy of the British courts over a wide range of issues will no longer be paramount. And the right vested in Parliament whereby it alone can pass laws enforceable in Britain will be abrogated.

All this, plus the breaking off of many of our old Commonwealth ties, we are being asked to accept (by our friends on both sides of the Atlantic) in the name of greater political stability in Western Europe. Flattering as the postulate of this appeal may be, the reverse of the coin tells a very different story. If it is the case that the British have a special contribution to make, then that contribution will hardly be strengthened if we are to be integrated irrevocably with a community whose decision-making institutions are undemocratic in nature, whose member countries have a wholly different concept of democracy and of the relationship of the state to the individual from ours, and a large part of whose electorate shows a disturbing and persistent partiality for political parties of both left and right whose allegiance to democratic principles is less than total.

We see the size of the Communist parties in France and Italy. We remember the events in France in May, 1968. We have watched the rise of neo-Fascism in Italy this year. We see the way in which the trade unions and the political parties of the Six are so heavily dominated and fragmented by sectarian religious issues; we know all too well from events in Ulster, how such conditions can devastate the social fabric.

With all this in mind, and with the prospects extremely slim of a democratic party of change ever achieving a majority in a European Parliament, it is hardly surprising that the majority of the British people are looking this gift horse very warily in the mouth.

What is surprising is that so few of even our best friends in the United States are even acquainted with the reasons for our hesitancy.

THE PEACE OF EUROPE

(By Anthony Lewis)

LONDON, October 24.—A wide-eyed American lady was talking to a British politician who favors bringing his country into the Common Market. Why did it matter so much? she asked. What was the interest that Britain would serve by joining? The politician reflected for a moment and then replied:

"It is the peace of Europe."

On the face of things the Common Market would not seem to have much to do with Europe's peace or security. It is the European Economic Community, it deals with trade, finance, agriculture, industry.

Nevertheless, the politician's answer was profoundly correct. That is the significance of

the debate now going on in the House of Commons about British entry. It is not about the price of butter.

Over the last generation Western Europe has achieved remarkable levels of prosperity and security. To measure the achievement we need only think back to 1946 and consider how unlikely it would have seemed then that West Germany would so soon be a suitable, independent country, tied in alliance to France and a flourishing Europe.

The postwar record has been based on two fundamental facts: the cold war, driving the nations of Europe together, and the immense American role in their behalf. The "energy and generosity" of the United States, in Edward Heath's phrase, provided diplomatic leadership, military support and aid for reconstruction followed by a flood of investment dollars.

These conditions are now changing, as all can see. The cold war is turning into a series of East-West understandings to maintain the status quo in Europe. The United States is operating diplomatically at the highest levels without its allies—in the SALT talks and in President Nixon's planned visits to Peking and Moscow. The expectation of significant American troop reductions in Europe is growing so strong that British officials speak of the prospect openly.

Financially, the Nixon bombshell of Aug. 15 marked among other things the end of any illusion of continuing dependence on the dollar. No one now would see generosity as the basis of American trade and monetary policy: We are into the age of self-interest, and it remains to be seen how enlightened.

Now one may approve of these shifts—of the movement toward détente, of America's increasing concern for its own internal problems—and still recognize their disturbing potential for Western Europe. For the trans-Atlantic relationship on which its peace and prosperity have been based is being transformed, and that must produce unease.

In the modern world most countries desire, for their own psychological security if nothing more, a place in some grouping. For the countries of Western Europe that now must be an association of their own: The North Atlantic Treaty no longer suffices. And the one living organism from which an effective association can grow is the Economic Community. That is true despite its monetary disagreements, its occasional economic pettiness, its small groupings toward agreed foreign policies.

The significance of the Community for European stability is especially clear when seen in the negative. Imagine that the House of Commons, confounding all expectations, turns down British membership. The hope for a Community growing in size and scope is so strong that the effects of such a setback would be traumatic. It could undermine the German confidence necessary to proceed with the *ostpolitik*. It could upset the already precarious political stability of Italy.

The movement toward East-West détente evokes a skeptical reaction among many experts who simply do not trust Soviet motivations. Whether they are right or not, it is certainly essential for Western Europe to prevent an unraveling of its military, political and economic confidence as détente proceeds.

That is what the debate in the House of Commons is all about. The real subject, largely unspoken, is the necessity that Prime Minister Heath put into words recently—the necessity for Britain to work out "common European policies governing our dealings with the rest of the world, our trade, our finance and eventually our defense." Nobody can tell at this point how European institutions will develop in those directions. But equally, all see that there can be no real hope of development without enlargement of the Community.

There is a sadness in the debate because men who know all that are pretending not

to know, for reasons of party or personal ambition. Harold Wilson and Denis Healey must just hope that Willy Brandt and other friends will forgive them, believing that they will talk sense again if they ever return to power.

**SUPPORT FOR ALASKA NATIVE
LAND CLAIMS**

HON. NICK BEGICH

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1971

Mr. BEGICH. Mr. Speaker, last week when the House of Representatives considered the Alaska Native land claims bill, I included in the RECORD the views of the Alaska Village Council presidents. At this time, I would like to insert the following telegram sent to me by the Alaska Village Council president, Philip Guy.

The telegram follows:

To: The Congress of the United States of America
c/o Speaker of House of Representatives
c/o President of the Senate
Washington, D.C.

We the 15,000 Native people of southwestern Alaska acting by and through our Tribal Representative AVCP, Inc. hereby demand that the Alaska Land Claims Settlement legislation include a provision that AVCP, Inc. has the right to repurchase from the United States fee simple title to all public lands in its regional area for the identical price the Congress is willing to pay to this Native region for the same lands the United States has already taken and will further take through the Settlement.

PHILIP GUY,
President, AVCP, Inc.

**GENERAL KOSCIUSKO'S RESIDENCE
SHOULD BE A NATIONAL HISTORIC SITE**

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1971

Mr. WYMAN. Mr. Speaker, it is unfortunate that the home of Gen. Thaddeus Kosciusko, the great American war hero of Polish descent, should have been disapproved by the Advisory Board of National Parks, Historic Sites, and Monuments. I have requested the Board to reconsider its decision in this matter. It was General Kosciusko whose expert engineering provided the fortifications in the Hudson River Valley in New York State that helped to prevent the British from cutting the Colonies in half in the Revolutionary War.

I feel General Kosciusko's residence should be included in the national park system as an historic site and I hope the Advisory Board will change its mind on this. In this connection, the following editorial from the Manchester, N.H., Union-Leader is of interest.

J. F. K. AT \$60 MILLION—YES; KOSCIUSKO FOR FREE—NO!

As an example of ingratitude, not to mention an insult to all Americans of Polish ancestry, this newspaper can think of no better illustration than the following: When the

former home of General Thaddeus Kosciusko was offered free, we emphasize free, to the federal government—with the proviso that it be added to the national parks system—the Advisory Board of National Parks, Historic Sites and Monuments turned it down!

Yet, this is the same group of individuals which decided to build a Center for Performing Arts as a Memorial to John F. Kennedy at a cost of \$60,000,000—yes, \$60,000,000—which will eventually cost \$5,000,000 a year simply to maintain.

The Kennedy Center is more than twice the combined size of the memorial to Washington, Lincoln and Jefferson—yes, more than twice the combined size of all three.

As Jesse Helms, the Executive Vice President of WRAL-TV, who recently brought this matter to our attention, points out, it is a little ridiculous to suggest that President Kennedy's thousand days in office merited a distinction over and above that of Washington, Lincoln and Jefferson combined, particularly one of such enormous cost to the taxpayers.

In contrast, General Kosciusko, whose home was turned down by this same committee, was credited by General and President George Washington with having provided the difference between victory and defeat in the Revolutionary War.

General Washington felt that had it not been for General Kosciusko the British undoubtedly would have been able to come down from Canada through the Hudson Valley. Had they done this, they would have cut the Colonies in half and won the Revolutionary War. It was General Kosciusko who stopped the British and saved the day by engineering so expertly the fortifications of the Hudson Valley. Incidentally, General Kosciusko also established the West Point Military Academy.

It was this great man, who gave such important aid to the building of our nation, that the Advisory Board of National Parks, Historic Sites and Monuments thought was not worth honoring by the acceptance of his former home—even when it was offered free.

Talk about a mixed-up sense of values! This is certainly a perfect example. This newspaper intends to recall this situation to the attention of New Hampshire congressmen and senators and to see what can be done to reverse this crazy decision, so that General Kosciusko can be given the respect and appreciation due him.

WILLIAM LOEB, Publisher.

**THE NEW SPIRIT OF '76
FOUNDATION**

HON. HOWARD W. ROBISON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1971

Mr. ROBISON of New York. Mr. Speaker, there has recently been chartered here in the District of Columbia the New Spirit of '76 Foundation. Its ideals, says the foundation's founder, Dwight Fuller Spear, are "a community free of apathy, with pride in its heritage, and confidence in its future."

This new foundation has been granted tax-exempt status by the Internal Revenue Service. It aspires to be a national nonprofit agency organized to stimulate the individual's awareness and participation in the affairs of his community, his State and his Nation.

A statement of the foundation's principles read, in part:

Briefly, if we recall the days of our Revolution, we remember the phrase "the Spirit of

'76." This was not just a slogan. There was a real Spirit of '76 which was the driving force during the Revolutionary era within most Americans.

It is from this historical spirit that the Foundation derives its principles:

1. We believe that, like a person, a nation has a spirit. As it is with the person, the nation's spirit can flourish or wither.

2. We believe that our national spirit is most apparent when we as a nation face a challenge.

3. We believe that each time our national spirit makes itself felt, it speaks to its own time with a message that can be applied by us to the problems of our day.

America's "silent majority" contains too many individuals who, while wanting to care, have sunk into apathy, defeated by the size and complexity of modern society. A cancerous growth in the body politic, apathy is the opposite of the spirit of '76.

To eradicate this apathy and to reawaken in the silent, discouraged majority a new spirit of '76, the foundation will provide leadership:

In motivating apathetic individuals to convert their passive concern into active, enthusiastic involvement;

In providing them with facts about the matters that concern them most;

In making available to them a forum in which to express their views, find others with similar opinions, and make suggestions on ways of solving the problems and meeting the challenges which face our Nation;

In overcoming the barriers which divide America into squabbling factions based on age, religion, race, sex, and special interests, by opening channels of communication between these groups; and

In restoring respect for the effectiveness of traditional methods of achieving change, or preventing it, by constitutional means.

On July 3, speaking from the National Archives to a nationwide TV and radio audience in connection with the planned celebration of our country's bicentennial 5 years hence, President Richard Nixon, after reviewing the material goals which this Nation can achieve in the next 200 years, said:

These are great goals, but we could reach all these material goals and still not be worthy of our heritage unless we have the Spirit of '76.

On the same program, the Speaker of the House, the Honorable CARL ALBERT, described the potential of this spirit, saying:

That same spirit will allay the divisions which haunt us today and will ensure for us and our posterity the blessings of liberty and a still more perfect union.

The New Spirit of '76 Foundation, already being formed when these words were spoken, has taken them to heart. As these national leaders charge, so will it do its utmost to enable people to comprehend the American spirit, not as the visitation of some ghost of the past, but rather as the affirmation of a deep national yearning stirring in all Americans today.

Mr. Speaker, I take pleasure in calling this new organization to the attention of the House and in wishing it success in achieving its worthy goals.

**CATHOLIC CAMPS FAVOR DANIELS
BILL**

HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1971

Mr. DANIELS of New Jersey. Mr. Speaker, the National Catholic Camping Association can be added to the list of endorsements given to title 19 of H.R. 7248, the Youth Camp Safety Act. The Catholic Camping Association, like the Boy Scouts of America, the Salvation Army and the YMCA which also support title 19, have camps across the country and therefore recognize the need for national safety standards.

I, therefore, place on record the support of the National Catholic Camping Association. I hope that the endorsement of organizations dedicated to the welfare of youth will favorably influence the judgment of my colleagues.

AKRON, OHIO,
October 25, 1971.

HON. DOMINICK DANIELS,
House of Representatives,
Washington, D.C.

National Catholic Camping Association fully endorses and supports H.R. 7248 regarding youth camp safety.

Best wishes.

RAYMOND E. THOMAS, Jr.,
National President.

**BUS INDUSTRY STEADILY
IMPROVING ITS SERVICES**

HON. JOHN J. RHODES

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1971

Mr. RHODES. Mr. Speaker, we are all aware that the serious problems besetting our air and rail passenger industries have resulted in a deterioration of transportation services to the public. It is heartening, therefore, to note that the little-heralded bus industry not only continues to serve the public safely, efficiently, and economically, but that it is steadily improving its services. Were it not for our intercity bus carriers, hundreds of cities and towns would have no intercity transportation.

An example of the excellent spirit one finds in the bus companies' ranks of labor as well as management is contained in a talk recently given by James L. Kerrigan, president, Greyhound Lines, Inc., at the 41st Biennial Convention of the Amalgamated Transit Union in Las Vegas, Nev. I am pleased to include Mr. Kerrigan's remarks in the CONGRESSIONAL RECORD:

**BUS INDUSTRY STEADILY IMPROVING ITS
SERVICES**

It is both a pleasure and a privilege to be with you today, and to recognize the contribution that your membership has made to the growth and progress of our nation's transportation industry.

You have much to be proud of . . . for more than a half century the A.T.U. has been identified with public carrier transportation. The record of those years is impressive—and it was first and foremost the labor

of men that brought about the happy circumstances that bring us together today.

Immense transportation progress has been made in the United States during this period—in fact, more than was made in the previous 400 years. With the transportation problems which are still unresolved, you may question my use of the word "progress," but progress it is when you consider that the horse and buggy of 1850 was little different in concept from the Roman chariot—nor was the brave Mayflower substantially different from Cleopatra's Nile cruise ship.

Believing that all our destinies—yours and mine—will be determined by the fortunes of our industry, and believing as I do that working together we can build a better transportation industry . . . a better future, I would spend these few minutes with you considering where we are today . . . and where we might go from here.

Bus is primarily a service enterprise. A consumer can take or leave us! It has to be sold in competition with many other products, most of which are more alluring and captivating to the consumer's imagination. Furthermore, the competing public carriers all receive government subsidization in one form or another. Bus pays its own way.

Today, our industry provides safe, dependable, low cost transportation. A very necessary service for millions of Americans . . . and, in my view, we do it better than anyone else in the world.

While associates in government, business and communications seem to be aware of the importance of public carrier transportation, they tend to ignore or minimize the essential services we now perform or the contributions that bus can make to the success of a total transportation plan. This includes not only the established intercity and intracity systems, but some exciting new methods of relieving the tremendous commuting problems of urban centers.

We believe real progress will be made when priority is given to improving today's systems rather than talking and philosophizing over a new technology which has yet to be developed and cannot contribute significantly during the next quarter century. Bus can serve as an efficient bridge between current transportation systems to provide more effective service between any two points.

Our job—yours and mine, management and labor—is to accentuate our positives. These include:

- Economical rates.
- Center city service.
- Safety, dependability and courtesy.
- Extreme flexibility.

Bus flexibility is truly unlimited—highways go where people are—and bus follows the highways. It's the only form of transportation for thousands of small towns in our nation.

Our industry has not been idle. We are vigorously working to improve our service and technology to better serve our customers. Significant improvements are in the design, development and testing stage.

The turbine power era for bus will be a fact of life early in the seventies . . . bringing with it a technological breakthrough so significant that it could well represent a new mode, a new standard of highway transportation. The TurboCruiser bus which is now being tested by Greyhound in passenger service is a new experience in comfort and dependability—a quiet ride and ecologically sound. Results to date are very encouraging.

There are a number of other improvements now in the testing stage that will contribute to safety, offer our customers a better ride and increase our drivers' ease in handling. For example, fully automatic transmissions, anti-skid devices, improved braking.

We will have a better bus in the seventies . . . we will have a better bus driver. Today's driver is truly a professional and with improved techniques, he is getting better every day.

We need only the opportunity to show what the bus industry can do, to be included . . . to be considered . . . and to be utilized where bus is clearly the most efficient means of transportation.

Our job in the months ahead is to be more vocal—to foster and encourage a more positive industry-wide esprit de corps . . . and to see what a difference pride can make. Dollars and determination invested now in our industry can dramatically and expeditiously improve existing service and develop new concepts which are responsive to public carrier transportation needs of the seventies.

Bus offers a solution to today's problems which is practical and workable in terms of today's needs. We ask that associates in business, government and communications work with us to develop the resources of our industry. A good beginning would be the change of legislation that would enable the 102" bus . . . which has a proven safety record on the narrower streets of our cities . . . to use the wide interstate highways. More people ride the 102" bus today in intracity transportation systems than ride on the narrower and less comfortable intercity bus. Why shouldn't they also enjoy the same advantages on the interstate highway system that they have helped to pay for?

Finally and most important, our industry will rise or fall on how well we serve the public need. We must always give first priority to the fact that everything begins and ends with the customer. While we serve millions of people, there is no mass market in a service industry. We must serve our customers one at a time. If we are to prosper individually, our industry must prosper and, predictably, we must recognize that management and labor share common problems and common opportunities.

**MAJORITY SUPPORTS SHIPMENT
OF PHANTOM F-4 AIRCRAFT TO
ISRAEL**

HON. EMANUEL CELLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1971

Mr. CELLER. Mr. Speaker, 223 Members of the House today introduced identical resolutions calling for the shipment of Phantom F-4 aircraft to Israel. A copy of the text of the House resolution follows, together with the names of the cosponsors:

RESOLUTION

Calling for the shipment of Phantom F-4 aircraft to Israel in order to maintain the arms balance in the Middle East.

Whereas the Soviet Union is continuing to supply additional sophisticated weapons including advanced jet aircraft, and has deployed combat pilots, and other military personnel in Egypt, and other Arab States; and

Whereas these actions have seriously affected the military balance in the Middle East and increase the danger of war; and

Whereas the aforementioned developments have encouraged certain Arab States to resist peace negotiations and to threaten the resumption of war; and

Whereas this constitutes a grave threat to peace in the Middle East, prejudicial to the vital interests of the United States; and

Whereas the policy of the United States as expressed by the President and the Congress of the United States is to maintain the arms balance in this region; Therefore be it

Resolved, That—

(1) The United States without further delay should take affirmative action on Israel's pending request for F-4 Phantom aircraft,

and provide such supporting equipment and assistance as are essential to maintain Israel's deterrent capability;

(2) The United States Government should oppose any attempts at the United Nations to alter the meaning and effect of Security Council Resolution 242 of November 22, 1967, and should reaffirm the importance of secure and defensible borders as a vital element in a peace settlement to be negotiated by the parties themselves.

- Watkins M. Abbitt (Va.).
- Bella S. Abzug (N.Y.).
- Brock Adams (Wash.).
- Joseph P. Addabbo (N.Y.).
- Bill Alexander (Ark.).
- Glenn M. Anderson (Calif.).
- John B. Anderson (Ill.).
- William R. Anderson (Tenn.).
- Frank Annunzio (Ill.).
- Bill Archer (Tex.).
- Thomas L. Ashley (Ohio).
- Herman Badillo (N.Y.).
- William A. Barrett (Pa.).
- Nick Begich (Alaska).
- Alphonzo Bell (Calif.).
- Bob Bergland (Minn.).
- Tom Beville (Ala.).
- Mario Biaggi (N.Y.).
- Edward G. Biester, Jr. (Pa.).
- Jonathan B. Bingham (N.Y.).
- Ben B. Blackburn (Ga.).
- John A. Biatnik (Minn.).
- Hale Boggs (La.).
- Edward P. Boland (Mass.).
- Richard Bolling (Mo.).
- John Brademas (Ind.).
- Frank J. Brasco (N.Y.).
- Jack Brinkley (Ga.).
- Jack Brooks (Tex.).
- William S. Broomfield (Mich.).
- Clarence J. Brown (Ohio).
- John Buchanan (Ala.).
- J. Herbert Burke (Fla.).
- James A. Burke (Mass.).
- Phillip Burton (Calif.).
- James A. Byrne (Pa.).
- Earle Cabell (Tex.).
- Hugh L. Carey (N.Y.).
- Charles J. Carney (Ohio).
- Tim Lee Carter (Ky.).
- Bob Casey (Tex.).
- Elford A. Cederberg (Mich.).
- Emanuel Celler (N.Y.).
- Donald D. Clancy (Ohio).
- Frank M. Clark (Pa.).
- Don H. Clausen (Calif.).
- Harold R. Collier (Ill.).
- George W. Collins (Ill.).
- Barber B. Conable, Jr. (N.Y.).
- Silvio O. Conte (Mass.).
- James C. Corman (Calif.).
- William R. Cotter (Conn.).
- R. Lawrence Coughlin (Pa.).
- Philip M. Crane (Ill.).
- W. C. (Dan) Daniel (Va.).
- Dominick V. Daniels (N.J.).
- John W. Davis (Ga.).
- James J. Delaney (N.Y.).
- Frank E. Denholm (S. Dak.).
- John H. Dent (Pa.).
- Samuel L. Devine (Ohio).
- Harold D. Donohue (Mass.).
- Wm. Jennings Bryan Dorn (S.C.).
- John G. Dow (N.Y.).
- Robert F. Drinan (Mass.).
- Thaddeus J. Dulski (N.Y.).
- John J. Duncan (Tenn.).
- Florence P. Dwyer (N.J.).
- Don Edwards (Calif.).
- Edwin W. Edwards (La.).
- Joshua Ellberg (Pa.).
- Edwin D. Eshleman (Pa.).
- Dante B. Fascell (Fla.).
- Hamilton Fish, Jr. (N.Y.).
- O. C. Fisher (Tex.).
- Daniel J. Flood (Pa.).
- Thomas S. Foley (Wash.).
- Gerald R. Ford (Mich.).
- William D. Ford (Mich.).

- Edwin B. Forsythe (N.J.).
- Donald M. Fraser (Minn.).
- Bill Frenzel (Minn.).
- Richard H. Fulton (Tenn.).
- Don Fuqua (Fla.).
- Cornelius E. Gallagher (N.J.).
- Edward A. Garmatz (Md.).
- Joseph M. Gaydos (Pa.).
- Robert N. Gialmo (Conn.).
- Sam Gibbons (Fla.).
- Barry M. Goldwater, Jr. (Calif.).
- Ella T. Grasso (Conn.).
- Edith Green (Oreg.).
- William J. Green (Pa.).
- Martha W. Griffiths (Mich.).
- James R. Grover, Jr. (N.Y.).
- Gilbert Gude (Md.).
- G. Elliott Hagan (Ga.).
- Seymour Halpern (N.Y.).
- James M. Hanley (N.Y.).
- Orval Hansen (Idaho).
- Michael Harrington (Mass.).
- Augustus F. Hawkins (Calif.).
- Wayne L. Hays (Ohio).
- Margaret M. Heckler (Mass.).
- Henry Helstoski (N.J.).
- Floyd V. Hicks (Wash.).
- Lawrence J. Hogan (Md.).
- Chet Holifield (Calif.).
- Frank Horton (N.Y.).
- W. R. Hull, Jr. (Mo.).
- John E. Hunt (N.J.).
- Richard H. Ichord (Mo.).
- Harold T. Johnson (Calif.).
- Joseph E. Karth (Minn.).
- William J. Keating (Ohio).
- Jack F. Kemp (N.Y.).
- Carleton J. King (N.Y.).
- Edward I. Koch (N.Y.).
- Dan Kuykendall (Tenn.).
- Peter N. Kyros (Maine).
- Norman F. Lent (N.Y.).
- Sherman P. Lloyd (Utah).
- Clarence D. Long (Md.).
- Manuel Lujan, Jr. (N. Mex.).
- Paul N. McCloskey, Jr. (Calif.).
- Mike McCormack (Wash.).
- Joseph M. McDade (Pa.).
- James D. (Mike) McKeivitt (Colo.).
- Stewart B. McKinney (Conn.).
- Ray J. Madden (Ind.).
- Lloyd Meeds (Wash.).
- Ralph H. Metcalfe (Ill.).
- Robert H. Michel (Ill.).
- Abner J. Mikva (Ill.).
- George P. Miller (Calif.).
- Joseph G. Minish (N.J.).
- John S. Monagan (Conn.).
- William S. Moorhead (Pa.).
- Thomas E. Morgan (Pa.).
- F. Bradford Morse (Mass.).
- John E. Moss (Calif.).
- John M. Murphy (N.Y.).
- John T. Myers (Ind.).
- Ancher Nelsen (Minn.).
- Robert N. C. Nix (Pa.).
- James G. O'Hara (Mich.).
- Thomas P. O'Neill, Jr. (Mass.).
- Otto E. Passman (La.).
- Edward J. Patten (N.J.).
- Thomas M. Pelly (Wash.).
- Claude Pepper (Fla.).
- Jerry L. Pettis (Calif.).
- Peter A. Peyser (N.Y.).
- Otis G. Pike (N.Y.).
- Alexander Pirnie (N.Y.).
- W. R. Poage (Tex.).
- Bertram L. Podell (N.Y.).
- Richard H. Poff (Va.).
- Melvin Price (Ill.).
- Robert Price (Tex.).
- Roman C. Pucinski (Ill.).
- James H. (Jimmy) Quillen (Tenn.).
- Tom Railsback (Ill.).
- William J. Randall (Mo.).
- Charles B. Rangel (N.Y.).
- Thomas M. Rees (Calif.).
- Ogden R. Reid (N.Y.).
- Henry S. Reuss (Wis.).
- John J. Rhodes (Ariz.).
- Donald W. Riegle, Jr. (Mich.).

- Ray Roberts (Tex.).
- Peter W. Rodino, Jr. (N.J.).
- Robert A. Roe (N.J.).
- Paul G. Rogers (Fla.).
- Teno Roncallo (Wyo.).
- Fred B. Rooney (Pa.).
- Benjamin S. Rosenthal (N.Y.).
- William R. Roy (Kans.).
- Edward R. Roybal (Calif.).
- William F. Ryan (N.Y.).
- Fernand J. St Germain (R.I.).
- Paul S. Sarbanes (Md.).
- David E. Satterfield III (Va.).
- John P. Saylor (Pa.).
- James H. Scheuer (N.Y.).
- Herman T. Schneebell (Pa.).
- John F. Seiberling (Ohio).
- Garner E. Shriver (Kans.).
- Robert L. F. Sikes (Fla.).
- B. F. Sisk (Calif.).
- William L. Springer (Ill.).
- J. William Stanton (Ohio).
- James V. Stanton (Ohio).
- Robert H. Steele (Conn.).
- Sam Steiger (Ariz.).
- William A. Steiger (Wis.).
- Louis Stokes (Ohio).
- Samuel S. Stratton (N.Y.).
- W. S. (Bill) Stuckey, Jr. (Ga.).
- Leonor K. Sullivan (Mo.).
- James W. Symington (Mo.).
- Fletcher Thompson (Ga.).
- Frank Thompson, Jr. (N.J.).
- Charles Thone (Nebr.).
- Robert O. Tiernan (R.I.).
- Morris K. Udall (Ariz.).
- Lionel Van Deerlin (Calif.).
- Charles A. Vanik (Ohio).
- Joseph P. Vigorito (Pa.).
- Joe D. Waggoner, Jr. (La.).
- Jerome R. Waldie (Calif.).
- Charles W. Whalen, Jr. (Ohio).
- G. William Whitehurst (Va.).
- Lawrence G. Williams (Pa.).
- Charles H. Wilson (Calif.).
- Larry Winn, Jr. (Kans.).
- Lester L. Wolff (N.Y.).
- Jim Wright (Tex.).
- Wendell Wyatt (Oreg.).
- John W. Wylder (N.Y.).
- Sidney R. Yates (Ill.).
- Gus Yatron (Pa.).
- John Young (Tex.).

JOB SAFETY REGULATIONS

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1971

Mr. STEIGER of Wisconsin. Mr. Speaker, an "Industrial Safety and Health Report," published by the Center for Political Research, analyzes requirements of the Occupational Safety and Health Act. The procedures for record-keeping, inspections, and investigations need to be understood by employers, employees, and public officials alike, if we are to attain the objective of safety on the job.

Two CPR reports are of special value in understanding the regulations under the new law. I include them at this time for the information of my colleagues:

[Industrial Safety and Health Report, Aug. 16 to Aug. 31, 1971]

STATUS REPORT: DISCLOSURE OF DOCUMENTS

The availability of documents relating to the inspections, investigations, and record-keeping provisions of the OSH Act (Section 8) will become an increasingly important

issue for DOL-OSHA and HEW-NIOSH.* Two questions which are of primary importance to unions, medical research and public interest groups are:

1. Whether DOL-OSHA will continue to use the rule (developed in the Moundville case) that inspection and related medical reports will be unavailable until after the expiration of the 15-day contest period, and only if no objections are filed within this time; and

2. Whether HEW-NIOSH will defer to OSHA's legal advice on the disclosure of medical reports related to OSH activities.

The resolution of these questions is highly significant in light of DOL's policy of restricting public access to documents. To date, DOL has:

Adopted the policy that information exempted from disclosure is the rule rather than the exception, thus placing the burden on the requestor of information to show why disclosure should be granted;

Placed procedural burdens on the requestor of information, even where information access is available, by requiring the requestor to identify which specific documents he wants to inspect, and

Physically limited a comprehensive inspection of documents by placing them in OSHA regional offices.

DOL REGULATIONS

The regulations governing DOL-OSHA policy on the disclosure of information are based upon the public information provisions of the Administrative Procedures Act (5 USC 552). The regulations, "Examinations and Copying of Labor Department Documents" (29 CFR 70; July 29, 1967), state that any person may inspect and copy any document "in the possession and custody of the U.S. Department of Labor" if, the documents are not exempted and if the specified procedures for disclosure are followed.

According to the regulations, seven specific types of documents may be withheld:

1. Anything designated secret by Executive Order in the interest of national defense or foreign policy,

2. Anything relating solely to internal DOL personnel rules and practice,

3. Anything specifically exempted by law,

4. Any trade secrets, commercial or financial information obtained from any person on a privileged or confidential basis,

5. Interagency or intra-agency memoranda or letters,

6. Personnel, medical or other files, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy,

7. Investigatory files compiled for law enforcement purposes.

DOL regulations assert that documents within five of the listed categories (i.e., all except secret documents or anything specifically exempted by law) may be made available, "if [a DOL official authorized to disclose documents] determines that such availability furthers the public interest and does not impede any of the functions of the Labor Department."

Union, medical and other interests which allege a need to examine the totality of data behind an administrative action will confront these two criteria (public interest and unenumerated administrative functions) in several areas.

PRACTICAL IMPLICATIONS OF DOL'S "PUBLIC INTEREST" CRITERION

DOL-OSHA officials must decide whether the overriding public interest warrants making available the following information related to compliance operations:

occupational injury and illness log information backing up summaries;

*Department of Labor-Occupational Safety and Health Administration and HEW-National Institute of Occupational Safety and Health.

toxic content of industrial chemicals whose composition or formulae are within the realm of trade secrets of confidential and privileged commercial information;

any correspondence between DOL and HEW, Environmental Protection Agency, Food and Drug Administration, or any other federal, state, or local agency concerning criteria, standards, compliance cases, medical research or industrial surveys;

any inspection file, report, or analysis which could involve an active enforcement case or any individual or corporate matter or privacy; or

any continuing data on the progress of a case from the time when action initiates DOL entry into the issue until the time when the department decides to terminate its involvement.

PRACTICAL IMPLICATIONS OF DOL'S "UNENUMERATED ADMINISTRATIVE FUNCTIONS" CRITERION

Regulations promulgated pursuant to the APA are designed to keep the flow of information from disrupting the normal duties of the agencies. Often they serve as a control on the access to administrative information.

Decentralization within DOL-OSHA means that 10 regional directors are custodians of operational documents relating to any field action. While the 10 directors hold delegated authority to make all determinations on a request for disclosure of information, the regulations prohibit review of his decision. Recourse is available through a second request to the Solicitor of Labor who makes a recommendation to the Under Secretary of Labor. While DOL-OSHA is in the early stages of operations, most determinations will be based on the Solicitor's recommendations. Therefore, availability of data will reflect the department's cautions against publicizing any information which could be interpreted as interagency/intra-agency communications, enforcement proceedings, or matters of individual or corporate privacy.

The regulations further require each DOL officer to keep available (locally and in D.C.) "a current index providing identifying information for the public as to any material in his possession or custody which is issued, adopted, or promulgated by him . . ." This must include:

Any final opinions (concurrences and dissents),

Any adjudicatory order,

Any statement of policy or interpretation not published in the *Federal Register*, and

Any administrative staff manual or instruction that affects any member of the public.

Significance: The importance of complete and informative indices is critical because, first, requests must specify the precise information to be made available and, second, the officer's authority to grant a request is related to his ability to find the document described. Thus, incomplete or unclear requests, based on information in indices or on secondary sources, can be denied on the technicality that APA procedural steps were not followed.

Indices for OSHA documents are not ready, although the Solicitor's Office currently is serving as the assistance center for this type of query. There are no immediate plans to formalize regional information sources and none are expected until after the OSHA organization settles into normal operations. Even were this to occur, indices still would emphasize opinion-and-order data rather than interpretive or instructional information. Thus, anyone requesting disclosure of DOL-OSHA data must know precisely what documents are to be disclosed and what is the position of the official authorized to approve disclosure.

COURT ACTION LEAVES ISSUE UNRESOLVED

Weckler v. Shultz (U.S. District Court, District of Columbia; No. 3549-69, Feb. 1,

1971) provides the major precedent to date on the issue but leaves questions unanswered.

A group from Ralph Nader's Center for the Study of Responsive Law asked the Bureau of Labor Standards (LSB) for access to DOL's reports on in-plant inspections conducted under the Walsh-Healey Public Contracts Act. They specifically requested Inspectors' Reports and Notices of Violations. LSB Directors David Swankin in 1969 and George Guenther in 1970 denied the requests. Guenther refused access to "current" files, but was ready to grant access to "non-current" reports upon agreement that names of persons would not be disclosed.

DOL's opposition to disclosure was detailed in statements by Swankin, Guenther, Solicitor of Labor, Laurence Silberman (now Under Secretary of Labor) and Chief of the Contract Safety Division Eugene Newman (now acting director of DOL-OSHA Office of Compliance):

Release of the reports would violate the employer-government cooperative trust, since inspection data was obtained under agreement that the information would remain confidential;

Reports of inspectors were internal DOL working papers; and

Reports were compiled for purposes of enforcing the public contract service laws.

The court held that LSB failed to meet the burden of showing that the records were exempt under the provisions of the APA or DOL regulations:

"Nothing in the records sought is a trade secret or commercial or financial information . . . or is an internal memorandum . . . or is an investigatory file compiled for law enforcement purposes within the meaning of . . . [the provisions of the APA]."

The court's finding for Weckler in this case simply means that DOL did not legally withhold the Walsh-Healey inspection reports which were requested. While it is doubtful that DOL-OSHA would use the same arguments to withhold inspection reports prepared under the OSH Act, free access to related documentation is still unresolved. The court asserted that the governmental agency must prove documents were protected by exemptions. DOL regulations and policy asserted that information exempted from disclosure was the rule rather than the exception (i.e., that the burden was on the requestor to show why disclosure should be granted).

Implications: The OSHA information governed by DOL's "Public Interest" criteria relates to one or more of the three primary exemptions noted in *Weckler*; internal memoranda, matters of individual or corporate privacy, and investigatory files. The courts determine whether exemptions are lawful by considering questions such as the distinction between recorded facts and recommended opinions, the terms under which potentially incriminating information is provided, the generally accessibility of data on industrial processes, and the relationship between report data and enforcement proceedings.

Despite these guidelines, the court judgments reflect only what is not exempt. Precedent, therefore, is of minimal value because the ultimate decision rests on the court's *in camera* (in judge's chambers) examination of the documents and because only the reasons favoring disclosure are ever known.

An example of this is the "Intervenor's" portion of the *Weckler* case, involving the Oil, Chemical, and Atomic Workers International Union. OCAW requested disclosure of a specific accident report on an explosion and fire at the Shell Oil and Chemical Company's Deer Park, Tex. refinery. They also asked the court for a declaration that similar investigative reports be subject to the APA disclosure provisions.

After reviewing the report in chambers, the court found, ". . . the Deer Park report to be exempt from disclosure under the provisions of 5 USC 522(b) (4)." The court con-

cluded that the report contained either (without specifying which) trade secrets or confidential private, commercial or financial information, and therefore a general declaration was not warranted.

The Weckler case has also served to highlight DOL's administrative actions in the face of an adverse (to DOL) court ruling on information disclosure. The Walsh-Healey inspection records which Weckler wanted to examine were all returned to the regional offices across the country. Thus a comprehensive examination was rendered highly impractical by virtue of location. The Nader group has had to be content with only a partial review of the records in question.

[Industrial Safety and Health Report, Sept. 1 to Sept. 15, 1971]

NIOSH PROCESS AND PRIORITIES FOR CRITERIA DEVELOPMENT

The primary function of NIOSH—to develop criteria upon which occupational safety and health standards may be based—is reflected in the agency's allocation of fiscal 1972 funds: about 69 per cent, or \$18.3 million of the \$24.5 million total, will go for criteria and standards development. In June, NIOSH Director Marcus Key said that priority would be given to research dealing with toxic materials and harmful physical agents.

PROCEDURES

The process by which NIOSH will develop criteria for standards consists of four basic stages; setting priorities, pre-research literature and knowledge survey, basic research (if necessary), and processing information into acceptable criteria.

The NIOSH organizational units chiefly involved in this process are the Office of Health Surveillance (Priorities Evaluation Branch), the Office of Research and Standards Development, and the Division of Laboratories and Criteria Development.

The objective of the criteria development process is to produce criteria documents on particular chemical and physical agents. A criteria package is composed of five separate but inter-related documents for each agent:

1. Hazard criteria document—an analysis of the dose-effect relationships and safe levels of exposure.

2. Engineering criteria document—an analysis of necessary engineering controls including monitoring, testing, and personal protective equipment.

3. Background information document—a complete information guide on hazard criteria and engineering controls.

4. Evaluation manual—an evaluation procedural guide for compliance officers.

5. Good procedures and practices manual—a specifically designed manual for occupational groups and industries dealing with engineering control methodology in detail, and with specific engineering criteria not covered in the engineering document.

The first three documents comprise the basic criteria package, while the latter two are designed to standardize, as much as possible, evaluation and good practices procedures.

Priorities Development: The Priorities Evaluation Branch of the Office of Health Surveillance will develop a priorities system based on the following information:

The annual list of all known toxic substances,

A review of chemical production figures to determine trends in production and to identify new chemicals introduced to the market,

An evaluation of hazards by NIOSH staff to rate hazards on the basis of severity of action and illness,

Population by type of plant and plant size, Information of population exposure for NIOSH surveillance data and plant size,

Data from state and local agencies that are a part of the NIOSH surveillance pro-

gram and others, with the necessary data on incidence and prevalence.

Health statistics from HEW's Health Services and Mental Health Administration on incidence and prevalence.

Data from NIOSH and the literature to determine the quantity of material being used in industry.

A professional in-house evaluation to estimate new areas of concern and hazards that may not be visible in other sources.

A professional extramural evaluation to estimate new areas of concern and hazards that may not be visible in other sources, and Requests for determinations of toxic levels which will generate new information of toxic chemicals.

This information is then grouped into six indices:

1. Trend Index, based upon estimates of changes in the use of chemical or physical agents.

2. Disability Index, based upon an agent's toxicity and severity of action, and type of illness produced.

3. Population Index, based upon projections from a valid sample of U.S. industry to estimate the number of workers potentially exposed to a hazard.

4. Incidence and Prevalence Index, the correlation of occupational illnesses with specific agents and physical conditions.

5. Quantity Index, estimates of quantity of a particular chemical or physical agent to which a worker may be exposed.

6. Visibility Index, the consideration of the subjective evaluation of professional safety and health personnel in all levels of government and industry and visible concern of workers and the public.

Once the information has been grouped into the six indices, it undergoes a priority evaluation based on computer analysis of the comparative data. The priority list is reviewed by the Department of Labor whose comments and suggestions are incorporated into the priority evaluation program.

This priority-setting process may be shortened, especially for those agents and substances on which a great deal of work has already been done. A case in point are the 10 priority substances specified for criteria development during the current year; asbestos, beryllium, carbon monoxide, fiberglass, heat, lead, mercury, noise, silica, and ultra violet light. According to Dr. Charles Powell, (Director, NIOSH Office of Research and Standards Development) a substantial amount of work had already been done on these substances and agents prior to the establishment of NIOSH. Based upon this work, much of which was done by NIOSH's predecessor, the Bureau of Occupational Safety and Health (BOSH), the 10 priority agents were selected.

During 1969 BOSH developed a priority rating system which was an unrefined version of the current NIOSH system. At the October 1969 meeting of the Industrial Hygiene Foundation, Andrew D. Hoseney (then director of the BOSH Division of Criteria and Standards Development) outlined the system along with findings for 183 chemical and physical agents. Each substance was rated and given a priority number (see Hoseney's paper reprinted in the *Journal of Occupational Medicine*, Vol. 12, No. 2, February 1970). Although NIOSH is currently using the BOSH priorities as a guide to its present and future work, it will not necessarily adopt the BOSH order of priorities.

Pre-Research Literature and Knowledge Survey: Following the establishment of priorities, the Office of Research and Standards Development (Toxicity and Research Analysis Branch) will conduct a preliminary evaluation of literature and other sources to determine the current level of knowledge on priority substances. If the current level of knowledge is insufficient, NIOSH will establish a schedule of management priorities and an estimate of time and resources necessary

to develop the information for the criteria document.

At this point, an evaluation is made of the substances to be included on the annual list of known toxic materials; the list is published and along with all supporting documents stored in the Information Storage and Retrieval System.

A comprehensive literature review is then made of those priority substances for which there is insufficient criteria development knowledge.

A criteria development coordinator for each criteria document will be responsible for:

- monitoring any contracts which have been let for his particular criteria document,
- coordinating the in-house development of the particular criteria, and
- providing the logistics for an in-house review by a committee of experts.

The comprehensive literature survey may uncover the necessary information upon which criteria may be developed and no additional research will be required. If, on the other hand, the survey reveals inadequate information, additional research will be performed by the Division of Laboratories and Criteria Development in Cincinnati.

Research: Should a particular substance or agent require additional research, the Division of Laboratories will conduct all or any one of the following:

- Additional literature search,
- Internal laboratory research,
- Internal epidemiological research,
- Awarding of research contracts, and
- Providing for external research grants.

This effort is geared to produce all or any one of the following:

Dose-response relationships to determine exposure levels which are safe and the biological affect of exposure.

Data on protective equipment and control or technological procedures to be used in connection with a hazard.

Exposure monitoring procedures, Type and frequency of medical examinations or other tests made available by employers, and

Labels and other appropriate forms of warning.

Criteria Formulation and Development: After all required information on a substance or physical agent has been gathered, additional steps are involved:

A final in-house review of the information available from the literature and/or the research.

Intramural recommendations for the development of the criteria document are made.

An intramural committee will consider the data and indicate actions for the implementation of criteria, e.g., determine the level of exposure that will be acceptable or the best methods for engineering control.

The criteria coordinator, with staff assistance, will prepare the criteria document.

An in-house review of the document for completeness, format, and technical accuracy.

A review of the document by a nationally-recognized committee of professionals (a different extramural committee will be appointed for each criteria document).

Another review by the intramural committee to consider recommendations of the extramural committee.

A final in-house review of the document for completeness, format and technical accuracy.

An overall review of the document before being sent to the Secretary of HEW, and

A review by the Department of Labor before being promulgated into a permanent standard.

Estimated Costs: The estimated contract costs for a literature survey are from \$20,000 to \$40,000. Another \$20,000 to \$40,000 is the estimated cost of completing a criteria document containing recommended stand-

ards. The total cost therefore would be from \$40,000 to \$80,000 per criteria document.

Estimated Time Considerations: Depending upon the amount of information available, the average time involved for the complete development of a criteria document is approximately nine months.

It has been estimated that after NIOSH is fully operable (in about two years) it will be able to produce from 20 to 30 criteria documents per year given the presently projected levels of funding.

OUTLOOK

Given the current and projected budget level, and with the current state of knowledge, it is reasonable to assume that the development of permanent occupational health standards will be a slow and costly process. Even at the rate of 30 permanent standards per year, it will take a decade to complete the necessary work on those substances for which Threshold Limit Values have been established.

In an attempt to shorten this process, NIOSH plans to develop criteria for the promulgation of interim standards. This "quick and dirty method," as the NIOSH people call it, would take all available information on a substance and use it as an interim or emergency measure to be refined at a later date.

When one considers that there are some 15,000 possible toxic substances in the workplaces of the United States, even this interim effort may not be adequate.

The massiveness of the criteria and standards development task has led one participant to comment, "To completely document all real hazards and fill gaps in research would require a tenfold increase in the level of expenditures for the next decade. Even then the problem may not be effectively solved."

In addition to the problem of financial resources, a major factor is the availability of highly trained technical, medical, and managerial personnel. While it can be assumed that NIOSH has the potential to acquire the additional technical and medical talents necessary, this may not be the case for managerial and administrative staff. NIOSH's success in the development of criteria will largely depend upon how well it can manage and administer the technical information it develops. This task will require an expansion of personnel who have a high level of administrative skills along with the necessary technical background.

LABOR WAKES UP—LET US GET TO WORK

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1971

Mr. DERWINSKI. Mr. Speaker, the Chicago-South Suburban News, an independent publication primarily serving the black communities in the south end of Chicago and adjacent suburban areas, carried a very effective and dramatic editorial in its October 16 issue. The editorial discussed the need for cooperation from labor unions with phase II of the President's economic plan.

The editorial follows:

LABOR WAKES UP—LET'S GET TO WORK

Labor leaders agreed Tuesday to serve as labor representatives on the 15-member Pay Board that will regulate changes in pay during Phase II of President Nixon's economic plan. The leaders, including the heretofore recalcitrant George Meany, agreed to help

after receiving Nixon's assurances that the government will not interfere with the decisions of the three-sided panel.

The Pay Board will set general rules—called guidelines, criteria, or standards—and will regulate changes in pay after the current wage-price freeze thaws. The Board is composed of equal numbers of representatives from labor, management and the general public.

We are delighted that organized labor has, at long last, decided to cooperate. The economy, with all its problems and/or rewards, certainly affects workers, we cannot imagine why it has taken this long for labor to "get its thing together."

Now that labor has joined the "mainstream" once more, we foresee that the Pay Board may accomplish much more than it is designed to do. In the long run, the Pay Board may act as an initial arbiter of labor disputes—before they reach the stage where negotiators must be called in anyway. The Board may also exert a very powerful influence on the "demands" of labor, and on the "stubbornness" of management.

All in all, the President's economic program may influence the entire face of the economy, not just for the period in which it is in effect, but for years to come. We suspect that this fact was the major reason why many labor leaders were so hesitant to get involved. Perhaps they foresaw that much of the union rhetoric of the past, and many of labor's past methods for gaining needed changes, would become obsolete if everybody—labor, management and the public alike—were to realize that they are all in the economic-soup together.

Now that that realization has come, we urge everybody to get on with the job at hand—supporting the President in his courageous and innovative efforts to shore up our faltering economy.

MORE ON THE PRAYER AMENDMENT

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1971

Mr. SCHWENGEL. Mr. Speaker, opposition to the proposed constitutional amendment regarding prayer in public buildings continues to grow as evidenced by the following editorial which appeared in the September 26 issue of the Des Moines Sunday Register:

PUBLIC PRAYERS

The controversy over the proposed "prayer amendment" to the Constitution has flared up again, with a group of religious leaders spearheading a counter-offensive to block the measure in Congress. Supporters of the amendment persuaded enough representatives to sign a petition that removed the proposal from the Judiciary Committee and brought it to the House floor.

The proposed amendment states that "nothing in the Constitution shall abridge the right of persons lawfully assembled, in any public building which is supported in whole or in part through the expenditure of public funds, to participate in nondenominational prayer."

The proposal is a slap at the Supreme Court, which nearly a decade ago ruled that classroom prayers ordered by state or school officials violated the First Amendment. That amendment guarantees both freedom of religious belief and freedom from a state-established church.

The religious leaders opposed to the proposed prayer amendment pointed out that the court decision does not prohibit volun-

tary praying. They expressed fear of government intrusion into religious affairs if the proposed amendment is approved, thus eroding the First Amendment guarantee against an established religion. In both instances, churchmen touched key questions in the controversy.

Although most denominations engage in corporate supplications, prayer is primarily a personal response to God or some other spirit or being beyond self. As such, it ought not be a political issue, a legally imposed policy or a patriotic exercise.

Some of the best advice on prayer was given in the Sermon on the Mount, as recorded in Matthew's Gospel. There Christ says:

"And when you pray, you must not be like the hypocrites; for they love to stand and pray in the synagogue and at the street corners, that they may be seen by men. Truly, I say to you, they have their reward.

"But when you pray, go into your room and shut your door and pray to your Father who is in secret; and your Father who sees in secret will reward you.

"And in praying do not heap up empty phrases as the Gentiles do; for they think that they will be heard for their many words."

Those passages should be required reading for congressmen who want to exploit religious devotions for political ends.

UNITED NATIONS SUPPORT

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1971

Mr. HARRINGTON. Mr. Speaker, I am deeply troubled by those inside and outside of government who are threatening to retaliate against the United Nations for its action on Chinese representation by cutting back our contribution to that organization. Nothing could be more shortsighted than for us to institute a policy of financial blackmail for the U.N. There is no cause for surprise whatsoever in that the U.N. rejected an American policy which has been wholly unrealistic from the start. The inherent, basic contradiction in the President's effort to reconcile with the People's Republic of China while simultaneously maintaining a seat for Taiwan in the U.N. was always clear, and to use the fact that a majority of member nations have refused to accept this contradiction as an excuse to scuttle the United Nations is irrational.

Last week more than 100 members of the House pledged our continued support for full U.S. funding of the United Nations regardless of the outcome of the vote on China. I was particularly pleased to receive in today's mail a letter from Ambassador George Bush enclosing a copy of his statement to the U.N. Fifth Committee. He said then:

I want to insure this committee that the Administration of President Nixon is not threatening the United Nations, or planning financial reprisals for any political contingency here. On the contrary, as I think I have just made plain, we want the U.N.'s finances to be rescued from their present precarious state.

I urge Ambassador Bush and his superiors in the executive branch to re-

affirm these words once again. I urge him to repeat firmly his warning that we should "never allow these differences of ours to overshadow our common interest in the search for peaceful solutions. Let's be glad we have a fruitful clash of words instead of a mortal clash of arms. Let's not wear away the fabric of trust in this place by threatening each other with reprisals or imputing malicious motives to each other. Let us remember the common interest that brought us here in the first place, and let us cooperate to save that interest—financially and in every other way."

GEORGIA'S YOUTH CONSERVATIONIST OF THE YEAR

HON. G. ELLIOTT HAGAN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 6, 1971

Mr. HAGAN. Mr. Speaker, many of my colleagues share my enthusiasm for hunting, and because of this I would like to call to your attention the fine article from the Georgia Game & Fish magazine written by a young lady from the First District, Miss Donna Ash of Oliver, Screven County, Ga.

It is believed that Miss Ash's concern for conservation and her having been named the Georgia Sportsman's Federation Youth Conservationist of the Year in 1970 makes her fine article on dove shooting interesting and appealing to even the seasoned sportsman.

The article follows:

MY FIRST DOVE SHOOT
(By Donna Ash)

I eagerly looked forward to trying my luck in hunting this tricky dun grey bird, weighing not more than 4 to 6 ounces, known as the mourning dove. On brief hunts I had gone with my father when I was younger—but then I was considered too inexperienced to take a stand. For the past two years my invitation seemed to always end with a last minute rush—and for various reasons I was left at home.

This time I eliminated all the excuses and persuaded my father to take me with him. When he came out loaded with his shells and gun, I was waiting in the truck like an immovable object. Besides who could tell the boys from the girls with all the long hair this day and time, much less the camouflaged clothing?

I was dropped off in an out of way place to be as inconspicuous as possible. At least I had graduated from the role of a "retriever."

It was a beautiful afternoon, the sky was a lovely shade of clear blue with just a few wispy clouds floating by. The nippy breeze was just enough to keep the bright sun from being uncomfortable.

I surveyed the area for a good stand. There was an excellent place beside a hedge-covered fence separating a pond surrounded by scattered saplings from a cornfield stripped with rye grass. Across the field the pine trees were gently swaying as if nodding approval of my presence.

Soon the doves started swooping into the field. I was now in shooting position trying to take steady aim at that dipping, dodging bundle of feathers, feeling obligated to beat the average in shooting! Now I could tell at a glance why this little bird could make a hunter feel at war with himself.

Suddenly there was such a burst of rapid fire shooting across the field, it sounded like

a minor war and I was in the midst of it all. I didn't know whether to hit the ground, run, or shoot. In my excited state, every gun seemed to be pointed in my direction. Whew—that brief session seemed about an hour long. I gave a sigh of relief—I was completely out of range from other hunters and apparently I was not the intended target!

My attention was now turned to a more important matter, the doves. They were darting in at regular intervals, even if I were not looking in the right direction I could soon tell when doves were entering, by the burst of gunfire across the field. By this time I'd begun to get the hang of things. I'd shoot swiftly at a flying bundle of feathers whenever the opportunity presented itself. To my amazement I soon discovered it was easier to kill a mess of skeet than dove.

A lone dove was circling the field slowly. Several doves had already been feathered through my continued efforts and I was determined not to let this one get away. I started aiming when the dove came from behind some trees. I held my fire until he was almost opposite me, quickly now I squeezed the trigger. The dove folded in flight and hit the ground. Some one yelled, "You got 'im Donna."

I had a great time and also proved that the U.S. average of 7.9 shots per bird is fairly accurate. I can now understand why the dove is such a popular game bird. It not only provides a source of excellent meat, but is an exciting sport for the hunter plus giving man an opportunity to see nature at its finest.

THE LATE JAMES G. FULTON

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1971

Mr. GAYDOS. Mr. Speaker, since the death of our colleague, Representative James G. Fulton, on October 6, there have been many tributes paid him as a legislator and as a man.

The esteem in which he was held by the residents of Allegheny County in Pennsylvania, is reflected in this formal resolution adopted by the board of county commissioners. I insert the resolution into the RECORD for the attention of my colleagues:

RESOLUTION

Whereas, the untimely passing of U.S. Representative James G. Fulton has left our community, state and nation bereft of a distinguished public servant and friend of all people; and

Whereas, during his remarkable career as a public servant, he exemplified the highest ideals and finest traditions of our nation; and

Whereas, this career of nearly 40 years included service to community and nation, in war and peace, in the Pennsylvania State Senate, in the United States Navy and in 14 terms as a U.S. Congressman; and

Whereas, in his many years in public office, Representative Fulton made the needs of his constituents his principle and put aside partisanship in their interests; and

Whereas, no cause was too great nor no problem of a troubled citizen too inconsequential to win his sympathy and attention; and

Whereas, because of this dedication to our collective and individual interests, our country and its people are better for the long years of sacrifice and service by Representative Fulton.

Now, therefore, be it resolved that this Board of County Commissioners join with the people he served so well in mourning the

passing of Representative James G. Fulton and express condolences to the surviving members of his family, and

Be it further resolved that this Board take the initiative to order the official action required to pay appropriate final honors consistent with the office Representative Fulton held and the service he rendered in it.

Resolved and enacted this 7th day of October, 1971, County of Allegheny.

Approved:

F. B. CARPENTER,
Chief Clerk.

AUTISM

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1971

Mr. HARRINGTON. Mr. Speaker, one of the most difficult and least understood of all childhood diseases is autism, a handicap which causes untold anguish to families. Children afflicted with autism require special treatment and care. Many are unable to speak or relate to other individuals. When a child has autism, he is legitimately handicapped and the long years of care are an acute and unending expense for his parents.

There is a great deal of controversy about whether autism is a physical or emotional illness, or both. Whatever the cause, the effect is that an autistic child has little change of ever leading a normal life, or even a somewhat sheltered life unless proper treatment is available. But proper treatment is prohibitively expensive.

Therefore, I have written to Secretary of Health, Education, and Welfare Elliot Richardson asking him to include autistic children under the regulations of the Developmental Disabilities Act of 1970. This act would provide guidance, treatment, and training for these children and would be of immeasurable assistance to themselves and their families.

Secretary Richardson has responded by stating that the question is being "carefully examined." The question of including autism has not only to be examined, but also acted upon so that autistic children will receive the help they need from this legislation. I include at this point my letter to Secretary Richardson and his response:

SEPTEMBER 10, 1971.

Hon. ELLIOT RICHARDSON,
Secretary, Department of Health, Education, and Welfare, Washington, D.C.

DEAR MR. SECRETARY: It is my understanding that your Department is presently preparing regulations to carry out the Developmental Disabilities Act of 1970.

Could you please tell me the status of the present regulations. In addition, I would be interested in knowing whether autistic children are to be included under these regulations. Autistic children are severely ill. Many feel that their disability may stem from brain damage or a physiological imbalance. Whatever the cause of this illness, the fact remains that autistic children are in fact unable to lead normal lives. They are handicapped and without intensive medical treatment their prognosis for leading even a minimal functional existence is extremely poor. I look forward to your early response.

Yours sincerely,

MICHAEL J. HARRINGTON.

THE SECRETARY OF HEALTH,
EDUCATION, AND WELFARE,
Washington, D.C., October 5, 1971.

HON. MICHAEL J. HARRINGTON,
House of Representatives,
Washington, D.C.

DEAR MR. HARRINGTON: Thank you for your letter of September 10, expressing your interest in the Developmental Disabilities Program (P.L. 91-517) and the inclusion of autistic children under the proposed regulations.

The question you raised is being carefully examined as part of the development of regulations and policies to implement the Developmental Disabilities Program. We plan to complete preparation of the regulations in proposed rule making form soon. Prior to the adoption of these proposed regulations, consideration will be given to all comments submitted to the Department.

With kindest regards,
Sincerely,

ELLIOT L. RICHARDSON,
Secretary.

ALASKANS ARE CONCERNED ABOUT NUCLEAR TESTS ON AMCHITKA ISLAND

HON. NICK BEGICH

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1971

Mr. BEGICH. Mr. Speaker, today, the Atomic Energy Commission announced that President Nixon has given the affirmative order to proceed with the nuclear test on Amchitka Island.

I am deeply distressed and disappointed that the President would take such action despite the fact that several legitimate questions regarding the feasibility and safety of such a test go unanswered. The President as well as the Atomic Energy Commission has, to date, refused to answer the questions I raised in testimony before the AEC as well as in communications to the White House and the Commission.

Alaskans are concerned about project Cannikin and several groups have already made their positions known. The Alaska State Medical Association has recently met in Anchorage and has passed the following resolution:

The Executive Committee of the Alaska State Medical Association at its September meeting discussed a resolution offered by Doctor Tom Harrison of Anchorage regarding the Amchitka nuclear test. Because of the importance of the matter it was felt that the entire seventeen member Council be polled.

At the October Executive Committee meeting, results of the poll indicated a 2-1 majority in favor of releasing the following resolution:

Whereas the experimental detonation of nuclear devices for use in military planning can only result in injury and death to present and future generations,

Whereas the experimental detonation of nuclear devices in a geologically unstable area of continental drift (Amchitka Island) represents an immediate and/or delayed threat to the health and security of Alaskans,

Whereas the Alaska State Medical Association and its members are committed to preservation of the health of Alaskans and the prevention of injury, death and deleterious genetic alteration,

Therefore be it resolved, that the Alaska State Medical Association demand that the U.S. Government desist from the current Cannikin nuclear test and future nuclear testing in Alaska.

A BARRIER-FREE ENVIRONMENT FOR THE AGING

HON. HOWARD W. ROBISON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1971

Mr. ROBISON of New York. Mr. Speaker, although there has been a great deal of public attention to the general needs of the elderly during recent years, far too little attention has been given to the design of the facilities in which we expect a large portion of the elderly to live in their last years. A young assistant professor in the Department of Design and Environmental Analysis of the College of Human Ecology at Cornell University—in my congressional district—has recently testified before the Senate Special Committee on the Aging and emphasized the tremendous need for "barrier-free" environment for the aging. Since the elderly—and the handicapped—have special needs, facilities built for their use should prove adaptable to those needs.

Far too often, nursing facilities are built for the convenience of the contractor or designer, rather than for the convenience of the anticipated residents. The Federal Government could be of major assistance if it set out to define the needs of the elderly in this respect, and then assist in promulgating proper design standards for future nursing home construction and renovation. With the White House Conference on the Aging scheduled to convene in late November, it is especially fitting that we consider Mr. Koncelik's testimony in the light of an urgent social problem. The full text of his remarks follows, and I hope it will be of interest to many of my colleagues:

Senators, The issue of a barrier-free environment for the aging and the handicapped is really a very broad one. At first glance, one might consider the definition is either the aging or the handicapped or both should be able to negotiate a physical space without being impeded by either the environment itself or components of the environment. In other words, any environment should provide free unobstructed movement for everyone. Certainly this is part of the definition of "barrier free", but not all of it in my estimation.

To my mind, a barrier-free environment for the aging (especially the ill aging) and the handicapped also includes the provision of a supportive effect: supportive or normal human function. As a person becomes dependent upon his environment for support, the physical environment, as well as other components of the milieu, should be so designed as to lend this support without stealing independence or encouraging further disability.

I speak to this issue primarily from my experience as a project director of research now in progress in which a team of designers and behavioral scientists is working together to establish a greater understanding of the interface of physical environment and human behavior in long term care institutions

for the aging. These projects have enjoyed the cooperation of eight institutions in the upper New York State area and one in New York City.* Although the data from the projects is not yet completely collated and analyzed, you may find some of our observations interesting from the standpoint of a broadly defined concept of "barriers."

1. An elderly woman in her eighties, fully capable of interaction with others, sits alone in a solarium which is capable of being occupied by fifty or sixty people. She does not have the opportunity of talking with people very frequently because there are so many public spaces in the institution in which she lives that maximum occupancy (all spaces filled with patients; including the nonambulatory) would be 6.5 people per day.

2. In this facility, very few patients use the dining room any longer. Most of them are in geriatric wheel chairs which are too large and bulky to fit beneath the surface of the tables chosen for the dining area. Reaching food from these chairs is difficult and for someone with advanced arthritis, embarrassing. Most of the patients now eat in their rooms or in the hallways outside their rooms missing the therapeutic value of interaction with their friends over the highly anticipated daily meals.

3. In this facility a patient is not allowed to hang pictures or personal memorabilia on the walls for fear—on the part of the administration and the maintenance staff—that he or she will mar the surfaces of the wall even though some residency in this long term care facility has been recorded at three years.

4. An elderly gentleman is taken for disoriented when the light in the hallway of his facility does not permit him to see his own room's door on a corridor with perhaps twenty doors.

5. A patient nearest the window, in a facility with one particular furniture arrangement, is quite possessive about who "owns" the right to control the available light and air circulation. Although she is quite robust, her roommate is not and is constantly wearing sweaters in order to remain in her room. Locations of chairs next to beds also may be treated in this manner, even if there is one comfortable lounge chair per room.

6. In comparing two extended care facilities with about the same number of beds and same staff size; one facility had rooms that allowed patients to be visible to the nursing staff as they briskly walked through the halls while in the other, a nurse had to enter the room of a patient to see the patient, usually triggering a conversation about that person's condition.

I could continue almost indefinitely with observations and anecdotal evidence of this kind. We have recorded 169 interviews, conducted 103 "behavior mapping" observations in public space, and shot over 500 photo-

*Isabella Geriatric Center, New York City; Auburn Nursing Home, Auburn, New York; Cortland Nursing Home, Cortland, New York; Chenango Bridge Nursing Home, Chenango, New York; Elcor Nursing Home, Horseheads, New York; Riverview Manor Nursing Home, Owego, New York; St. Camillus Nursing Home Co., Inc., Syracuse, New York; Steuben County Infirmary, Bath, New York; Tompkins County Home and Farm, Trumansburg, New York.

The facilities range in size from 40 beds to 120 beds in upper New York State and the one in New York City has both a residence, infirmary section, and an extended care facility totalling over 500 beds. Although all of the facilities provide care to the aging (including some young handicapped in some facilities) they have different philosophies of care, different physical plants, and varied types of external environments.

graphs which will all be correlated to provide far more conclusive evidence of this interface. What these things mean to me is that the physical environment (space and objects in space) are clearly determinants in the behavior and psychological well-being of the ill-aging and the handicapped aging. This evidence suggests kinds of environmental barriers: perhaps not as immediately perceived as a long staircase to a wheelchair bound person; but "there" nonetheless. In other words, a physical environment that does not support normal human function and impedes rehabilitation instead of assisting it, constantly reminds the aged that they are ill and supports a self image in a patient that he or she is dependent and depreciating in a barrier laden environment.

As you gentlemen know, the Federal and State governments have created generous mortgaging programs which have been responsible for the creation of a veritable explosion of construction in the long term care field. It has been a very necessary process. As I have mentioned, these facilities vary greatly in their accomplishment of providing a supportive environment to the ill aging and especially in supporting rehabilitation of the ill-aging to the maximum extent possible.

Although building has taken place with very well intentioned ideas, there has been precious little evaluation of these facilities in terms of the accomplishment of providing the desired environmental effect. It is far too easy to envision a time in the future when the certified nursing home being built in the seventies is decertified and razed in the nineties because it is outmoded for some reason or other and the same mistakes are rebuilt in a more contemporary version. Therefore, I make these three recommendations to this special committee:

1. That future mortgaging programs or those in existence that can be modified include provision for funded evaluation of any construction that receives a mortgage in the field of long term care or extended care. There is a distinct difference between evaluation and inspection. Inspection is a process whereby a facility is judged to be in or out of compliance with some established set of regulations governing its contents or upkeep. Evaluation is a process by which a facility is judged in accordance with its mission or purpose. In evaluation, the good and the bad are part of the composite picture of the assessment of the facility. It is implied that evaluation is meant as a device to continually update the design process so that building in accordance with human needs is continually optimized.

2. A procedure or mechanism should be established whereby an existing facility or a planned facility on the drawing board could receive a variance from code when there is evidence that this variation will be supportive of human function and providing that the variation is evaluated and its relative success relayed to the authorities who administer the code.

3. That training grants be made available to support the training of evaluation personnel from the fields of architecture, related design areas and the behavioral sciences.

There are currently being developed techniques that allow the assessment of precisely the elements I have been discussing today and other qualitative areas of environmental interface. If evaluation becomes a more desirable component of the design and building process in the future, personnel will have to be trained to carry on this type of work.

As I stated in the beginning of my remarks, I am at the beginning of my work in this area. I would very much like to believe that, what I feel to be an extremely important area of work, has a chance of continuing and growing in order to found design deci-

sions on a more substantial structure of research. I believe that the aging population will be the immediate beneficiaries of this work; which of course means that we shall all benefit. Thank you.

BRITISH STUDY HEALTH HAZARDS OF COAL MINERS

HON. JOHN H. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1971

Mr. DENT. Mr. Speaker, when the Federal Coal Mine Health and Safety Act of 1969 was debated in this Chamber, we had only a limited knowledge of the effect of coal dust on a working miner. Very few of our physicians recognized pneumoconiosis as a disease resulting from the inhalation of coal dust, and relatively nothing was done to determine the correlation between the two or the prevalence of the disease among America's miners. Consequently, we necessarily relied on the considerable expertise of the British in the subject matter.

But change is underway, Mr. Speaker, and that law precipitated a flurry of activity and research which will afford us the preeminence in the field we so urgently need. Many institutions and individuals deserve credit for this massive effort; not the least of which is the Bureau of Mines and its able Director, Dr. Elbert F. Osborn.

At this point in the RECORD, I attach a letter I received from the New York Academy of Sciences with respect to the work currently being undertaken:

The letter follows:

THE NEW YORK
ACADEMY OF SCIENCES,
October 8, 1971.

HON. JOHN H. DENT,
Chairman, General Subcommittee on Labor,
Committee on Education and Labor,
House of Representatives, Washington,
D.C.

DEAR MR. DENT: An International Conference on Coal Workers' Pneumoconiosis sponsored by the Academy and attended by over 400 scientists from around the world, was held at the Waldorf-Astoria, September 13-17. It was highly productive and useful, and will spur and speed solutions to the hazards in this important industry.

It was evident that we have come a long way in the past two years. While there was sober recognition of the complexity and seriousness of the health questions involved, it was equally clear that the inertia and inattention of the past decades no longer existed. Rather, problems were being identified and resources of all kinds mobilized.

A good part of the optimism was derived from the evident vigor, directness and resourcefulness of the Bureau of Mines' program which will clearly provide a firm basis for the work now to be done. I am writing to express the widespread appreciation of scientists in this field for the support you have provided in the House of Representatives for the development of this urgently needed research. The effectiveness of the Bureau's program, and its success in having assembled a capable, sophisticated research staff, is a proper tribute to your direction and help. We are all indebted to you—labor, industry, science.

The Academy understands that what has

been accomplished is a preamble to that which must follow, but, on the basis of what it has seen, is confident that these efforts will be successful. For its part, it will continue to support and encourage appropriate scientific effort in the field. In accepting this commitment we have been conscious and appreciative of your leadership.

Sincerely yours,
IRVING J. SELIKOFF, M.D.,
Chairman, Conference on Coal Workers'
Pneumoconiosis
FRED G. ARMSTRONG, Ph.D.,
Executive Director.

AGRICULTURAL CHEMIST OPPOSES PESTICIDE LEGISLATION

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1971

Mr. RARICK. Mr. Speaker, H.R. 10729, the Pesticide Control Act of 1971, has been rescheduled for floor action the week of November 1. This bill contains many far reaching and dangerous provisions—it would, in fact, further the collectivization of American agriculture by effectively destroying the small and medium-sized farmer.

I insert a correspondence I received from Mr. E. A. Epps, chief chemist of the Louisiana Department of Agriculture, expressing the principal objections to this bill in the RECORD:

LOUISIANA DEPARTMENT OF
AGRICULTURE,
DIVISION OF AGRICULTURAL
CHEMISTRY,

Baton Rouge, La., October 22, 1971.

Re H.R. 10729.

HON. JOHN R. RARICK,
House Office Building,
Washington, D.C.

DEAR MR. RARICK: I am writing this to solicit your opposition to H.R. 10729. This is bad legislation and bad government from any point of view and it is my hope that you will use your considerable influence to defeat this measure.

Some but not all specific points of objection are:

1. The record of injury to man or the environment from pesticides does not justify additional regulatory sanctions on sale and use of pesticides.
2. The authority of states to handle such matters is preempted.
3. The proposal will raise costs to producers of pesticide and to users and to government.
4. Adequate remedies for actions of a non-elective Administrator are not provided.
5. The Administrator may assess "civil" penalties up to five thousand dollars.
6. "Civil" penalties shall be based upon the violator's ability to pay.
7. Both "civil" and criminal penalties are discriminatory as to class of individual committing the act.
8. Employers are made responsible for act of employees.
9. No satisfactory guidelines have been established for classifying a chemical as "restricted use".

There were many reasons why men came to the New World but one of the strongest was the desire to be free; to be able to control one's own destiny. Many people still believe they can make their own decisions and manage their own affairs better than

someone in the capitol. To be sure, no strong society can exist without laws. Yet any law restricts the freedom of the good as well as bad; and so, laws should be limited to those necessary. Continued imposition of legal restrictions seriously limits the economic status of a nation. Soon everyone is spying on everyone else and no one is producing goods and services.

In spite of all the emotionalism the record does not reveal that the hazards from sale and use of pesticides justifies additional legislation. There are no recorded cases of harm to man from residues; cases of injury in the field during use are also rare; accidents involving pesticides are at a lower rate than those involving aspirin; even the wildest partisan can state only that pesticides "may" harm the environment. The environment is still here, and hunting and fishing are better than ever. A whole generation has been conceived, born, grown to maturity, and have in turn brought forth offspring in a pesticide environment. The younger generation seems to be bigger, healthier, and smarter than their parents. Is this an indication of severe hazard?

In spite of the remarkably good safety record of pesticides, there are those who build up the imagined horror to such a peak that restrictive laws and regulation must be piled one upon the other to save us from a fate so dreadful that heroic measures must be taken. The constitution must be forgotten and all thoughts of personal rights and responsibility cast aside. For many, many years the American concept of the states managing their internal affairs has worked well. Certainly the people, soils, climate and many other factors are so different from state to state that it is logical to handle most matters on a local level. Preemption of state powers over regulation of pesticides is highly questionable constitutionally and will certainly lead to great mischief.

Enforcement of any law costs money. I estimate that if H.R. 10729 is enacted and actively enforced, the costs for pesticide regulation will be increased at least ten times. It takes men to inspect the manufacturing plants, more men are needed to train and certify applicators. Taxes will have to be increased, manufacturers will have to employ additional personnel to comply with the record keeping and other provisions of the Act. A farmer will have to employ applicators instead of doing it himself as he has done safely and effectively for so many years. Because the delays inherent in such programs, the biggest cost to the user and the consumer will be decreased yields and inferior quality because of inability to use the most effective and/or economical product and to be able to use it at the opportune time.

The Administrator is given rather far-reaching powers over the production of food and public health. Unfortunately there seems to be no check, no real appeal. As an appointed official, the President theoretically has control over the Administrator but in practice the government is too complex for the President to concern himself with such matters. As the bill is written, any action of his seems to be challengeable only on a procedural basis and not on its merits. Actually regulations promulgated are above the law. This is a dangerous situation and should be corrected.

I have always been of the opinion that a person could not be penalized except by due process. Now under H.R. 10729 the Administrator acting as prosecutor, judge and jury can impose penalties up to \$5,000. This is especially reprehensible.

There are other interesting things in the penalty provisions of H.R. 10729. The Administrator is directed to consider the financial status of the violator in imposing penalties. Apparently under this novel concept of law, a man's responsibility is proportional to his financial status. A man with no money therefore has no responsibility for his actions.

Still another interesting penalty provision is that penalties vary according to classification. Apparently some people are now less equal than others. A violation by a private pesticide applicator carries a maximum fine of \$1,000 while for others, the maximum is \$25,000. Is this justice?

In this bill employers are made responsible for acts of employees. No exception is made for accidents or malicious acts. This is clearly unfair.

Perhaps most surprising of all, is that no clearcut means for designating "restricted use" pesticides is provided. In spite of the great claims of potential danger, none of the proponents has named a chemical or chemicals to be candidates for the restricted list. So we really don't know what is being legislated against. There can't be any real danger if the danger can't be identified after twenty-five years useage.

In this Act the government becomes an inquisitor rather than a government of and for the people. I have had twenty-five years experience in regulation of pesticides. I find this a bad bill and even a dangerous bill. Certainly it is not good government. I hope you will see fit to serve the people of Louisiana by opposing this bill.

E. A. EPPS JR.,
Chief Chemist.

THE 15TH ANNIVERSARY OF THE HUNGARIAN REVOLUTION ON OCTOBER 23, 1971

HON. JAMES J. DELANEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1971

Mr. DELANEY. Mr. Speaker, October 23 was the 15th anniversary of the Hungarian Revolution, a day of supreme importance to nations of the free world.

What began as a peaceful student demonstration launched into a total uprising comprised of the workers, farmers, artisans, schoolteachers, government workers, and members of the Hungarian armed forces. The entire Hungarian people, from teenagers to grandmothers, joined in the revolt against the tyranny of communism.

In western countries, displays of bravery are usually rewarded with medals, parades, and other symbols of a nation's gratitude. The Hungarians were "rewarded" with savage repression by Soviet tanks and with the execution of their leaders—Premier Imre Nagy and Gen. Pal Maleter, commander of the resistance forces.

On this anniversary of the brief moment of freedom of the Hungarian people, I am reminded of the last words of Radio Free Budapest as Russian tanks overwhelmed the city:

Civilized people of the world . . . in the name of solidarity and liberty we are seeking your help. Our ship is sinking. The light vanishes. The shadows grow darker from hour to hour. . . . Extend to us your brotherly hands. God be with you and with us. Help! Help! Help!

To date this cry for help has not been answered and, on this 15th anniversary of the Hungarian struggle, the free world bows its head to those who sacrificed their lives for a dream of liberty and democracy.

HUNGARY'S SHORT-LIVED FREEDOM

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1971

Mr. DERWINSKI. Mr. Speaker, whenever I hear someone talk about "the people," I feel like asking, "Which people?" The preamble to our Constitution opens with the phrase, "We, the people of the United States," and refers to the inhabitants of a free nation. One of the countries behind the Iron Curtain is officially designated as the "Hungarian People's Republic."

Unfortunately, the word "people" does not have the same significance in Hungary that it does in America, where the people, through the States, established a government which they themselves run through their own elected representatives. Hungary, one of the many colonies of the Soviet Empire, is ruled by Communist tyrants whose headquarters are in Moscow, the domestic officials being mere stooges of their Kremlin overlords.

There was a period, 15 years ago, when the Hungarian people enjoyed a brief existence as an independent nation. From October 31 to November 3, 1956, Hungary was free.

True, this interlude of independence was hardly comparable with the independence enjoyed, for example, by the people of the United States, the people of Canada, the people of Great Britain, the people of Switzerland, or the people of the Scandinavian countries. It was, nonetheless, something for which courageous and determined men and women had laid down their lives and for the retention and extension of which other inspired and dedicated men and women were willing to work hard and make great sacrifices.

The ephemeral freedom of 1956 was eventually crushed by Russian troops, the minions of the commissars, just as Russian troops, the minions of the czars, had helped to crush the Hungarian revolution of 1848.

The 1956 uprising began on October 23, when thousands of workers and students rioted in the streets of Budapest, demanding the restoration of independence for Hungary. As the flames of revolution spread throughout the land, the head of the Hungarian Communist Party called on Moscow for help. About 10,000 Soviet troops marched into the capital on the 24th, equipped with tanks, armored cars, and artillery. Several hundred people were massacred by the invading juggernaut.

The result of this suppression of the forces of freedom in Budapest was war all over the rest of Hungary. In the beginning the would-be liberators were successful and by October 28 almost all of the country had been freed.

Intense fighting between October 25 and 30 cost about 10,000 lives. Generals Pal Maleter and Bela Kiraly appeared to be in control of Budapest and the western half of Hungary by the 31st, the day on which Cardinal Joseph Mindszenty,

who had been released from prison, triumphantly entered the capital.

Radio stations were taken over by the revolutionaries, beginning on October 25. Radio Budapest, the mouthpiece of the Moscow imperialists, was rechristened Radio Kossuth, in honor of the hero of 1848, Lajos Kossuth.

Those who were tuned to this station on October 30 were thrilled when they heard the message:

For many years the radio has been an instrument of lies. . . . It lied day and night; it lied on all wave lengths. . . . We who are now at the microphone are new men. We shall tell the truth, the whole truth, and nothing but the truth.

Imre Nagy, the new Premier, in a broadcast on November 1, told his listeners what the people of his country wanted, a "free, independent, democratic, and neutral Hungary." The people demanded representative democracy, freedom of political opposition, abolition of the political police, a multiparty election, and "freedom of speech, press, assembly, and religion."

Churches and synagogues suddenly came to life. But five newspapers, all Communist mouthpieces, were published in Budapest before the revolt. By November 3 there were 25 and they represented all shades of political opinion.

Freedom of speech, freedom of the press, freedom to broadcast—all these were rudely suppressed when Soviet forces once more surrounded Budapest, with Premier Nagy's protests to the United Nations organization being void of practical effect. An estimated 200,000 troops, backed by 2,500 tanks and armored cars, surprised the capital with a massive attack on November 4.

Free government ended but a few days after it had begun. It is difficult to arrive at an accurate total of the number of killed, as estimates vary from 6,500 to 32,000. Thousands of people were deported, while between 170,000 and 196,000 fled their homeland. An emergency refugee program brought 38,248 Magyars to the United States.

One after another of the free voices that had been heard on the radio was silenced and regular broadcasts from free stations ceased on November 9. The Soviet Union's troops had prevailed and the freedoms that had been restored to the people of Hungary were once more a thing of the past.

Mr. Speaker, may God speed the day when the people of Hungary, like the people of the United States, will again enjoy the precious blessings of freedom. May the words "Hungarian People's Republic," like the words "We, the people of the United States," mean what they say.

A SUCCESSFUL SCHOOL FOR DROPOUTS

HON. HUGH L. CAREY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1971

Mr. CAREY of New York. Mr. Speaker, each of us is concerned with the limita-

tions a youngster places upon himself when he drops out of school. Many federally assisted programs have been developed to help the high school dropout. But none, to my knowledge, has succeeded to a greater degree than a unique plan now being operated by the Harry Lundeberg School of Seamanship at Piney Point, Md., without a single cent of tax moneys.

I feel it is appropriate that I bring attention to the fact that the 100th high school dropout recently received his high school certificate—and a second chance—through the general educational development program conducted by the Seafarers International Union to train young men for careers in the U.S. Merchant Marine.

I wish to share with my colleagues details of this singularly successful program, and the dedicated staff that has made it work. They are contained in an article published by the St. Mary's Beacon, a newspaper serving St. Mary's County, Md., where the Lundeberg School is located.

Mr. Speaker, I include with my remarks at this point the article which appeared in the October 7th edition of the St. Mary's Beacon.

FLORIDA YOUTH BECOMES 100TH LUNDEBERG GED GRADUATE

The Harry Lundeberg School (HLS), a spunky never-say-die merchant marine training center at Piney Point, Md., run by educators who believe that only results count, has just written another bright chapter in what is nothing less than an American success story.

With the odds against it, the seamanship school just granted a high-school diploma to the 100th trainee to successfully complete its General Educational Development (GED) program.

Nine months ago, when the GED program first got off the ground, no one could have predicted the school's astounding success in preparing young men to qualify for their high-school diploma. But anyone familiar with the tenacity of the men of the American merchant marine should not have underestimated their determination.

In this case, the school's officials wanted to open the door of opportunity to those students who dropped out of public schools before completing their secondary education. Their aim was to make better citizens out of them, to help them achieve the dignity to which they are entitled, and to help them further themselves in their careers.

The prime mission of the Lundeberg School, located on the southernmost tip of Maryland where the Potomac meets the Chesapeake Bay, is to supply thoroughly trained young men for starting jobs on the decks, in the engine rooms, and in the galleys of U.S. merchant ships.

Many of the young men who come to the training center from throughout the nation are high-school, even grade-school, dropouts. Others have a year or two of college under their belts. More than a few are what might be called "underprivileged," and some have had encounters with the law.

They come to this historic, water-oriented county imbued with the idea of learning the ropes before beginning a career at sea as citizen sailors—professional seafarers. Open to young men of all races, creeds, and colors, the school is funded solely by the maritime industry—an industry that is aware of the need for highly skilled manpower to operate the new, technologically sophisticated merchant ships that are now replacing the cumbersome and aged World War II fleet.

Neither federal, nor state, nor local tax

moneys are used by the school, the largest training center for unlicensed merchant seamen in the United States.

In setting up their pioneering academic program, the school sought accreditation from the Maryland State Department of Education, also approval of a GED testing center at the Piney Point facility. Until then, no one in St. Mary's County has made a serious attempt to get a test site for the Mother County. The nearest one was in Upper Marlboro, two counties away.

Hesitantly but finally the state granted the accreditation, but a wall of opposition from certain quarters in the county prevented the school from being designated a GED test site. Instead, the center was set up at a local high school.

Meanwhile, the Lundeberg School pressed forward with its academic program designed to give individualized preparation for the two-day tests conducted by the State Department of Education in English, social studies, general science, mathematics, and literature.

The school expanded its teaching staff to form an Academics Department of highly trained, dedicated teachers headed up by Hazel Brown, a remedial-reading expert who developed the curriculum currently in use at the school.

The school's first GED class last December earned three diplomas out of four candidates. The second group in January garnered four diplomas out of five candidates, and the class that took the examination in February had six out of eight who passed. Then, in April, a record-setting group of 12 students completed the tests, and all 12 passed. One youth scored 344 in the battery of tests, placing him in the top 3 percent in the national average for the rigid examinations. Another scored 332.

Miss Brown, who holds a master's degree in education from Penn State, attributed the record-making GED scores to "the desire of these young men to achieve, and to the philosophy of our school which is to give them every opportunity to grow, and to develop their maximum potential."

ELECTRIC EFFECT

She recalls now that when the results of the tests were made known to the other trainees then studying for their examinations, "they had an electric effect. All of them knew that by working diligently they could earn the high-school degree that escaped them earlier."

From then on everyone—staff and trainees—knew they had a winner on their hands in the Lundeberg GED program. A second GED test site was located in the county to accommodate the Lundeberg students who no longer had to make the 60-mile trip to Upper Marlboro. And the test scores continued to register above average.

Of the 111 Lundeberg youths who have taken the GED tests this year, 100, or 90 percent, have passed. This compares with a national average of only about 30 percent.

Why this fantastic success at the Lundeberg School?

John Tregler, the 18-year-old Lakeland, Fla., youth who became the 100th trainee to get his high-school diploma at the seamanship school, attributes it to hard work, proper motivation, and a willingness on the part of the teaching staff to do all within their power to prepare the students for the tests.

"When you need help, they'll even come back at night, after classes are through, to help you," he said. "For example, last Sunday night, Miss King, the mathematics teacher, came in to help us with our studies. She didn't have to come in, on her day off—but she did."

Tregler, who dropped out of public schools after the 9th grade, faults public education for having "too many students in a classroom, not enough facilities, not enough teachers."

SUCCESS FACTORS

Miss Brown says a lot of things account for the success of the HLS program.

"First of all, the motivation is there. Our students know they'll have a job at the end of their 12-week stay here whether they pass their GED exams or not. This takes the pressure off him. Without this fear of failure, he can relax and work at his own speed," she said.

"Then there's the school environment. The Lundeberg campus is so unlike his past school experience. Classes are small and informal and held aboard a ship. He is made to feel at ease. I've always believed that a student will do much better in his studies if he is relaxed. If you tense up, you can't do your best.

"The small classes let the teacher know each student, and they can take a personal interest in each one. In a public school, the teacher has too many students to get to know each well.

"There are other educational factors. We use a method called 'prescription.' We give a prospective GED student diagnostic tests, which indicate what he knows and what he doesn't know about a particular subject. Then the teacher can work on strengthening those weak areas.

"We give them only the basics. Our teachers all have a personal interest in their students, and they're all enthusiastic about the program. This is sometimes referred to as the Hawthorne effect in educational circles: they know they're involved in an extraordinary project here. It's not the routine humdrum you find in so many public schools. As a result, they try all the harder to succeed with their students.

"Finally, we never have to nag our students or beg them to study. We make them understand that if they don't study they're not hurting us. They're only hurting themselves. We really make them responsible for their own learning," she said.

"These 100 young men who came to us as discouraged public-school dropouts are now able to face the future with a new outlook," she adds. "The doors which can be opened with a high-school diploma are no longer closed to them.

"Life now holds new challenges rather than a series of past defeats. Helping these young men to find a brighter world is certainly rewarding."

You know you're a success when others follow you. Since the Lundeberg School set up its GED program, the county has expanded its adult evening education program. Two weeks ago, the Naval Air Station at nearby Patuxent River contracted with the St. Mary's County Board of Education to teach GED courses.

The program is so successful that the school plans to extend it to include veteran merchant seamen who would receive a package of GED materials to study during long voyages. After studying on his own, the seafarer would come to Piney Point, and review the courses prior to taking the GED battery of tests.

"We feel the experience we've gained working with these first 100 students is sufficient to go ahead with a pilot program," said Miss Brown.

Cornelius P. Turner, Director of the American Council on Education which administers the GED program, an independent body unattached to the State of Maryland or the federal government, congratulated the Lundeberg School on the occasion of its 100th GED graduate, and commended the school for its progress despite obstacles.

"You are doing an excellent job in qualifying young men for admission to college or for admission to more advanced educational opportunities. Achievement of satisfactory scores on the GED tests means, too, a better chance for job promotion. The program at

the Lundeberg School is a model for the country," he said.

The Lundeberg experience proves that one person or one organization can still perform wonders where there is determination to help others better their lot in life.

"Our involvement in education created and stimulated enough interest in the community so that it took action, and started programs of their own," Miss Brown pointed out.

"I would wish now that the efforts being made in all the different educational institutions in the county and the state could share what they're doing so that we could all benefit from each other's successes. Let's cooperate and collaborate. We're all trying to educate the boy who needs it."

PHANTOM JETS FOR ISRAEL

HON. WILLIAM S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1971

Mr. BROOMFIELD. Mr. Speaker, I rise today to introduce along with many of my distinguished colleagues a resolution calling for the immediate shipment of F-4 Phantom jets to Israel in order to maintain the arms balance in the Middle East.

We are well aware that the Soviet Government is contributing to a military buildup in Egypt with the most sophisticated weaponry in their arsenal. Growing evidence of Arab preparations for a canal crossing including the presence of some 20,000 Soviet military personnel, including combat pilots, has made the Mideast truce ever more precarious. These facts are compounded by continued Egyptian refusal to negotiate with the Israelis, or to settle for anything less than Israeli withdrawal from every inch of territory acquired after the 6-day war—a war forced upon Israel by Egypt.

These examples and many more present a grave situation which must be resolved by supplying Israel with the necessary means with which to deter Soviet and Arab miscalculations which would lead to renewed hostilities.

It is rare to find Congress so united on such a vital issue as this. It is indeed important that we act swiftly and with the idea that this bill will balance the power so as to generate the proper climate for a negotiated settlement. There will be no compromise from Egypt as long as President Sadat believes all he must do is maintain his intransigence and let the United States continue to whittle away at Israel's position.

Peace has been maintained in the Middle East, because of a show of strength. The Arab nations know this. Israel knows this. Russia and this country are well aware that for successful peace negotiations, all parties must show a strong defense. Furthermore, any weakness of our commitment to Israel greatly enhances Soviet power and weakens friendly relations with other governments in the Middle East, Africa, and Europe.

This resolution will help to make it clear that there can be no dreams of a quick or easy military trust against

Israel as a substitute for good-faith negotiations.

The language of this resolution is clear. The first objective is the maintenance of Israel's military capability so that the Soviet Union and the Arab states do not think they can overwhelm her militarily. Second, and most immediately, our government should supply Israel with the Phantom aircraft to maintain her deterrent capabilities.

To conclude, Mr. Speaker, we share a common commitment—the commitment to freedom, to liberty, and the welfare of humanity.

MORE TRIBUTE FOR SENATOR JOHN C. STENNIS

Hon. G. V. (SONNY) MONTGOMERY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1971

Mr. MONTGOMERY. Mr. Speaker. In recent weeks, Senator JOHN C. STENNIS has been constantly in the news because of the yeoman service he has provided as chairman of the Senate Armed Services Committee. A man of outstanding capabilities and great dedication, he has been put to the test in gaining approval of the extension of the Selective Service Act and the military procurement authorization for fiscal year 1972. Through his persuasive oratory, grasp of all pertinent facts, and willingness to spend long hours in the Senate Chamber, Senator STENNIS was able to gain approval of these two bills which mean so much to our Nation's security. There have been numerous articles on this truly outstanding American. I would like to share the following Los Angeles Times syndicated article which appeared in the Meridian, Miss., Star. I am also particularly pleased that Senator STENNIS resides in my congressional district and I have the honor of representing him in the House of Representatives. The article to which I referred is as follows:

"I GOT THROUGH ON ONE ASPIRIN TABLET" . . . STENNIS

WASHINGTON.—It was an ordeal that would have taxed if not exhausted many a far younger man. But at age 70, John Cornelius Stennis showed few traces of having spent 10 weeks in the eye of the Senate's fiercest storms this year.

"I got through" the whole thing on one aspirin tablet," the tall and husky Mississippi Democrat said with a grin as his ordeal ended last week—at least for the moment.

As chairman of the Senate Armed Services Committee, it fell to Stennis to be floor manager of the year's two most controversial pieces of legislation—the extension of the draft and the \$21 billion defense procurement bill.

These are supposed to be difficult times for the military-industrial complex. If so, it was hardly evident at the end as Stennis steered both bills to passage still essentially intact. But there were some trying and uncertain moments.

While the two bills were being debated, Stennis was seldom more than a few feet away from his center aisle desk toward the rear of the Senate chamber. Sometimes that meant being in the Senate by 9 or 10 o'clock in the morning and staying there until dusk.

In the lexicon of his stern Southern Presbyterian heritage, staying means just

that to Stennis. Other senators could offer their amendments, savour the headlines for a few days and then drift off to less demanding pursuits. But not Stennis.

CAMPAIGN PLEDGE

Since he was first elected to the Senate in 1947, after 10 years as a Mississippi circuit court judge, Stennis has campaigned on the pledge: "I will plow a straight furrow right down to the end of my row."

That was his style in the draft and procurement debates. He plowed through to the end until he won. But those who confronted him were reminded more of an encounter with a heavy tank than with a plow.

During the seven weeks the draft bill was before the Senate last summer, 54 amendments were offered to it. When it returned from a Senate-House conference for another week of debate a strenuous effort was made to kill it. More than 30 amendments were voted on during the two-week debate on the procurement bill.

USUALLY WON

Stennis, who strives to keep his bills in the form they emerge from his committee, opposed most of the amendments. He usually won in roll-call showdowns.

It became a familiar scene. Stennis, in his dark blue pinstripe suit, white shirt and red tie, standing legs spread by his desk and pumping his arms as he lectured his colleagues. Unlike most senators, Stennis shuns the small microphone attached to each desk as part of the Senate's new sound amplifying system. The cord hinders his movements and he doesn't need it.

When Stennis is aroused, his deep Dixie baritone can be heard booming even outside the chamber.

He is not a particularly eloquent speaker. His voice has a gravelly quality to it. He constantly repeats himself, either single words or whole phrases. He sometimes doesn't complete a sentence.

Yet far more often than not he wins his debates where it counts—on the roll-call vote. Although some senators tend to demagogue on national security, Stennis doesn't win his victories that way. Indeed, he is a far cry from the man he succeeded, the late Theodore G. Bilbo, one of the ablest rabble-rousers of the century.

DILIGENT HOMEWORK

While Stennis occasionally resorts to hyperbole, even his few critics credit his victories more to diligent homework than anything else. Since he came within a single vote of being defeated two years on authorization of the Safeguard Antiballistic Missile System, Stennis has fended off by wide margins every major attempt to slash defense spending.

He wins by overwhelming his opponents with facts.

His opponents frequently challenge his facts but have little success in disproving them. Since defense spending began coming under fire in the past three years, Pentagon critics have shown increasing sophistication in their attacks on costly and esoteric weapons systems.

But thus far they have largely failed to convince a majority of the Senate that they know as much about the subject as the chairman of the Armed Services Committee.

Since his near-defeat on the ABM in 1969, Stennis also has managed to undercut his opponents by giving the defense budget far closer scrutiny than in years past.

His only major defeats this year were on non-spending issues.

They involved Vietnam and were the handiwork of one of the very few men who can match Stennis in prestige and the Senate's esteem—majority leader Mike Mansfield (D-Mont.).

Mansfield persuaded the Senate on two occasions to adopt his amendment imposing

a fixed deadline for the withdrawal of all U.S. forces from Indochina, subject only to the release of U.S. war prisoners.

Although Stennis strenuously opposed both amendments as instruments that limited the President's flexibility, he has the distinction of being one of the first in the Senate to warn against U.S. involvement in Indochina.

WARNED SENATE

As far back as 1954, when the Eisenhower administration was contemplating intervention to prevent a French disaster in Indochina, Stennis warned against such a move. In a Senate speech that year, Stennis said committing U.S. ground forces in Indochina could lead to "a long, costly and indecisive war that left us without victory."

But once the decision for large-scale commitment was made 11 years later, Stennis became a loyal supporter of U.S. involvement.

In recent weeks, Stennis has shown another paradoxical side to his character. Despite his reputation as a champion of the Pentagon, Stennis joined such outspoken war critics as Sens. J. William Fulbright (D-Ark.) and Jacob K. Javits (R-N.Y.) in advocating legislation to reassert the war-making power of Congress.

EXPULSION OF NATIONALIST CHINA FROM THE U.N.

HON. J. HERBERT BURKE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1971

Mr. BURKE of Florida. Mr. Speaker, today I wrote to the Secretary of State, Mr. William Rogers, requesting the State Department take steps to correct the gross inequities practiced in the United Nations, which existed prior to the expulsion of Nationalist China from the United Nations.

In my letter I suggested:

(1) The U.S. initiate a move to immediately expel Byelorussia, and the Ukraine, puppet states of the Soviet Union, each of which has held General Assembly votes for these past many years.

(2) Review and possibly expel member nations guilty of repeated violations of the UN charter, including lack of dues payments to the organization, and

(3) Reduce the American contribution to the world body in line with the populations of other nations such as Red China, Russia and India.

The action taken by the U.N. in expelling Nationalist China, a charter member in good standing should bring to the fore the gross inequities that have been taking place in the past in this so-called "Peace Body."

I think the majority of the people of the United States were willing to accept the admission of Red China into the United Nations but were shocked at the treatment given the Republic of China, our good friend and ally.

I feel strongly that the gross inequities of this body such as allowing participating members to fall behind on their payments and the imposition of economic sanctions like the restrictions on the purchase of Rhodesian goods, should be examined and brought to light immediately.

The American taxpayers have had

enough economic burdens to carry without paying the bulk of the U.N. operating costs. Now we find that we have financed a debating society of national representatives who are endeared to international communism. It is bitter fruit indeed.

Further, the expulsion of Nationalist China could well be a prelude to the expulsion of other members in good standing such as South Africa who may well be the next victim in this "new game of United Nations red tainted musical chairs."

The idea of seating Red China in the first place was to make the U.N. representative of all the nations representing the world's population. This great hope has now been shattered because the U.N. not only refused to recognize the reality of two Chinas, but expelled a member nation larger than 131 remaining nations in population. It is even more revealing to note that the population of Free China is seven times larger than Albania, the leader of the expulsion fight to remove it from the U.N. Three-fourths of the U.N. membership have fewer people than Free China. That plus the fact that the Republic of China was an original signator of the U.N. Charter makes its repulsion a regrettable use of the U.N.

I have in the past often stated that the Communist countries use the U.N. as a sounding board for communist propaganda. I have further stated that I felt that we should stop paying the freight for the operation of the U.N. until some of the other countries, including the U.S.S.R., start paying. It is my opinion, also, that the U.N. has failed in its original purpose and in the purpose of the world when it was organized—that the U.N. comprised of all world nations would be able to maintain world peace.

REAPPRAISAL OF U.S. POLICY TOWARD THE TWO CHINAS IS NEEDED

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1971

Mr. WOLFF. Mr. Speaker, I am certain that many of my colleagues shared my surprise and shock this past Monday when the United Nations voted to expel Taiwan from its membership. The New York Times discussed the meaning and impact of this action in an editorial today, which I include for the benefit of my colleagues. This article calls for a careful examination of U.S. policy toward both Chinas, and emphasizes the importance of continuing our friendship and close ties with Taiwan, while at the same time seeking better relations with the mainland.

I think this article, which follows, succeeds in placing in their proper perspective many of the questions that have arisen as a result of Monday's U.N. vote.

[From the New York Times, Oct. 27, 1971]

CHINA IN THE UNITED NATIONS

The admission of Communist China to the United Nations is a historic step that was

long overdue; but the way in which this act was accomplished reflected little credit on the U.N., did deep injustice to a member government in good standing and could, if regarded as a precedent, be dangerous to other states in the future.

This newspaper has urged for years that Communist China be admitted to the United Nations, and we warmly welcome the recent switch in Administration policy to this end. In fact, the desirability of mainland China's admission was not seriously questioned by any major country in the debate leading up to Monday night's fateful vote. But to have deprived another government in good standing of its representation, in deference to Communist China's demand, was quite another proposition; and the U.N.'s acquiescence in this demand—"to expel forthwith the representative of Chiang Kai-shek"—was in our view to place expediency far above principle.

It is quite true that Chiang Kai-shek's representatives do not speak for more than a minority of the people of Taiwan, but neither do those of the Communist Government of China. The choice between the two Chinas should have been left to the Chinese and Taiwanese; this was certainly not a matter for the U.N. to decide. Yet what the U.N. did was, in effect, to expel Taiwan in order to open the door to Communist China on her own terms. It seems to us that this was an unconscionable move, in no way justified by the obvious desirability that Peking participate in the work of the United Nations. On the contrary, expulsion of one government controlling only 14 million people in order to admit another controlling 700 million, more or less, seems to us to have been a callous act of appeasement of dubious morality.

But a majority thought otherwise, the votes were taken, and the issue is now at last settled. Having stubbornly pursued an indefensible policy on the China problem for no less than twenty years, the United States found its position as well as its influence eroded when this Administration suddenly reversed itself and belatedly fought to couple justice with realism.

Though the effort did not succeed and the United States has now for the first time completely lost a major battle in the U.N., it would be the height of folly for this country to retaliate against the U.N. itself as some members of Congress—notably Senator Buckley of New York—are now advocating. To reduce American financial support of the U.N. at this juncture, because the United States has not had its way, would be the antithesis of democratic action—analogueous to a Senator resigning from Congress because a bill he had fought and bled for failed to pass. The United Nations is, in fact, in the midst of a financial crisis; and this is the time for the United States not only to refuse to reduce but even to strengthen its support and to restate its loyalty to the principles of the U.N., which still remains the world's only universal—or, almost universal—forum.

The profound shift in power reflected in Monday night's voting may not be unhealthy for the United States in the long run, and may actually lead to a better and sounder relationship between this country and its friends and allies, who have now proved once and for all that they have an independent policy and are not necessarily amenable to American pressures. A relationship of greater mutual respect could ensue.

Meanwhile, the United States must not desert Taiwan while continuing its present policy of opening the doors to mainland China—a policy, be it noted, to which Peking has maintained its warm response throughout the Taiwan debate, at the very moment the United States was ardently supporting retention of Taiwan's membership. This attitude might suggest that, to Peking, Taiwan's

status in the U.N. was secondary in importance to proceeding with the dialogue with the United States. This dialogue should surely go ahead irrespective of events at Turtle Bay, with the ultimate goal the establishment of full-scale diplomatic relations with the Government of mainland China.

THE AMERICAN WINE INDUSTRY

HON. JOHN H. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1971

Mr. DENT. Mr. Speaker, in the Washington Merry-Go-Round syndicated column of the Washington Post, Saturday, October 23 issue, the public was reminded once again of the many injustices that are perpetrated upon one of America's oldest and proudest industries. I am speaking of the American wine industry.

For more than a century, grape farmers from coast to coast have gone virtually unheralded for their efforts in producing some of the world's finest wines and vintages. A few years ago the Department of State began encouraging the use of American wines by Foreign Service personnel around the world. It was only natural that once sampled, the demand for fine American wine would provide America with still another exportable commodity.

Ironically, there has been a concerted effort by some foreign wine producing countries to disclaim the merits of American wine and to make it all but impossible to market American wines in these countries. At the same time, wine producers of those countries have been enjoying the fruits of the American market for their products with little or no restriction.

Because of my own interest in wines as a hobby and because wine is a part of the Italian culture, I am prompted to take this occasion to state that this Congress must take the necessary steps to ensure a fair and equitable opportunity for the American farmers who derive their living from growing grapes and making wine.

I sincerely believe that wines imported into the United States should have to meet the same standards put upon American wines being exported.

The importer of foreign wines into America, for instance, should be held liable for false labeling and misrepresentations. I would like to point out to my colleagues that Algeria is a major world producer of wines. However, you seldom see a bottle of Algerian wine on the shelf of a wine shop. I suggest that much of that wine enters the United States under the label of a more prominent wine producing country.

Further, I believe there is no excuse for allowing a bottle of foreign wine containing less than a full measure to be marketed in the United States. The practice of permitting 23.6 ounces of foreign wine to be sold as an American "fifth" is a flagrant violation of consumers' rights.

I think also that there is no acceptable explanation for allowing foreign wines to be served or sold in U.S. military clubs and commissaries. I am especially disturbed by the accounts of large volumes of French wines being handled by American facilities in Vietnam.

Lastly, I believe that the President should support his own economic suggestions by serving only American wines in the White House and ordering similar standards for all official U.S. facilities.

Mr. Speaker, I do not believe that the American grape farmer has ever asked for any concessions—but I believe we, the Congress, have the obligation to ensure his rights to equal and fair market practices and to protect his product from imports that are not meeting the same standards by which the American vintner must abide.

The article to which I referred follows:

WINE SWINDLE?

America's vintners are popping their corks over the French wine industry's insistence that France have its wine and drink it, too.

The French government has put up such stiff regulations on American wines that none get into France. Yet most of Europe's \$140 million in wine exports to the U.S. come from France.

On top of this, the French bottlers usually send over only 23.6 ounces per bottle. This is advertised as a "fifth," though it is short two ounces. U.S. winemakers by law must put a full 25.6 ounces in their bottles. Thus, American winebibbers must buy 13 bottles of European wine to get the same volume as contained in 12 bottles of American vintages.

Next Tuesday, the Internal Revenue Service will hold hearings to determine whether to require European wine men to squeeze out a full measure of grapes if they want to send their wine to America.

HEROISM OF 21-YEAR-OLD YOUTH

HON. BARRY M. GOLDWATER, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1971

Mr. GOLDWATER. Mr. Speaker, too often, as public officials, we seem to be concerned with the problems of our youth to the virtual exclusion of their good, and sometimes even great, achievements.

Earlier this year, Tom Wallace, 21 years of age, demonstrated outstanding heroism on a lonely beach on the northern coast of California. The following personal account from Irving Grossman, a constituent of mine from Canoga Park, Calif., pays tribute to Tom's courageous act. The life Tom saved was Mr. Grossman's:

CANOGA PARK, CALIF.

DEAR MR. GOLDWATER: I am writing this letter to you in hopes that you will be able to help me recognize the heroism of a 21-year-old boy who was instrumental in helping to save my life.

On the evening of June 27, 1971, I was involved in the crash of a DC-3 carrying sales personnel involved in the sale of land at Shelter Cove, in Humboldt County. This crash was responsible for the deaths of 16 passengers with only 7 survivors.

The crash occurred at approximately 7:15 p.m. immediately off shore from the cove in a pounding surf and surrounded by steep

cliffs which prevented small craft from coming to the rescue as quickly as possible.

In the crash I suffered a broken hip of the right leg, severe lacerations of the left leg, a severely damaged left hand and a crushed right wrist. I mention these injuries to show the condition which I was in. Despite this condition I managed to leave the wreckage and cling to a piece of driftwood in water which must have been somewhere in the near forties.

While I cannot recall how long I drifted in this matter, I later found out that several deaths occurred to uninjured passengers who managed to swim to the cliffs and they were unable, because of the high seas and rough terrain, to be rescued.

I was reaching the point where I no longer felt able to maintain my precarious hold on the driftwood and at that point Tom Wallace of Redway, Humboldt County appeared on a surfboard and placed a safety belt around my neck giving me the extra time necessary for a boat to come to my rescue.

Tom was on a surfboard due to the difficulty the rescuers were having in getting boats to the wreckage of the plane. I am hoping that you will be of help to me in this attempt to thank Tom for my life.

Sincerely,

IRV GROSSMAN.

COLUMBUS DAY SPEECH

HON. F. BRADFORD MORSE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1971

Mr. MORSE. Mr. Speaker, I would like to share with my colleagues an address delivered to the Protocolary Session of the Organization of American States Permanent Council by U.S. Ambassador to the O.A.S., Joseph John Jova. Ambassador Jova's speech, presented on the occasion of our first celebration of Columbus Day as a national holiday, is a most perceptive and thoughtful call for greater understanding of all Americans—those of varying ethnic origins within our borders, and those Americans who live to the south of us. Ambassador Jova in his address, makes the very astute point that our understanding of our Latin American neighbors can be heightened substantially through a better understanding of our Hispanic citizen-brothers.

Like Ambassador Jova, I, too, am concerned about the welfare of Hispanic minorities within the United States, and I share his delight in steps taken by the administration to create a Cabinet Committee on Opportunity for the Spanish Speaking. I feel that my colleagues will benefit from Ambassador Jova's comments before the O.A.S., and include it in the RECORD:

COLUMBUS DAY SPEECH—BY AMBASSADOR JOSEPH JOHN JOVA, OCTOBER 12, 1971

Mr. Chairman, Excellencies and Fellow Members of the Council; Mr. Secretary General; Ladies and Gentlemen:

Today we honor once again the man who effectively discovered the Americas. I say effectively discovered because although some have questioned whether or not Christopher Columbus was indeed the first European to reach America, it was not until Columbus discovered the new world that it was established as a part of an already ancient kingdom, thus opening the way for the greatest

immigration that man has ever seen. It was an immigration primarily of Europeans, but also of Africans and Asians and eventually of peoples from all parts of the world, who joined with the ancient civilizations already flourishing in the hemisphere to form a new people, a new race, of this new world. An immigration not only of men but of ideas and concepts which established a new vision, a new approach to life, a new set of relationships, that make all of us today, the citizens and peoples of the Americas, different and distinct from the old world nations from which we sprang and to which we owe so much.

Christopher Columbus, as a man, very appropriately symbolizes the new world. He was born to a poor family, without social or financial connections, and he was in a very real sense a self-made man. More than that, he was a man with vision. He had the audacity to plan and execute an expedition without precedent in history. It is fitting that we honor him not only for his accomplishment, but for those qualities of spirit and character which we have come to associate with the new man of the new world.

In honoring Christopher Columbus we also honor his birthplace—that Italy which almost from first recorded history has contributed, and continues to contribute, so much of the qualities of genius to mankind. We also honor Spain. Columbus sailed under letters patent issued by Isabel, known in history as the Catholic Queen. His expedition was financed by Spain, it sailed in Spanish ships manned by Spanish seamen. Most important of all, he brought with him the beginnings of that exploratory fervor, that missionary zeal, that colonizing spirit which was at one time or another to extend the Spanish Empire over great portions of this hemisphere. *A Castilla y a Leon Nuevo Mundo dio Colon.*

As I pointed out in this very hall on the occasion of the death of that great Frenchman, General de Gaulle, our hemisphere, and hence our Organization, has many Fatherlands: France, which not only colonized but continues to enrich us culturally; Portugal, small geographically, but with an unparalleled energy and valor extended itself to all parts of the globe; England, that guardian of the tradition of liberty and freedom, and which must always have a unique place in the heart of my country and those of its fellow English speaking nations of the hemisphere; and of course Spain, whose name it is especially fitting that we honor today. For, thanks to the voyages of discovery of Columbus and his successors, we all of us in one way or another are the children of Spain. It is useful to remember that the United States has the fifth largest Spanish speaking population of any nation in the world, surpassed only by Spain itself, by Mexico, by Argentina and by Colombia. As President Nixon said when he proclaimed the week of September 12 to 18 as National Hispanic Heritage Week, "From the earliest period of the exploration of our country, men and women of Hispanic origin and descent have contributed significantly to the development of our nationality. The names of many of our cities, states and scenic resources testify to that contribution. In fact, the oldest city in the United States, St. Augustine, Florida, was founded by Spanish explorers in 1565—406 years ago. Our Hispanic heritage touches every aspect of our daily lives, from the origin of our currency system to our architecture and cuisine. The voyages of Spanish explorers to the New World are a common starting point for our studies of American history in our schools. Americans of Hispanic origin and descent have served our country throughout our State, local and national governments with distinction—and continue to do so today."

I am honored to be one of these very Americans of Hispanic origin and descent to

whom President Nixon referred, and I am proud to be serving my country in this position which is so vital to inter-American understanding. But on this *Dia de la Raza* I am even more convinced that we can attain a true understanding of our neighbors in Latin America only through first understanding our own Hispanic citizen-brothers. For this reason, I am delighted by the steps my Government has taken in creating the Cabinet Committee on Opportunity for the Spanish Speaking, and by President Nixon's action in naming his Counselor, Robert H. Finch, as liaison officer with the Hispanic minorities. To attain such understanding, and to redress injustice is the pledge we renew on this Columbus Day.

For our Hispanic heritage is the living and eternal memorial of my country to the bold and adventurous spirit of that great navigator and explorer, the Admiral of the ocean seas, Christopher Columbus. And it is a heritage shared by all the nations who form this Organization. Ralph Bradford, an American poet, wrote the following passage on Columbus:

"Brave Christopher, who journeyed west Seeking the east; bold Genoese Who sought upon the ocean seas A bridge to riches and renown For self and queen and Spanish crown— But more, who carried in his heart A dream to match his Latin name Of Christo-ferens; his the part Beyond all search for wealth and fame To carry Christ wherever he went On sea or isle or continent."

Mr. Chairman, Ladies and Gentlemen:

It is an honor for me to bring you on this day the cordial personal greetings of the President of the United States. Columbus Day has long been celebrated in my country but it has never until now been a national holiday. It was proclaimed as such by President Nixon. His proclamation, dated August 31, reads, in part:

"On Columbus Day, 1971, we honor once more the memory of the great captain whose historic voyages led to the migration of peoples to the New World and brought fresh promises of liberty and freedom to the Old.

"In this present age of epic journeys in space, we can appreciate more than ever the great achievements of Christopher Columbus. An intrepid explorer, a supreme navigator, but above all a man of unshakeable faith and courage, this son of Italy sailed in the service of the Spanish crown on a mission that forever broadened man's hopes and horizons.

"We take pride in commemorating the vision and determination of Christopher Columbus, and carry forward his spirit of exploration as part of our national heritage.

"Now, therefore, I Richard Nixon, President of the United States of America, do hereby designate Monday, October 11, 1971, as Columbus Day; and I invite the people of this Nation to observe that day in schools, churches, and other suitable places with appropriate ceremonies in honor of the great explorer."

SPIRIT OF A FREE AMERICA

HON. JOHN J. DUNCAN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1971

Mr. DUNCAN. Mr. Speaker, over the Veterans Day holiday it was my great pleasure to visit five schools in my congressional district.

On Friday morning I visited Fort Sanders School and the Lutheran School

in Knoxville, Tenn., and that afternoon I visited the Sam Houston School in Blount County.

On Monday, Veterans Day, I was privileged to participate in a Veterans Day parade in Knoxville, and later to visit the Eagleton Junior High School and the Chilhowe View School in Blount County.

At each of these five schools the young people presented patriotic programs, their hands played patriotic music, and patriotism was the theme of their readings and songs. At each school I presented an American flag that had flown over the U.S. Capitol.

At the Fort Sanders School Bill Snodgrass and Kelle Shultz recited poems they had written. I think you would enjoy these poems as much as I did:

OLD GLORY

(By Kelle Schultz)

Old Glory is the flag we fly,
It wears red, white, and blue.
We hope this glory does not die,
As we change from old to new.

As we change from old to new
Who wear who we'll be.
We may be called the smallest nation,
Or some other silly name.
But I love this great large nation,
Who wears red, white, and blue.

PATRIOTISM

(By Bill Snodgrass)

Once I saw a flag, a sailing in the distance.
Bombs were in the air,
Exploding everywhere.
The men under the flag were brave and
resistant.
That was clear to see.
They wouldn't take that flag down for you or
me.
Next day all lay quiet, the fighting men all
dead.
That's why there's red in the flag.
For the blood which has been shed.
But still that flag was sailing,
Even if it had so many holes.
So that's why there's white in the flag,
For those who lost their lives,
Yet never their American freedom
Or their American souls.

Mr. Speaker, I am pleased that I represent a district that still reflects the spirit of a free America. These people believe it is still fashionable to demonstrate patriotism, and they, and I, still get a thrill with the playing of the National Anthem and the presentation of the flag.

I have nothing to fear about the future of our Nation so long as I know that most young people throughout our land are pretty much as those who live in the Second District of Tennessee.

It is people like this who will plow the new ground, climb the mountains, and put rivets into our drums of the future.

VISION OF FREEDOM REMAINS FOR
HUNGARIAN FREEDOM FIGHTERS

HON. BARRY M. GOLDWATER, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1971

Mr. GOLDWATER. Mr. Speaker, the Hungarian Freedom Fighters' Parliament met this past weekend in New York

as part of the World Congress of Hungarian Freedom Fighters.

These brave men observed the 15th anniversary of an event which should remain at the forefront of our consciousness at all times—the gallant fight of the Hungarian people against their Communist oppressors.

We tend to take freedom for granted in this country. I think we should stop and observe this 15th anniversary, and look at its true meaning. We should remember that a Nation so valued freedom that it fought against overwhelming odds—even to the point of fighting tanks with their bare hands. These are people who know the true meaning of freedom, who would sacrifice their lives for this great ideal. Their example should give us renewed dedication to work for freedom for all enslaved peoples.

Mr. Speaker, I would like at this time to insert the text of the resolution adopted by the World Congress. I think it speaks very clearly of the desires for freedom that remain strong in the Hungarians' hearts.

The resolution follows:

RESOLUTION ADOPTED AT THE NINTH WORLD
CONGRESS OF THE HUNGARIAN FREEDOM
FIGHTERS (NEMZETOR) WORLD FEDERATION

In the perspective of the past fifteen years it becomes more and more obvious that the Hungarian Revolution and Freedom Fight of 1956 was the most outstanding history-shaping event of the Twentieth Century.

We Hungarian Freedom Fighters as well as all freedom loving peoples of the world condemn the treacherous attacks of the Soviet Union on the Hungarian people in October-November 1956 and protest against the continued occupation of Hungary. We solemnly remind the world of the fact that these attacks as well as the continued colonial rule of Hungary was and still is made possible only by the inaction, indifference and lack of understanding of their responsibilities of the still free nations of the world.

It must be emphasized before the peoples of the world that the present authorities in Hungary were imposed into power by the armed forces of the Soviet Union, and are maintained in power by the Soviet occupation forces against the expressed and manifested will of the Hungarian people and that the Hungarian people have no desire to participate in or to give support to such a Soviet-imposed Communist regime.

Therefore, we call upon the Peoples and Governments of the Free World to support the demands listed hereafter at the proper international forums:

1. Soviet troops to be withdrawn from the territory of Hungary without delay.
2. Law and order is to be maintained in the country after the withdrawal of Soviet troops by an international force that will observe the sovereignty of the country.
3. Free and secret elections to be held under international supervision to elect a truly representative Hungarian Parliament. A new representative Government be formed based on the results of these elections with the aim to lay the foundations of a free and democratic Hungary in accordance with the aims and purposes of the Hungarian Revolution and Freedom Fight of 1956.
4. People formerly sentenced for their participation in the Hungarian Revolution and Freedom Fight be rehabilitated.
5. Return of Hungarian citizens who were deported to the Soviet Union before and after the events of 1956.
6. An International Commission be sent to Transylvania, and to all other countries bordering Hungary with substantial Hun-

garian population to investigate and to bring to a stop the genocide of Hungarians there.

7. The Abortion Decree of Hungary be immediately revoked so the future of the Hungarian Nation will not be murderously undermined.

8. Rehabilitation and unconditional return of Jozsef Cardinal Mindszenty, primate of Hungary, to his seat in Esztergom.

We firmly believe that as long as these demands have not been fulfilled, the Hungarian question cannot be considered solved and no true peace can be established in the world.

Those present at the Congress unanimously call upon the joint Central Committee of the Hungarian Freedom Fighters (Nemzetor) World Federation with the Hungarian October 23rd Movement and the Hungarian Freedom Fighters Parliament to act as their representative and spokesmen for all Hungarians.

ODON PONGRATZ,

President of Hungarian October 23
Movement.

ERNO HOKA,

Chairman of Hungarian Freedom
Fighters Parliament.

GERGELY PONGRAZ,

Chairman of the Hungarian Freedom
Fighters (Nemzetor) World Federation.

CONGRESSMAN TIERNAN EXPLAINS
THE NATIONAL POWER GRID ACT

HON. HERMAN BADILLO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1971

Mr. BADILLO. Mr. Speaker, last July three Members of the House—Congressman ROBERT TIERNAN of Rhode Island, Congressman JAMES ABOUREZK of South Dakota, and I joined with Senator LEE METCALF of Montana in introducing the National Power Grid Act—a bill which, in our judgment, is essential to the assurance of environmentally safe and economically reliable power for the future.

Throughout the many weeks in which this legislation was put together, the wisdom and sound judgment of my friend and colleague from Rhode Island (Mr. TIERNAN) was evident and I am pleased to present for inclusion in the RECORD, excerpts from a speech he gave last August at a meeting of the Northeast Public Power Association. These excerpts appeared in the magazine, Rural Electrification, and I commend them to the attention of our colleagues:

TIERNAN EXPLAINS NATIONAL POWER GRID ACT
This morning you have been discussing your involvement in the New England Power Pool (NEPOOL) which represents the industry's response to the need for a single system (in New England).

While I would be among the first to commend the industry for its good faith attempt to make such a system workable, there are substantial problems inherent in this type of structure which are not being, and probably never can be, resolved.

Mr. (Robert) Feragen (general manager of NEPPA) has analyzed these weaknesses very well in presenting your association's views to the New England Regional Commission.

I quote: "NEPOOL has found no way to exert the kind of control required to create a comprehensive optimized regional system. The consequences in terms of cost to the

public have not been assessed to our knowledge. But they are undoubtedly great."

Let me restate the basic problem, from which all the rest are derivative. As the Zinder Report* indicated, "each utility must view proposals from the viewpoint of the interests of its own customers and stockholders, which are not necessarily the same as those of New England."

There is, thus, no assurance in this concept that the fundamental objective of a single-system approach to regional power planning—based on regional interest being paramount—will be achieved.

No such system can operate effectively without centralized decision-making authority.

But because of their nature, investor-owned utilities are concerned primarily with their own economic considerations and only secondarily, if at all, with the needs of other utilities in the region.

Thus, true single-system operation becomes improbable, as is apparent in the delay in reaching agreement on how NEPOOL will operate and how its costs will be allocated among the member systems.

And even if a utility were willing to accept a decision of the pool, it might be unable to do so for reasons of financial or corporate incapacity or because of statutory limitations.

There is yet another reason why I do not consider a power pool, developed and owned primarily by the investor-owned utilities, the best means of implementing the single-system approach.

This hinges on public policy issues involved in the generation and transmission of electric power.

These issues are not primarily economic, and hence are unlikely to be maximized in any system where economic goals dominate, as they must for the investor-owned utilities.

The supply of electric power adequate to the need, reliable, and produced without harm to the environment, has become one of the basic necessities of life, and just as there has been a role for government in assuring the availability of other necessities, there is a role for government here.

I am the author of a bill recently introduced in Congress to establish a National Power Grid Corporation and regional bulk power supply agencies.

This, I feel, is a better approach to the establishment of single systems, not only in New England but throughout the country.

The bill's stated goal is to assure an adequate and reliable low-cost electric power supply consistent with the enhancement of environmental values and the preservation of competition in the electric power industry.

The bill would establish a public "National Power Grid Corporation" which would be responsible for the construction and operation of large-scale generating plants and a nationwide system of transmission lines.

The power available from the National Grid would be marketed to utilities in the various regions of the United States by "Regional Bulk Power Supply Corporations."

As the sole marketer of the National Grid's power, these corporations would be responsible for the construction and operation of transmission lines in the region for the purpose of distributing power to the utilities.

They would submit to the National Corporation each year a projection of their demand seven years in the future. The National Corporation would then contract with them to supply that amount of power.

*The Zinder Report was prepared by Zinder & Associates of Washington, D.C., for the New England Regional Commission, consisting of the governors of the six New England states and a Federal appointee. The report is an extensive study of New England power needs in the next 20 years.

Rates for power sold to Regional Corporations would be at the lowest level possible consistent with the responsibility of the National Corporation for environmental protection, on a postage stamp basis throughout the country, that is, a uniform rate irrespective of particular generating or transmission costs.

The Regional Corporations would charge for transmission on a simple unit-cost basis, taking into account the same environmental responsibility.

In this bill we think that we have implemented the recommendations of the New England Commission's report, with three major exceptions.

First of all, we do not take over the existing utilities in the region.

Secondly, we allow utilities to operate their own generation facilities, making participation in the National Grid optional.

And thirdly, we extend the benefits of regional and inter-regional coordination on a national basis.

Is such a National Corporation a better means of implementing the single system approach than a utility-established organization like NEPOOL?

I think that I have already partially answered that question in my discussion of the inadequacies of the New England Power Pool.

Apart from the economic considerations which affect the likelihood of establishing such a power pool, there are anti-trust considerations involved.

We in this country have committed ourselves to the theory that the best product or service at the lowest cost is most likely to be provided in a competitive system.

But time after time we have seen examples of concentrated industries which have stagnated and failed to keep pace with the technology in the field.

I do not believe we can look forward to the greatest possible advances in new technology and new operation methods from the establishment of a handful of regional monopolies in the electric power industry.

It is for that reason that I am opposed to the revision of existing state and Federal statutes to allow these power pools to develop in that direction.

Of course, the same parallel could be drawn for a publicly owned regional monopoly.

This affected my determination not to establish a single bulk power supply agency with exclusive responsibility for generation and transmission.

I am committed to the idea that the best possible electric service can be provided with a pluralistic system.

Recognizing, however, that the technology for producing electric power is such as to require some sort of concentration, we have adopted what we think is the best possible solution.

I would envision this public corporation working side by side with private utilities. In many cases they would be mutually reinforcing, the public corporation serving to extend the benefits of pooling and providing the pool members with an alternative reliable power source.

Similarly, the pools might contract with the public corporation to sell their excess capacity.

In situations where critical environmental issues were involved, the public corporation could step in to build generation facilities of a type not feasible for the private companies.

It should be apparent by now that the significance for the municipal, public power, and cooperative distribution facilities of such a National Grid Corporation is great.

One important benefit that accrues from the operation of such a system is the fact

that we can maintain a diverse electrical distribution industry in this country.

Obviously we are in a position now where municipal utilities, because of their very small size, are reliant on investor-owned utilities for the supply of power, a situation which is often very difficult for them.

One of the interesting findings of the New England Regional Commission's report was that the fragmented industry structure in New England was one of the major reasons that New Englanders paid one-third more for their power than consumers in other parts of the country.

However, the economies that result from the consolidation of this fragmented industry structure into a large single system operation exist only in generation and transmission, and not in distribution.

Therefore, the maintenance of the small public and private distribution systems would be assured without any adverse effect on the efficiency of the regional system.

I am certain we will be hearing alarmed reports that the passage of this bill would mean the nationalization of the electric power industry. But I think it is obvious to you gentlemen that this is not so.

My bill is an attempt to establish a beneficial relationship between government and private industry in assuring a service which is the responsibility of both.

The investor-owned utilities have resisted this partnership in the past and will probably continue to do so in the future.

Fresh in all of our memories is the experience of the private utilities' massive overkill of the Dickey-Lincoln Project, whose latest estimated benefit cost ratio was a glowing 1.9.

So obviously preferable to any alternative generation technique, the Dickey-Lincoln Project was resisted by the private utilities merely because it meant public involvement in a domain which had been heretofore completely their own. One wonders if they might be afraid of a little competition.

We do not seek to take over the facilities of the private industry. Indeed we have pointedly not done so. All we are saying is, in the field of generation, let us have a public alternative to the plans of the private utilities. . . .

ENVIRONMENTAL PROTECTION

HON. HASTINGS KEITH

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1971

Mr. KEITH. Mr. Speaker, we are in an era of great concern for our wildlife, natural resources, and environment. It is a concern which I share and which I have reflected throughout my congressional service.

In my attempts to legislate environmental controls and protection, I always sought the approach of balanced, multiple usage. We must continue to exploit and develop our natural energy resources. Our growing energy crisis makes that clear. At the same time we must control man's impact upon his environment. Our growing problems of pollution make that clear.

A recent address by Carroll P. Sheehan, commissioner of the department of commerce and development for the Commonwealth of Massachusetts underscores my point quite eloquently. It emphasizes the need for a sound working relationship and "marriage between environ-

mental control and other needs of our society, such as the maintenance and growth of a healthy economy."

I congratulate Mr. Sheehan for his well thought out work and I recommend it to the attention of my colleagues.

The address follows:

A BALANCED VIEW OF ENVIRONMENTAL PROTECTION WITHIN THE COMMONWEALTH OF MASSACHUSETTS

(By Commissioner Carroll P. Sheehan, Department of Commerce and Development)

I appreciate the opportunity which has been extended to me today to come before you and discuss the need for a balanced program of environmental controls for our society. My colleagues in government speaking here today have specific responsibilities defined by law which they must carry out to the best of their ability. I, too, have a responsibility under the law which must be carried out.

As Commissioner of the Department of Commerce and Development, I accept the need for environmental control in this most complex society. Today I would like to review with you my experience with environmental control and attempt, if possible, to bring about a marriage between environmental control and the other needs of our society, such as the maintenance and growth of a healthy economy.

I share the fear of many of those engaged in the field of environmental control, both in and out of government, that in some instances we are bordering upon environmental control overkill with our economic well-being as the victim. I am interested in making certain that a credibility gap does not become a reality between the general public and those interested in the protection of the environment.

You who are so vitally interested in the environment must understand that the most basic parts of any man's environment, more basic even than clean air and clean water, are man's ability to feed his family and provide adequate shelter for them. It is, therefore, imperative in the equation of environmental control that the economic impact upon the individual be part of that equation. It would be tragic indeed if all of the environmentalists in our nation were eventually faced with a hostile public scorning their efforts because of their failure to take into consideration the economic impact of environmental regulations.

This does not have to be the case, but we are already seeing examples of job loss through the lack of cost efficiency methods being applied to the science of ecology.

In the case of air pollution regulations here in the Commonwealth there is no direct relationship between air quality control and the use of low sulphur fuels by the consumer. Without a program of cost efficiency being applied to air quality standards, we have brought unnecessary costs to industry, the government and the general consumer. Those with the responsibility for air pollution control within the state government have made it clear that, except in certain specific areas of the state, the standards set by the national government for SO₂ pollutants have been met prior to the imposition of new lower sulphur contents in fuels beginning October 1. In spite of the overwhelming evidence to the contrary, the Massachusetts Public Health Council, without regard for the total needs of our economy, have imposed strict regulations in this matter. What are the results of this action?

In increased fuel costs alone, we in the Department of Commerce and Development say that, in the coming year in Massachusetts, consumers, whether a public utility, an industrial user of fuel or the general consumer, will bear an increased cost of more than seventy million dollars. The imposition

of a 1% sulphur content outside the greater Boston area, where much of the state's industrial potential is located, has caused power companies to abandon established fuel purchase contracts, thus causing them to pay a higher price for fuel. It is estimated that power company costs passed along to the consumer will increase electrical energy bills to the consumer between 15% and 20%. These increased costs to an already overburdened industrial community will cause a number of companies to close or to remove their operation from our state.

As part of my responsibility to the people of Massachusetts, I must say that in all candor a good part of this loss of industrial employment is unnecessary. To be specific, some of the largest employers in the state have informed me that a number of their operations will be curtailed or removed from Massachusetts to areas not only in other states but throughout the world. It is a sad fact that in air quality control, without cost efficiency being applied, the greater degree of enforcement overkill which is applied the less the desired results are obtained.

I would like to cite one particular example of one industry in our state which for more than 75 years has employed upwards of 7,000 people in one location. Its present employment is 2,200. It is located in an area which for ten miles around has very little industrial activity. If we keep in mind that the desired result is to bring down the SO₂ content in the air to manageable levels, then it does not make any sense to take one industry in a very isolated area and cause mechanical compliance having nothing to do with the air pollution in the area. The cost to this company for mechanical compliance is approximately a half million dollars.

The same company has a newer and more efficient foundry unit in a southern state which can do the work being done presently in Massachusetts. The management informs me that they are coming very close to a decision which will cost the loss of jobs to 600 people employed in this Massachusetts foundry. If we multiply these 600 jobs by the thousands of others who will be affected by job losses, it will not be long before favorable public opinion is lost for the desired portions of environmental air pollution standards.

Let us consider the matter of water pollution control. I have had occasion to work very closely with the water pollution control personnel of our state government. We have considered the plight of many companies and their employees related to the enforcement of water pollution control standards. With their cooperation and that of the Legislature, we caused to have passed a twenty-five million dollar bond issue so that loans could be made to Massachusetts companies unable to finance the cost of water pollution control equipment. It is unfortunate that this legislation was found to be unconstitutional. We hope that other legislation may be passed to bring relief to some of those companies and therefore save jobs within Massachusetts.

A very important aspect of water pollution control is the regulation being established for the use of sewers in the state. It is my opinion that in the promulgation of these regulations, particularly by the MDC, inadequate consultation was held between the MDC and industry. The end result is open-ended regulations more stringent than any in the country, but more important leaving Massachusetts industry in the position where what are adequate standards today may not be tomorrow. Again we run into the problem of cost inefficiency being applied to the enforcement of water purity standards in the state.

I would like to speak for a moment about the manufacture of power within our state.

Seventy percent of all the power manufactured in the United States is produced through the use of oil. It is my opinion that we in Massachusetts, being a high energy intensity state, related to industry and general consumer use have been victimized by the major oil companies of the nation. We control the level of electrical energy on both the state and national levels, and yet seventy percent of the fuel used to make that power is controlled by no one.

I note with interest a move by certain people in the environmental field to prevent the opening of atomic power energy plants in New England. At the same time there is opposition to the continued use of fossil fuels by the electrical energy business. We must agree on some form of energy which is presently available to do the job. New England, in order to remain competitive, must have oil refinery facilities. It is time that we realized the complexity of our society demands immediate decisions concerning the growth of the electrical energy business in New England.

I should like to conclude by making certain points of fact which should be obvious to all who wish to give thought to the problems of our total environment.

It is desirable that we have clean air and clean water in this nation. In this regard it is desirable that cost efficiency methods be determined prior to the enforcement of regulations. It is basic to a man's environment that he have bread on the table and a roof over his head. The most efficient method found for giving him these goods in a complex environment is his employment at the highest level of his ability in the industrial community of our state.

Based on studies and interviews with those who manage industries in Massachusetts, they will not continue to function in Massachusetts if their operations become unprofitable due, not to compliance with reasonable cost efficiency regulations in the environment, but to thoughtless actions taken by those in a position to promulgate and enforce environmental regulations. As long as industry has the right to close, move or transfer its operations to any other state or throughout the world, the bottom line of the annual statement of such companies must show a profit or they will cease to provide employment in the state.

In conclusion, I believe it is desirable that we have clean air and clean water. My reasons are very practical reasons. During the next ten to twenty years those who make decisions related to locating industrial operations will not locate in areas where clean air and clean water are not important. No responsible industrialist in this state does not desire to comply with reasonable cost efficient standards of air water pollution standards, but he must be convinced that government, the press and the general public are treating him and his stockholders with fairness, intelligence and equity.

To me the frontier of today is not in some wilderness or in space. The frontier is all of us in government, in industry and the general public working together to solve the environmental problems which have grown so quickly in our complex society. In every crusade such as that for a clean environment there is a fringe involved in the cause which is not concerned with the just solution to problems, but in the chaos which can be created through an unintelligent approach to the problem. It is time for those who have given so much of their lives to the desire for a better environment to disassociate themselves from those who wish no solutions other than the total breakdown of our complex society.

I would ask you all who have engaged in this environmental crusade to act wisely during the period immediately ahead and to preserve the credibility of your effort until it has accomplished its goal.

NEW HAVEN GOODWILL CENTER

HON. ROBERT N. GIAIMO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1971

Mr. GIAIMO. Mr. Speaker, recently two national surveys of rehabilitation centers throughout the country showed a relatively small center in my district, the Easter Seal Goodwill Industries Rehabilitation Center, to be the top such facility in the country in several categories of service.

For instance, a survey of all Goodwill facilities in the United States made by Goodwill Industries of America showed that the New Haven center not only served more handicapped patients than any other Goodwill facility in the country, but that it had a greater load than the next two centers combined. The New Haven center also provided more jobs for clients, more physical, occupational and speech and hearing therapy treatments, and more recreational hours for the handicapped than any other Goodwill facility in the United States.

A survey by the National Easter Seal Society showed very similar results. The New Haven center, with a smaller staff and considerably lower administrative overhead than most Easter Seal Centers in the United States, again topped most other, larger cities in terms of services rendered.

I personally know the kind of work the Easter Seal Goodwill Industries Rehabilitation Center does. I have frequently visited there and it has been used by members of my own family who needed rehabilitation services. The quality of the work done by the center's highly trained and dedicated staff is as high as the quantity of service, indicated in these two surveys.

The New Haven facility has no magic formula for success. It has been able to do so much because it has drawn a vast amount of community support, financial as well as moral and psychological.

Voluntary dollars, through such organizations as the United Way and the Easter Seal Campaign, have helped the center to grow. So has a large corps of volunteers who give thousands of hours every year to help handicapped men and women to prepare for a useful and independent life. I am also proud that the center has received several Federal grants to initiate new and creative programs in inner-city neighborhoods.

However, the center's success is in no small part due to the efficient manner in which available financial resources were used. One of the reasons for this facility's economical and successful operation is the merger of three separate rehabilitation facilities which took place 2 years ago and which form the present agency. The center's growth figures have really spurted since the three agencies—the New Haven Easter Seal Society, the New Haven Area Rehabilitation Center and Goodwill Industries—joined together to give the most comprehensive services possible to the handicapped men and women of the greater New Haven

area. Because of the merger, the three agencies are able to provide many different kinds of therapies, employment counseling and training, psychological and social work assistance and education of handicapped children all in one organization, eliminating many unnecessary overhead costs, clerical time, and other expensive overlapping.

This is one of the reasons why in 1971 the center was able to serve 2,280 handicapped individuals. Services included 29,728 treatment hours, 250,162 vocational testing and training hours, \$253,644 paid in client wages and training allowances, 31,286 educational hours and 3,727 recreational hours. In addition, the New Haven center offered services that few other, similar facilities were able to give, including a training program for handicapped drivers, complete transportation to and from the center for those patients who cannot use public transportation, and a complete psychiatric and social work program for patients and their families.

I would like to take this opportunity to share my pride in this outstanding facility with my colleagues in the House of Representatives. Certainly this is one place where all Federal tax dollars invested brought us all rich dividends in helping the handicapped to lead productive, self-reliant, independent lives. In terms of economics, this has saved the taxpayers of the State and of the Nation countless dollars. In terms of humanity, it has saved handicapped men, women and children countless days and months of dependency and unhappiness. I congratulate the center's president, Fenmore R. Seton, the agency's board of directors, the executive director, Albert P. Calli, and the organization's staff on this great accomplishment.

LAUDERDALE LAKES JAYCEES
RESOLUTION

HON. J. HERBERT BURKE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1971

Mr. BURKE of Florida. Mr. Speaker, the Lauderdale Lakes Jaycees consisting of members living in the Lauderdale Lakes, Fla., area of my congressional district have indicated their deep concern about the seating of Red China by the U.N. Further they passed a resolution indicating their total opposition to the admission of Red China to the U.N., and opposing the removal of Nationalist China from this body.

The resolution passed by the members of the Lauderdale Lakes Jaycees, composed of concerned young American business people and citizens of our country, called upon our Nation to reevaluate its policy concerning the countries of Asia and elsewhere throughout the world before the balance of power has shifted to such an extent that all of the free nations of the world, including ourselves, could easily be toppled by those who espouse the cause of international communism.

I acknowledge, with thanks, the interest of the Lauderdale Lakes Jaycees who passed on October 19, 1971, the following resolution:

RESOLUTION

Whereas the Lauderdale Lakes Jaycees are ever mindful of world affairs, and,

Whereas the Lauderdale Lakes Jaycees are keenly aware of the present debate before the United Nations, and,

Whereas the Lauderdale Lakes Jaycees are ever mindful of Communist China's role in the Korean Conflict, and,

Whereas the Lauderdale Lakes Jaycees are keenly aware of Communist China's present role in the Vietnam War, and,

Whereas the Lauderdale Lakes Jaycees are ever mindful of Communist China's obstructionist views and actions toward world peace, and,

Whereas the Lauderdale Lakes Jaycees are keenly aware of the suppression and bondage of millions of people behind the bamboo curtain, and,

Whereas the Lauderdale Lakes Jaycees believe that economic justice can best be won by free men through free enterprise, and,

Whereas the Lauderdale Lakes Jaycees support the Free government and people of Nationalist China, and,

Whereas the Lauderdale Lakes Jaycees recognize the role of Nationalist China as a strong ally and partner of the United States in the world community, and,

Therefore, let it be known, that the Lauderdale Lakes Jaycees take a stand in complete opposition to the admittance of Communist China into the United Nations and further is totally opposed to the removal of Nationalist China from a seat on the Security Council and/or from membership in the United Nations. The Lauderdale Lakes Jaycees wish to reaffirm their support for the free people of Nationalist China and implore the United States of America to reevaluate its policy in this matter for the protection of all free men.

Passed on this 19th day of October, 1971 by a majority of the membership of the Lauderdale Lakes Jaycees in attendance.

PAUL ROARK, JR.,

President.

JOSEPH VALLONE,

Secretary.

RICHARD A. BIEBRICH,

International Relations Director.

TRIAL OF JEWS IN RIGA, LATVIA

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1971

Mr. DERWINSKI. Mr. Speaker, one of the most dedicated organizations struggling for the freedom of the people of the Baltic States is "BATUN", Baltic Appeal to the United Nations.

A memorandum prepared on June 1, 1971 gave obvious attention to the complications facing Jews and the Soviet Union, referring specifically to Latvia, one of the three Baltic states illegally incorporated into the Soviet Union.

I insert this memorandum to remind the Members of the continuing struggle of the Baltic peoples against Soviet tyranny and, also, to emphasize a point evident from the memorandum that the Soviet Union is the world's greatest imperialist power, a point which is too often forgotten.

The memorandum follows:

A MEMORANDUM ON THE TRIAL OF JEWS IN
RIGA, LATVIA

On May 27 the Supreme Court of the Latvian SSR sentenced the following Jews from Riga, Latvia to terms in prison camps: Arkady A. Shpilberg, a 33-year-old engineer, three years; Mikhail Z. Shepshelovich, a 28-year-old worker, two years; Boris M. Maftser, a 24-year-old engineer, and Ruth I. Alexandrovich, a 23-year-old nurse, one year each.

They were convicted for violation of Article 65 of Criminal Code of the Latvian SSR which prohibits anti-Soviet agitation and propaganda. According to a TASS dispatch on 24 May 1971, they had been "fabricating and circulating slanderous materials for subversive purposes and attempting to draw their acquaintances and colleagues into their activities hostile to the state."

Soviet authorities have not specified the exact nature of the "slanderous materials". Mrs. Rivka Alexandrovich, the mother of one of the accused, has declared that these materials were texts for the teaching of the Hebrew language and religion. In addition, there were petitions, signed by the accused, to the Supreme Soviet and to international organizations asking for assistance in leaving the Soviet Union. The accused are known to have made numerous unsuccessful attempts to receive permission to leave the Soviet Union for Israel.

Therefore it appears that the "fabricating and circulating [of the] slanderous materials" by the four Jews was really an attempt to exercise their rights, guaranteed by Article 5 of the International Convention on the Elimination of All Forms of Racial Discrimination, to education, to equal participation in cultural activities, to freedom of thought, conscience and religion, to freedom of opinion and expression, and the right to leave any country. "Attempting to draw their acquaintances and colleagues into their activities" is merely an exercise of their right to freedom of association.

If such activities are "subversive" and "hostile to the State", then the Soviet State must be denying to the Jews their rights guaranteed by Article 5. This denial is discrimination against the Jews, since, for example, the Soviet State does provide texts for the teaching of the Russian and other languages.

The Soviet State also allows very limited rights to publish religious books and to have some religious education to some of the Christian denominations, but this is denied to the Jews. Their rabbis are not allowed to attend international conferences abroad as representatives of some Christian churches sometimes do.

Such discrimination against a minority by the present de facto authority in Latvia, the Soviet Government, contrasts unfavorably with the complete cultural autonomy granted to all minorities in independent Latvia which was occupied in 1940 by the Soviet Union.

TRIBUTE TO JAY G. HAYDEN

HON. GERALD R. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1971

Mr. GERALD R. FORD. Mr. Speaker, on the morning of Wednesday, October 27, I attended the funeral of Jay G. Hayden, longtime Washington correspondent and columnist who died October 24 at his home in Kensington, Md. A giant among newspapermen, Jay was eloquently eulogized by the Rev. Edward Latch, Chaplain of the U.S. House of

Representatives. At this point I think it appropriate to include in the RECORD an account of Jay's death which appeared in the Detroit News and also an obituary written by another excellent newsman, Will Muller, for the Detroit News before Will's death last September 3.

The articles follow:

FORTY-NINE YEARS IN DISTRICT OF COLUMBIA
FOR NEWS—JAY HAYDEN DIES; NOTED AS
REPORTER

Jay G. Hayden, foremost interpreter of Washington news for readers of The Detroit News for nearly a half-century before his retirement in 1965, is dead. He was 86.

Death came in his sleep early yesterday at his home in Kensington, Md., near Washington, where he had known and won the respect of every president from Woodrow Wilson to President Nixon.

He began his career as a printer's apprentice for a weekly newspaper in his native Cassopolis, Mich., in 1900 but had won international regard in his profession by 1920.

He went to Washington for The News in 1916.

He was one of only three reporters from the United States accredited to cover the signing of the 1919 Treaty of Versailles and summed that up for The News' readers as "a breeder of future wars."

Among those who expressed their sorrow over Mr. Hayden's death were both Michigan U.S. senators and other state political leaders.

President Nixon was among those who expressed condolences to the family.

Survivors include his wife, Ruth; a son, Martin S. Hayden, vice-president and editor of The News; two stepsons, Peter and Claus Felfe; his sister, Mrs. Charles Gower, of East Lansing; a brother, Robert, of Cassopolis, and three grandchildren.

Mr. Hayden had been twice widowed before his third marriage, to the former Ruth Haberland Felfe, in 1953.

His first wife, the former Marguerite Scholl, mother of Martin S. Hayden, died in 1924. His second wife, the former Loretta Taylor, whom he married in 1926, died in 1930.

Funeral services, with the Rev. Edward Latch, chaplain of the U.S. House of Representatives, officiating, will be held at 8 a.m. Wednesday in the Gawler Funeral Home, Washington. The body will be cremated. His ashes will be interred in Cassopolis.

Of his death, Senator Philip A. Hart, Michigan Democrat, said:

"He was one of journalism's early pathfinders in Washington. He set unflinchingly high standards and left his profession a valuable legacy."

Senator Robert P. Griffin, Michigan Republican, said:

"Jay Hayden was a highly respected statesman in the field of journalism. He will be missed, but long remembered by the many in all stations of life who were fortunate enough to know him."

U.S. Rep. Gerald Ford, of Grand Rapids, House Republican leader, called Mr. Hayden "one of the real greats in Washington, not only as an outstanding reporter and columnist, but as an individual."

"He had a way of making complicated issues readable and understandable," Ford said. "He was a man one could trust and one who told the truth, even when it was unpleasant to his news sources."

"He wrote from a perspective of history that was matched by few and admired by many."

Former Gov. George W. Romney, secretary of housing and urban development (HUD) said:

"Jay Hayden was one of the most respected and admired journalists of his time, both for the accuracy of his reporting and for his keen insights into domestic and foreign affairs."

"He was greatly loved by many, in and

out of public life. He was a man whose kindness and concern for people was genuine, active and unflagging."

U.S. Rep. Martha Griffiths, a friend for more than 20 years, called him "one of the best reporters in Washington," adding:

"Jay Hayden was the newspaper business at its very best."

A NEWSPAPERMAN FOR 66 YEARS—JAY HAYDEN
WON WIDE ACCLAIM

(By Will Muller)

Jay G. Hayden, Washington correspondent of The Detroit News for a half-century and a newspaperman for 66 years, was a legend in his profession.

At the time of his retirement in March, 1965, Mr. Hayden's wide readership, enduring service and proximity to national and world events had probably made him Michigan's best known newsman.

He won national recognition early.

He had been a member of the Gridiron Club, that professional association which admits only the newspaper elite of Washington, since 1920 and was the club's president in 1930.

Mr. Hayden's career had started in the print shop of the weekly Cassopolis Vigilant, at Cassopolis, Mich., in 1900.

From there he went on to personal and professional relationships with nine presidents, starting with Woodrow Wilson. He was known and recognized by statesmen of other nations in the world's most tumultuous half-century.

He was one of three American newsmen accredited to witness the signing of the Treaty of Versailles which ended World War I. His blunt assessment of that agreement as a breeder of future wars won him the respect of Premier Georges (the Tiger) Clemenceau who honored him with appointment as an Officer de l'Instruction Publique of France.

The years may have changed government and countries but they had a minimum impact on Jay Hayden. The twang in his voice, his sturdy physique unsubdued by well tailored clothes, his sly humor coupled with practicality, all identified him as a Midwesterner whether at an inaugural ball or a back-room political conference.

There was an almost boyish exuberance about him into his last years. His curiosity never flagged. His thirst for experience and growth and for everything new was matched only by a rare courtesy and a tolerance even of fools.

He played left-handed golf and two-fisted poker. He took martinis for lunch, sipped bourbon in senatorial suites, and embellished Washington parties as one of the most gifted raconteurs of his day. He had a phenomenal memory for detail that extended backward like an illuminated picture to his beginnings.

That was a long way. He was born in Cassopolis to James Girt and Ruth Kingsbury Hayden Dec. 8, 1884. He spent his early years with his family on a farm near his birthplace.

Through his years and his honors, Mr. Hayden obeyed a personal creed. It was to get a story, get it if possible before the other fellow, get it right and get it to his readers.

A Hayden hallmark was the care exercised never needlessly to injure anyone.

The span of his experience is emphasized by the changes he saw. He arrived in Washington for The News on the day after Christmas in 1916 by train. It took five weeks for his car, a Model T, to follow him on a flatcar.

Washington was a somnolent Southern town with plenty of time on its hands. Correspondents, often in spats and carrying canes, were cavalier fellows who held personal conferences with the occupants of the White House and Cabinet members.

"The whole cost of the federal government for the fiscal year 1916 was \$734,156,202," Mr. Hayden reminisced in one of his last stories. "There was great commotion when

for fiscal 1917 President Wilson asked for appropriations slightly exceeding \$1 billion."

Mr. Hayden in succeeding years saw the city bulge from the impact of two world wars until much of it extended into states bordering the District of Columbia. He watched the nation's budget brush \$100 billion and the national debt approach \$300 billion.

It was a world of the written word when he entered the news profession. Reporters suffered no competition from radio or television. Stories were moved by Morse code over telegraph wires. Pictures traveled, not by electrical impulse, but by express. National campaigning was done by train.

Mr. Hayden's seniority in Washington outran that of all but one member of Congress. That was Senator Carl Hayden who started his career in the House in 1912 when his state, Arizona, was first admitted to the Union and who served until 1968. He is now 94.

They were not related.

"The most important single difference between 1916 and the present is the phenomenal growth of federal government," Mr. Hayden observed recently, "not only in personnel, physical establishment and expenditure, but in activities affecting the lives of all Americans."

Mr. Hayden became chief of the News' Washington Bureau in 1918, two years after arriving to work there. He succeeded the late George Miller who left to become an editor of *The News*.

In 1919, Mr. Hayden organized a London bureau for *The News*. That year he wrote from England, Scotland, Ireland and the continent.

In 1926, he traveled to the Philippines, China and Japan and wrote stories from Asia. He covered the 1930 London Naval Conference and the 1933 London Economic Conference.

He was best known, however, for his coverage of national government and politics.

All his life he held to the conviction that statesmen, presidents, policy makers and world troublemakers were just people like his readers and it was his job to interpret one for the other.

The changes which altered maps and governments and political philosophies in the world's fastest century never shook that conviction. His adherence to it gave his stories a rare insight and flavor that cut through complexities and myths.

He started his newspaper career as a \$2-a-week printers' devil. After four years at the *Vigilant* and after completing high school he went to the University of Michigan.

His experience got him a job as foreman of the university's library print shop. Restless after a year there, he took a job as a composing room foreman at the *Escanaba Daily Mirror* (defunct long ago).

He tried a job in a North Dakota print shop but the 40-below weather drove him back. He worked briefly at Ewart, Mich., then returned to Cassopolis where he took a job as assistant postmaster and wrote for the old *Detroit Journal* as a stringer.

There was a great hullabaloo there one night when sheriff's deputies and federals chased one Whirly Jones, a reputed counterfeiter, into a swamp. Hayden telephoned the story to what he thought was the desk of the *Journal*.

By an error in the telephone exchange, he gave the story to *The News* which printed it with pride. It caught the eye of the editor, and Jay Hayden came to work on a metropolitan daily.

On *The News* he developed rapidly, covering general assignments, City Hall, then the State Capitol. Always his driving interest was politics.

He left *The News* briefly at the request of the late Mayor James Couzens to become executive secretary of the DSR. He returned

and was offered the city editor's chair but chose instead to go to Washington.

W. Steele Gilmore, a retired News editor now living in Princeton, Ind., sat down with his pencil in 1957. By that date, he figured, Mr. Hayden had written 18,250 columns.

Mr. Hayden's political reporting reached back to the Bull Moose convention which nominated Theodore Roosevelt in 1912. He was the confidant and often the mentor of Senator Couzens and the late Senator Arthur H. Vandenberg.

His friendships were infinite and varied and precious to him. The only limitation he placed on them was loyalty to his paper and obligation to his profession.

Twenty-one years ago, he was honored with a Doctor of Laws degree from George Washington University. The words said of him then by Dr. Cloyd H. Marvin, university president, applied to the end and — in the past tense — serve him well as an epitaph:

"He was patient, modest, steadfast to preserve high standards of journalistic interpretation, both national and international . . . a healthy curiosity against a background of real and human understanding and high purpose."

SUPPORT FOR HIGHER EDUCATION

HON. CHARLES S. GUBSER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1971

Mr. GUBSER. Mr. Speaker, I would like to commend to the attention of my colleagues a speech delivered to the faculty of De Anza College by college president Dr. A. Robert DeHart. It seems particularly appropriate at this time when we are considering the higher education bill. De Anza College is one of California's outstanding community colleges and I believe that Dr. DeHart's comments will prove both stimulating and interesting to each of you.

The speech follows:

THEORY L, SON OF THEORY Y

(By A. Robert DeHart)

If you don't know where you are going, any road will get you there.—The Koran.

As we start our fifth year at De Anza College and have completed the preparation for our first full accreditation, I think we have arrived at a good place to review how far we've come and where it is likely we will be going. Much of what we are today has resulted from chance, much from what our society expects of its collegiate institutions, and much from, more or less, deliberate decisions based on value judgments made by us about the way we wanted to be. While I must confess that I haven't had some grand "five-year plan" that I've been following as your president, I have had some combination of convictions, hypotheses worth testing, and just some plain hunches that have told me what the characteristics of a good community college should be. And, at least once a year, I think hard about what the next steps in our development should be and subject myself to the difficult discipline of organizing these thoughts to a place where I can present them to you, my colleagues, at these opening of school meetings. I don't know why I hold you in such awe, but I do. It is really a good thing for me that I do because it forces me to spend a lot of time thinking through carefully where I want us to be and how I can persuade you to think likewise. I believe like Kierkegaard said, "A man's thought must be the building in which he lives." If this be true, then we must be just as critical

of our mental architecture as we are of our physical architecture for it is our careful thinking—or our lack of it—that will as surely determine the quality of our educational process as the architect's plans determined the kind of buildings we have at De Anza College. For we do not need to be content with just predicting the future; we can invent it. It was man's ability to invent that has made our schools, colleges, and universities what they are today—and what they will be next year, ten, twenty-five, and a hundred years from now.

I have deliberately avoided giving you a "state of the college" address at these times. As an institution becomes large and complex, more and more time seems to be demanded in maintaining its procedures resulting in less time devoted to the definition and redefinition of its purposes in the light of changed conditions. More and more of us spend less and less time in considering basic goals. Instead, we occupy ourselves with adjusting procedures so that our college can operate smoothly. Before long it seems that the college to a large extent has become its own end. Effects on the lives of individual students and on our community recedes to peripheral places in our thinking and when that happens, instead of the college serving as a medium, the college and its perpetuation have become the ends. The easy way out for us is to slide into that trap. But I don't believe we here at De Anza are looking for the easy way out. The nitty gritty of running an institution is important—especially if that nitty gritty isn't done well—but let us always keep in mind that the institution is a means and not an end in itself.

THE IMPORTANCE OF THEORY

A couple of years ago I discussed with you two philosophies of institutional organization, Theory X and Theory Y. You will remember that under Theory X, the average person is seen by his boss as being basically lazy, disliking work, and avoiding it when he can. Therefore such an institution was organized to emphasize direction, coercion, intimidation or control in order to make people productive. Theory Y, on the other hand, is a belief on the part of management that average persons find work as natural and pleasant as rest or play. They enjoy being productive and creative, and when they are given suitable goals and a reason for getting on toward them, they will exercise self-control. The organization that results from Theory Y assumptions emphasizes an identification of individual goals with institutional goals causing a direction of efforts by individuals toward the success of the enterprise and a large exercise of self-control. Clearly one type of organization is distinct from the other, yet the assumption that either one exists in fact as a universal, all-purpose approach to college organization would be absurd. Just the act of insisting that De Anza operate by Theory Y would obviously be inconsistent with that theory.

But the fact that we can conceive of theories and models that are not presently feasible does not make theory less useful. Almost all significant breakthroughs in every field have waited on the formulation of relevant theory. So I think De Anza College is a better institution for having a Theory Y to guide it even though we can point to many specific instances where it doesn't presently work. At any rate, it is my firm conviction that when your primary job is in the organization and development of human resources, the assumptions and theories about human nature at any given time determine one's ability to introduce meaningful change. Possibilities are not recognized, innovative efforts are not undertaken, until theoretical conceptions lay a groundwork for them.

So today my plan is to develop two more theories for you. This time I want to deal with theories of instruction: I will call them

Theory K and Theory L. I have no good reason for designating them that way except you will soon observe that I favor Theory L and for me that stands for Learning. So for a while now, I'm going to lay on you Theory L, Son of Theory Y.

Before I get started on this, let me say that the concern that leads me to look carefully at something as basic to all of us as instruction is not because we are doing poorly. On the contrary, it is because we are doing so very well. In terms of the traditional measures of a good traditional college, I think we have put it all together. On any dimension we have available to measure De Anza College, I think we are among the very best. There is certainly no need for us to apologize for our present status. But, in my opinion, we have reached a growth plateau—and even though we are in good company on that plateau, we must ask ourselves whether we are content just to stay there. So without faulting our past achievements—of which we can all be proud, and I for one certainly am—let me develop two distinctly different theories of instruction: one of them will keep us where we are, but I believe the other one will move us upward from our present developmental plateau toward continued growth and improvement of our educational program.

THEORY K

When I use the term theory, I am referring to a group of propositions I use as principles to guide our instructional process. Perhaps it would be more appropriate to use the term hypothesis since much of what I have to say is so conjectural and so many of the principles untested. But I like the ring of the word theory much better so your purists will just have to forgive me.

A theory of instruction should explain the ways in which what one wishes to teach can best be learned. In my opinion, it should specify four things: (1) an environment where learning can best take place, (2) the way a body of knowledge can best be structured for presentation, (3) the most effective mode of presentation, and (4) the pacing of rewards and punishments—all to the end that optimal learning occurs. What I am calling Theory K is my attempt to examine present junior college instruction using this definition. This is a difficult thing to do since instructional patterns have not developed as a result of theory but through a curious combination of the information-transmission modes developed in early colleges and the organizational characteristics of the public schools.

First let us look to the heritage given to the junior college from the monasteries that were the roots of higher education. The dominant forms of instruction in Western colleges and universities stem from the teaching performed by the church and by its itinerant scholars of the Middle Ages. At that time, few books or other tangible teaching devices were in use. An "instructor" was often chosen because he owned the books or, in some cases, because he alone could read. The lecture—the reading of books to a group who had none—was a prime form of deliberate information-transmission. Although instructional processes in higher education appear to be different now, they are not far from those of the medieval and Colonial American college. Despite the widespread introduction of the much publicized "innovations," lecture and discussion still form the major thrust of teaching in the American college. Although books are available to everyone, the lecture is still widely employed as a verbal text.

And now let us turn to some of the assumptions we have borrowed from the public schools. Despite protestations to the contrary, the public schools are built on a cultural model which suggests that all cannot profit from instruction, although all must attend. The standard by which progress through its educational system is measured is set up by

the system itself; the system's word is taken about the qualifications for entrance, curriculum, and graduation. The public-school system in America has been organized, staffed, and maintained by a dominant majority that insists on using it as a device to screen "capable" from "incompetent" youngsters. It assumes from the start that all will not succeed. The "capable" are those who can fit into the school without perceptible shock because their homes "set" them for the patterns of activity they find in the classroom. The "incompetent" are often those who have not been pre-fitted to the system. In short, instruction is most efficacious when it is least needed; it "succeeds" when it is almost superfluous. There are marked exceptions, of course, but rather than instruction, the schools offer primarily a form of custodial care, holding the young until maturity catches up with them. Teaching and learning are in a distinctly secondary position in my opinion.

Curiously enough the junior college accepted the organizational forms of the lower schools along with the lecture-discussion mode of information transmission from higher education. The instructor's role as classroom despot, the compulsory-attendance requirements and roll-taking, the prescription of a single instructional mode which must be shared by all students, and its custodial function—these are the junior college's inheritance from the lower schools. The lecture and the discussion as price instructional models, the design of courses that serve primarily as prerequisites for other courses, the consideration of laboratories as mere adjuncts to classrooms, the use of entrance tests as placement screens, and the status of the instructor as an independent practitioner with sole autonomy over his courses—all stem from higher education. The junior college cannot yet point to one instructional form which it alone evolved.

In the junior college, group instruction—from thirty to forty students—is the core medium of teaching. Other instructional media—language laboratories, remedial learning laboratories, and hardware used in a variety of ways—are viewed typically as supplements to group instruction. All are adjuncts to "teaching," which itself takes place in the classroom—the eminent domain of the instructor. Separate sections of what are purported to be the same courses are more often than not actually different courses; perhaps they utilize the same reading lists, but they almost always employ different objectives and test items. Departmental exams are often found but, in many instances, they are subverted in a variety of ways by faculty members who demand autonomy under the guise of that much maligned and much misused *precious* concept called academic freedom.

One more example of archaism relates to the element of time. College courses generally are structured according to the span of time it takes for the "one who knows" to articulate the subject matter for the benefit of his audiences. Although the spoken word is the slowest form of communication among the many currently available, it is still thought of as being the quintessence of teaching. Time blocks are organized to fit the time needed to engage in discourse, and the clock-hour unit is used as though it had a relationship to the sum of a student's knowledge. Those who listen to the master receive as much information as he can dispense in the allotted time. If they spend less time in his presence, it is assumed they have learned less. College transcripts indicate hours; degrees are based on hours; the financial support of the institution, the time spent by the faculty members on campus, the work load of any staff member, and many other elements related to the instructional process—all are apportioned by the clock. All these

procedures stem from the Medieval period when the amount of information available to a person correlated almost exactly with the time he was exposed to verbiage—books being extremely rare. The core of instruction is typically fashioned as though other forms of information-transmission had never been discovered.

And we make a number of other assumptions that have led to current practices: because we offer a variety of courses and programs, then we must be meeting the diverse instructional needs of students; because we have a working group of counselors, then we must be fulfilling the guidance function; because we have a faculty composed predominantly of instructors with Master's degrees and doctorates who do not publish articles, then we must be a "teaching institution;" because we have an open-door policy, then we must be providing opportunity for all to achieve to the limit of their ability. The existence of facilities and processes aimed at certain ends is accepted by us as adequate indication that these ends are actually being served.

To summarize my observations about this mainstream of junior college instruction I am calling Theory K: it has flowed from liberal arts colleges and public school systems and seems mainly interested in the goals of self-perpetuation, the offering of ever more varied programs, steady growth in enrollments and budgets, and the construction of monumental buildings. In operating under some over all umbrella of "meeting community needs," we seem to define those needs by pointing to the means by which the needs are presumed to be met rather than any kind of hard look at how well we fulfill our goals. The most recurrent criticism made of American college and university programs is that they lack definite aim. A form of this aimlessness is apparent in efforts as broad as State master plans that fail to postulate the effects of the institutions they propose to build, and as narrow as the frequently directionless classroom activities of a single instructor. The ends are too often left in the void. And the irresolute institution or the irresolute instructor find they cannot lead.

THEORY L

By now it is obvious to you that I am coming on very strong for a quite different set of principles to guide our instruction: a deliberate practice of instruction leading to an outcome—we call it student learning—that is predictable, measurable, definable. Because of a built-in system of evaluation—we call it institutional research—we will be able to accept accountability for our results. We should no longer slavishly follow the university. We should take a lead in experimenting with instructional forms—not to be innovating for the sake of innovation—but setting hypotheses, introducing changes, and assessing their impact. Not a revolution—because I don't know exactly what to revolt to—but rather a controlled evolution moving as fast as we can reasonably do it. But I'm getting a little ahead of myself—let me back up for a minute.

There are many forms of stated educational goals that can be classified so that purpose may be discerned. For example, structural goals refer to the organization and housing of a college; process goals are concerned with the people served and the programs designed and operated to serve them; and goals which refer to effort expended such as ADA produced, can be used to apportion finances or allocate staff time for various uses. The degree to which these common kinds of goals are attained can be readily assessed. If an objective requires that a particular number of buildings be constructed with certain pieces of equipment in them, it is achieved when the physical plant is so expanded. Similarly, process outcomes may be appraised easily; there are many examples of college systems

in which predetermined numbers of students are enrolled and of individual colleges which have admitted certain percentages of their constituent populations—thereby fulfilling projected goals. Relative effort may be assessed by examining the counselor-student ratio, teacher-student ratio, proportions of funds allocated to certain functions, and similar matters.

Goals inevitably reflect values; underlying all are assumptions of worth. If a system's goals can be grouped exclusively under the headings of "process," "structure," or "effort," then the system must particularly value those forms. The extent to which such goals are attained thus becomes a measure of the system's "goodness." It is readily apparent, however, that "structure," "process," and "effort" are severely limiting categories through which to view the purposes of education. There is no guarantee that a structure or process actually brings about the learning toward which it is ostensibly pointed. There is little evidence to suggest a positive correlation between the amount of institutional effort and student learning. Yet effort, process, and structure are the ends consciously sought by most educators. In so doing, they ignore, or at best assume the connection between those ends and what should be their ultimate aim—student learning. In short, those who hold exclusive views of the means of education as the ends of their efforts are victims of a philosophical sterility that is, I believe the most pervasive shortcoming in the junior college field today.

Unless we are willing to settle for these means-oriented goals, then we must turn toward an ends-oriented concept. It means that the college must spell out in advance—and accept accountability for—the changes it expects to produce in its students, and often, I might add, in its community. According to this concept, schools are media designed to cause changes in people, and they are also uniquely qualified to define the direction of those changes. Thus a college can be at once a setter of ends and a medium designed to move people to the achievement of those ends. A simple enough statement to say, but strict adherence to such a rationale will affect all institutional practices and influence the work of everyone connected with the college.

In an institution using a defined-outcomes approach, goals are stated in such words as: "The student will learn to . . ." rather than "The college will provide . . .", "The community will become . . ." rather than "The college offers opportunity for . . .". Instructional design will require that: "The student will be able to . . ." rather than "The instructor will discuss . . ." One approach depicts ends, the other means; one defines product, the other process.

"Defined outcomes" is, then, a philosophy, a set of principles, and an important part of an instructional theory. It is a process that guides institutional activities through a focus on ends. Structure and effort are viewed but only as they serve to enhance learning, not as ends in themselves. Because it is basic in instructional design, the concept of accountability falls within the defined-outcomes rubric. Without accountability there is little to prevent instruction from becoming aimless activity in which staff members engage for various purposes that stem from their own special interests. With it, instruction becomes a set of sequences that must lead learners to certain capabilities or attitudes—if it doesn't the sequences are changed methodically.

If learning—human change—is to be fostered by our college, then it must have direction, purpose, and design. I personally now find it increasingly difficult to justify our endeavors merely in terms of providing opportunities for students to engage in activities for reasons unknown. I know schools have always had vague goals, but the time is

past due for those goals to be refined so that they can be better understood by all people concerned with higher education. Instruction in the college environment is supposed to lead students to become responsible citizens, to have them gain spiritual and moral values, to help them acquire appreciation of their cultural heritage. Before any attempt can be made to determine if these attitudes and values have been learned, they must be defined. And central to the definition is the behavior exhibited under specific conditions by the students involved—behavior that translates into specific instructional objectives. A difficult task with few examples available to us to show the way, but I am convinced it can be done if we but have the will and purpose to get started. I am reminded of the theory on rocketry taught when I was an engineering student twenty years ago: it would never be possible to develop any fuel that would allow us to reach escape velocity from the earth.

Thus under Theory I we see that the ends, not the means, becomes the focus of attention. For too long, it seems to me, we have been dedicated to furthering our college through program expansion, increasing financial support, and improving our public relations work. And we have been successful in carrying on these processes. We need now to shift to effects rather than processes. We need not criticize ourselves for taking the traditional and recognized way of getting ourselves established, but planning cannot end when a college achieves modes of support, a campus, a staff, well-defined procedures, and even a Theory Y organizational pattern. Moving off our present plateau and establishing our own unique identity is going to come by producing effective learning.

IMPLICATIONS OF THEORY I

I must do a little crystal-balling here, but let me discuss some of the pro and con implications for Theory I.

When an instructor bases his practices on defined objectives, I think he will gain a different perspective about his courses. The context of questions about whether to spend more or less time on a specific bit of subject matter will be altered; he will see his subject as a vehicle by which students can learn to think in particular ways. Course content and coverage will become less sacred. The instructor has committed himself to bring his students to specific abilities. Is it really necessary to "cover the text?" What if some students have not learned that which was supposed to have been taught—must he continue "covering content" or can he double back repeatedly until he is satisfied that a minimum percentage of students has learned what he hoped he was teaching? The instructor who has specified objectives is in a better position to answer these questions because he has set particular ends and he knows whether or not they have been reached.

Instructional methods, too, take on a different dimension. When an instructor knows clearly whether or not anyone has learned from him, he can change his techniques on the basis of particular referents. Does he get better results when he lectures? When he conducts class discussion? When he shows films or plays tapes? He has provided himself with an entire basis for experimentation on the relative merits of instructional media. He can communicate with fellow instructors on the value and worth of his objectives, his sequences, and his methods. The time he spends in attempting to teach one task or a group of tasks can be compared with that spent by others who are attempting to teach the same abilities but who are using different methods. By specifying objectives, the instructor moves in the direction of becoming an experimentalist, a specialist in causing learning.

For the instructor who has specified his ob-

jectives, the assigning of grademarks can be related to specific student accomplishments. Marks take on particular meaning as the bridge between course content and student learning is made apparent. What does an "A" mean? It means that a student has performed these tasks under these conditions with this degree of accuracy. An "A" is less likely to indicate that a student has appeared for class every day and has matched some vague standards determined by the instructor only after the results were in.

The instructor who plots his objectives sequentially so that each leads to broader aims is not likely to make the error of asking students to achieve some complex task without first ensuring their ability to master the simpler elements contained within it. Once he has structured clear objectives, I think he will find in many cases that his assessment devices have also been refined. He can quickly see the difference between an objective that asks for a complex behavior and a test item that demands but simple recall. It becomes possible for the instructor to sort out deficiencies in instruction before too much time is lost. As he plots objectives and test items, he is led to avoid a pattern of lecturing for several weeks, administering a complex test, and then discovering that the basic vocabulary he has been using was beyond the ken of many of his students.

Once he sets objectives, the instructor is virtually forced to find appropriate instructional media. Students who are learning in a situation in which objectives have been specified and communicated to them in advance of the course refuse to tolerate shoddy media—and that includes irrelevant lecturing. In many cases the instructor must create his own materials. Postlethwaite, a pioneer in the development of an audio-tutorial system for teaching botany, noted that as the media he constructed proved more relevant to the purpose of the course than did his lectures, students, of their own volition, stopped attending the lectures and went to the laboratory where directly relevant materials were available. Students knew clearly what they had to learn; materials in the laboratory tied in directly with their objectives where the lectures often did not.

Now I know that most us will say that we always work toward causing student change. The question is, does our actual performance belie this? Though experimental evidence is yet meager, it does seem that when we teach toward specific objectives, we act differently. Perhaps we reduce the number of irrelevant intrusions or attend more to deliberate instruction. Or perhaps greater student learning is a result of the phenomenon of "the self-fulfilling prophecy"—when and if an instructor is determined that his students learn, they learn.

Though what is the most important, I think, is that when we lay out objectives, we are forced to define, to justify, and to defend what we are trying to do in all facets of our work. It is no longer possible for us to hide behind the "normal curve" of probable student achievement. We are committed to certain minimum levels of student learning in advance of our instructional efforts. By making definite commitments, we cannot manipulate the classroom as though "teacher" and "learners" were abstractions. The individual instructor is forced on himself and must answer the constantly posed question, "What am I trying to accomplish?" The answer comes back in the form of another question, "What are students doing now that they did not do formerly?" He no longer says, "I opened up the subject for the students. The more able learned—I'm sorry about the others." We become conscious of our content-selection process and review continually the reasons for using particular types of materials and teaching patterns. In short, our activities move on to a different plateau.

Throughout recent years, many writers have commented on the depersonalized aspects of American higher education. Our own Minicollage faculty will be reporting later on some of the things they have learned in their attempts to "personalize." Much of the criticism is directed toward institutionalized procedures that tend to maintain screens between administrator, instructor, and student, and force them to mistrust each other. Classrooms are ridden with secrecy, with failure in communication. What the student must do to satisfy the instructor is often played as though it were a game of, "I've got a secret. Guess what you have to do to pass this course." When objectives are written down, the veil is removed.

I suppose I can sum up the positive implications of Theory L by admitting that most published discussions about the effects of objectives on instruction are extrapolations drawn from a few research studies and reports of personal experiences by instructors who have engaged in the process. Much information is speculation and must remain so until the process becomes more widespread than it is at the present time. It seems safe to say, however, that with Theory L and its emphasis on objectives clearly specified and communicated in advance can serve to bring to the teaching-learning process dimensions of honesty and understanding that Theory Y does for relationships between people in an organization. It is also likely that the instructor who engages in the practice may find himself in a corner from which all exits labeled "They are poor students; they don't want to learn; they didn't know what I was talking about" are closed. In the corner is a mirror, and the reflection says, "What are you really trying to do?" Many of us may not like what we see.

I am coming on so strong for Theory L that I want you to know that I know that there are some shortcomings and criticisms of Theory L that seem valid and will have to be worked out. So let me discuss them with you for a moment. However, in assessing objections, it is important to separate the legitimate contentions from those that are offered as unwarranted excuses for maintaining an institutional, or individual, status quo.

Most of the objections usually raised can be understood in view of the present college context. The preparation of sets of objectives requires much effort on the part of the instructors who work in institutions that do not typically reward this behavior. Currently, most college instructors are employed, retained, and supported on bases other than their demonstrated ability to define and to cause learning. The responsibilities of their positions involve them in a host of tasks only peripherally related or frequently totally unrelated to instruction.

To my way of thinking, the most valid objection relates to the matter of outcomes that cannot be specified either because they are unanticipated or because they defy measurement. This objection is further complicated because of the great difficulty in establishing causal relations between student learning and the instructional environment. This objection cannot be completely overcome, but it can be countered.

Every program has unanticipated outcomes. Every course leads to changes in student attitudes or behaviors that are not measurable. This may be granted. However, objectives are targets, places where evaluation can begin. They should not be construed as exclusive ends, and assessment of institutional impact need not be confined solely to measuring attainment of pre-set objectives. Further, the practice of defining outcomes usually leads to the selection and use of better measurement devices. Even so, much, perhaps most, of the learning that occurs in any course is either unanticipated or unmeasured—or both. I know that. But

we must get a foothold somewhere. The question of causal relationships between teaching and learning can be countered only by acknowledging the existence of doubt. Establishing the relationships between any act and any consequence is at best a tenuous undertaking. The objectives are the assumed ends of the instructional effort. Perhaps the students would have learned what they did even if there had been no "teaching." Perhaps not. We can never know for certain. Nevertheless, although people may learn whether or not they are taught, instruction—by definition a purposeful endeavor—must be designed to lead somewhere. And objectives are unparalleled tools for planning instruction.

Another tenable criticism of the process is that educational institutions should be dedicated to enhancing the individuation process. In this case, instructors may genuinely desire to enhance student learning, but they may see learning as an input to student self-actualization. Accordingly, they may wish to skirt the process of goal-setting and attempt to work directly with the student as a way of aiding his personal growth, the "do your own thing" syndrome so prevalent today.

Instructors who adhere to this position believe that it is never possible for anyone to select objectives for anyone else; on the contrary, each person must be provided with some form of climate or environment that allows him to select experiences pertinent to his own development. They say all education is process, never goal. Further, this argument contends that all learning is self-directed, that the individual is a creative, dynamic being generating his own growth. No one can teach anything to anyone. Change must be internally generated.

Change extrinsically induced versus development intrinsically originated; goal versus process. All you can say is that these are valid concerns. But in effect, they seem to deny all curriculum and instruction. And objectives do suggest curriculum and instructional sequences. Can these apparent polar positions be reconciled?

One answer might be to assume that it is necessary for people to learn to use tools—language, poetic forms, the ability to think critically—and to know how to apply these tools to a variety of problem-solving solutions. Failing to gain the use of these "tools of the race" may well retard individual development. If this is so, the defined outcomes approach may be seen as a releasing agent stimulating certain forms of learning which, in turn, enhance the developmental process.

Objectives, the ends of instruction, thus become means; the apparent product becomes part of the process. When objectives are seen only as statements of outcomes, the criticism outlined here seems to reject their use. When they are perceived as inputs to learning, the objectives become integral agents of the developmental process.

The Machavellian in me causes me to bring up another tenable criticism that relates to both institutional and individual functioning. Ambiguous goals and aims have great defensive value. It is impossible for a critic to snipe at a college course or program with any great degree of accuracy if he does not know what the curriculum is designed to accomplish. If we say "students will learn to communicate effectively, to think critically, and to appreciate democracy," but stop short of translating those goals into specific objectives, who can argue that the students do not so communicate, so think, and so appreciate? The accusation that they have not reached those cognitive and affective states of mind is easily rebutted if for no other reason than that the change must be based on terms and data capable of widely varying interpretation. As the Koran says, "If you don't know where you are going, any road will get you there."

A corollary to be considered here is that once outcomes are specified, the instructor must stand ready to defend them. Nebulous concepts are great for public relations. Anyone who challenges the individual's statement that he intends to lead his students to "exercise the privileges and responsibilities of democratic citizenship" is attacking Flag Day and the Fourth of July. But translate that exercise into particular habits of voting, campaigning and becoming involved in public issues, and someone in the college or in its supporting community will not approve. Once communicated, specific objectives will be questioned, and the more successful the instructor is in bringing his students to the abilities and tendencies to perform designated tasks, the more intense the questioning will become. Paradoxically, ambiguity, inefficiency, and instructional procedures of unknown effect are, in this case, sturdy defenses.

Other matters concern the instructor more personally. As long as he fails to define his objectives in precise terms, he does not have to face up to his own motives. He can always delude himself as to his real worth as a teacher by saying, "I put a vision of truth and beauty before my students. I am truly sorry most of them could not grasp it, but that's the way it goes." When he writes objectives and makes advance commitment to student learning, he is forced to spell it all out, to acknowledge his actual intentions. Does he want to teach or to sort? . . . to enhance or to deny? For many people this form of introspection is not easy; for some, it may be impossible.

These, then, are some of the considerations that arise once objectives are defined. Specifying objectives means examining student change rather than teacher performance. It means sharpening our views of students—looking past their implied abilities to their specific actions, beyond their unknown attitudes to their observed behaviors. It should be the major part of the instructional process and, in the context of today's colleges, I believe the benefits far outweigh the drawbacks.

IMPLEMENTING THEORY L

By now, this thought has probably crossed the minds of many of you: If he is so high on this thing he is calling Theory L, why is he practicing Theory K here today? The answer is that quite frankly I don't know how to take the quantum jump from K to L all at once. Implementing these principles will be tough. I know Theory L will be difficult to realize in practice because it basically requires a new academic discipline—every bit as demanding as our traditional disciplines—that I would like to call "professional instruction." I hesitate to use the term "professional teaching" because it has come to stand for a curious amalgam of showmanship, intuitive insight, vague principles, a few tested procedures, and much faith. I know of no training programs that have been built to bring people to the point where they can predictably and efficiently cause learning, because colleges have not demanded that from their teachers. And that demand was not made because college administrators have not been so oriented.

As I look for ways of implementing Theory L, I come up with one very basic conclusion: if we are to move from Theory K to Theory L, we must take the responsibility for orienting and training ourselves as professional instructors. We should certainly know by now that universities are not going to prepare instructional experts. We must, therefore, here at De Anza College, invent our own in-service programs to pick up where the Master's degree programs end and prepare ourselves for our own unique purposes. I respect the prospective teacher's subject-area expertise as certified by the university, but that is not

enough! The engineers, the lawyers, the dentists, are listened to on their subjects; people consult them about their buildings, their court cases, their teeth. But not so the teacher. He is seldom consulted on matters relating to learning and the process of instruction. The responsibility for organizing the schools is not in his hands. A major reason for his being left out is that he fancies himself an artist, weaving the threads of his subject area together with his knowledge of human functioning in order to form a tapestry in which something of value happens to students fortunate enough to be involved in the process. To that extent, then, the likelihood of his being listened to as a professional in instruction is forfeited in exchange for the artist's freedom to express himself. Well and good; teaching may indeed be an art, and any school may have a number of artists within it. But they should not, then, expect to be consulted as professionals who operate within a body of transmittable knowledge and who, alone, are fully competent in their own realm.

And so, then, how did we get our "bootstrap" operation underway? With some re-orienting and much more development, I think we already have some means at our disposal that will at least let us get started. Let me name a few:

1. In-Service Workshops. Last year our Faculty Development Committee got these established as a means for offering in-service education to our staff. Not only can we offer salary schedule credit for the participants, but even more important, we can afford to pay for consultants, facilitators, and course organizers. I've asked Don Fraser to organize Instruction by Objectives workshops, Gary Peterson and Win Smith Learning Resources workshops, and each Division Chairman to do what seems appropriate in developing a workshop for his Division. I plan to lead a Management by Objectives workshop, and I will encourage all of our administrators to participate.

2. Learning Resources Center. I hesitate to substitute such a title for the more-traditional name of Library, but I do know that library services will shift their emphasis, under our new head librarian, Gary Peterson, and our AV Coordinator, Win Smith, to providing all kinds of direct and indirect services that will enable faculty to develop all kinds of traditional and new media in whatever form they may take. I want to schedule a faculty meeting in the near future where Gary can explain this new thrust to you. I might add that through the good old medium of the written word, we may have examples available of attempts by other instructors in other colleges to write specific objectives for their courses. In fact there now exists something called an Instructional Objectives Exchange Catalog that we have access to where more information is available. (See the Appendix for a list of microfiche currently available.)

3. Innovations Committee. I hope our Faculty Innovations Committee will look with great favor on projects that will bring faculty members together in an attempt to identify and agree upon objectives. We do have some money in the budget to encourage such activity. And beyond that, I will do my best to assist in the securing of grants, or in the use of any additional discretionary monies that may come our way during the year, to foster this kind of activity.

4. Institutional Research. I am pleased—no, more than that, proud—that we hung tough in keeping our institutional research in the budget this year when the easy and popular thing to do would have been to give up on it. With the excellent cooperation of many people, we completed 35 institutional studies last year. It is true that most of them were "status" studies rather than "developmental" studies, and we could also be criticized for our lack of research design and con-

trol, but as we look to the coming year, we should be able to offer many of you assistance in the design and execution of studies that should assist you in your efforts to achieve a Theory L format. For too long we have depended on the institutional research of others and I think the consequences of that dependence is an immaturity on our part in the development of our own research function. We must start becoming producers rather than just consumers—and I think our institutional research effort should do that for us.

5. Faculty Evaluation. New legislation now requires us to involve faculty and students in our faculty evaluation procedures. This means we must completely re-study and revise our existing policies and procedures. This provides a wonderful opportunity to shift our emphasis toward Theory L when looking at an individual faculty member's contribution to the college. Who knows, showmanship may give way to learning as the most valued criterion of faculty worth.

So you see, we do have some ways of getting started on an effort such as I have described, but none of these will be very effective if we don't have enough individuals committed to giving it a try. We don't need everyone participating, but there is a "critical mass" necessary if we are to be of significant help to each other. It is difficult enough to make substantive change in a friendly environment—in a hostile one it is well nigh impossible.

CONCLUSION

In my opinion we got a lot of mileage out of discussion of Theory Y a couple of years ago. At the very least, I hope it gave you some insight into me and my motives as I have attempted to exert my influence on the direction De Anza College should take. Theory Y has not always been followed in developing our procedures or in making our decisions—nor should it have been followed slavishly. We would be foolish to base our entire approach on untested theory. But it has helped establish a style and tone at De Anza College that I believe is better than other colleges that I know about. And I think the principles I have discussed with you here today—that I have grouped under a heading called Theory L—can provide further direction and style for our instructional program.

Although I know many of you are to some degree moving in the Theory L direction already, I also know that as it is a largely untested theory, we would be foolish to try to convert all of our instructional activities to follow that form. I fully recognize that "people-molding" as contrasted to "product-molding" organizations cannot apply criteria of earnings per share, units produced, share of market, net profit, or dollars expended for evaluating their effectiveness. But I am firmly convinced of three things, and I suppose this is what it all boils down to: (1) the clearer the idea one has of what one is trying to accomplish, the greater the chances of accomplishing it, (2) progress can only be measured in terms of what one is trying to make progress toward, and (3) any system that helps us do that is going to have to be of our own devising—we are not going to be bailed out by someone who knows more about education than we right here at De Anza College know. Perhaps our future here at De Anza lies a little beyond our vision, but it is certainly not beyond our control. As we continue in our development, we need not feel that it is fate, or nature, or some irresistible tide of history that will shape us, but it is the work of our own hands and minds, hopefully guided by reason and principle, that will determine our destiny. And when I see so many of us wasting away our creative energies on tasks and in committee meetings that deal almost always with the maintenance of the college rather than on the harder, but infinitely more important job of improving learning, then I am just agonized by that.

Please don't interpret what I am about to say as an attempt to persuade you through flattery. There may be pride and even a little arrogance present in what I say, but there is also experience and truth. Each of you may not be the best in your respective field. But each of you is among the best, and when you put us all together I think we have more going for us than any staff I know about any place. If we can but release the potential that exists here in this very room, then we will be able to accomplish the difficult and uncharted tasks I have only briefly outlined here today. And after all is said and done, how better can we spend our lives than living up to that potential.

CHILDREN DENIED EQUAL PROTECTION UNDER 14TH AMENDMENT

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1971

Mr. BROYHILL of Virginia. Mr. Speaker, an incident in Norfolk, Va., vividly illustrates the need for a constitutional amendment to prohibit the assignment of children to public schools because of their race, color or creed.

According to an AP report published in the Washington Post, Dr. William H. Whitmore, Jr., a Norfolk physician, filed suit in the U.S. District Court on behalf of his five children who had been assigned to schools on the basis of their race. He claimed the assignment was in violation of his and his children's rights under the 14th amendment to the Constitution and under the Civil Rights Act of 1964. Judge John A. MacKenzie, who had given the Norfolk busing-for-racial-balance plan his blessing, not surprisingly dismissed Dr. Whitmore's case. Dr. Whitmore now has his children in private schools.

Mr. Speaker, under the banner of the famed "equal protection clause" of the 14th amendment, the crusade of the century was carried on to assure equal rights to persons of African descent. In Brown I, the Supreme Court found that to segregate children in the public schools "solely on the basis of race" deprived them of these rights. In Brown II, the Court called for a "revision of local laws and regulations" in order "to achieve a system of determining admission to the public schools on a nonracial basis." The Supreme Court then instructed the district courts to take such measures "as are necessary and proper" to admit children to public schools "on a nondiscriminatory basis."

Subsequently, segregation laws were erased from the books and school plan after school plan was put into effect as the Court had commanded, with assignments made on a racially "nondiscriminatory" or color-blind basis.

Today however, since the Court reversed itself in the Swann case, discrimination on the basis of race is rampant. Children, both black and white, are being assigned to schools on a racial basis. Some children, both black and white, are allowed to attend the neighborhood school of their choice, others

both black and white, are assigned to schools against their wills "to achieve racial balance." Is this "equal protection?"

Since the answer must in truth be no, I trust that my colleagues, black as well as white, from the North and West as well as from the South will vote for House Joint Resolution 620. At this point I insert in the RECORD the A.P. story concerning the Norfolk case:

[From the Washington Post, Sept. 30, 1971]
DOCTOR'S RACE SUIT DISMISSED

A Norfolk physician has lost his case in U.S. District Court against what he called school assignments on the basis of race.

Judge John A. MacKenzie Tuesday dismissed the suit filed by Dr. William H. Whitmore, Jr. on behalf of his five school age children.

Whitmore, who is white, contended his rights under the 14th Amendment and the 1964 Civil Rights Act were violated by the assignment of his children.

About 24,000 students require transportation to Norfolk schools this year under the desegregation plan approved by MacKenzie.

In his suit, Whitmore also asked for a three-judge panel to hear arguments because MacKenzie had ordered the plan. MacKenzie turned him down because, he said, he retained the responsibility for the action.

The judge suggested to Whitmore that he file a friend-of-the-Court brief with the 4th U.S. Circuit Court of Appeals, where the current desegregation plan is on appeal.

Whitmore, who has enrolled his children in private schools, said he does not plan an appeal.

WORLD SYMPHONY ORCHESTRA CONVENES IN USA VIA PAN AM

HON. LOUIS FREY, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES
Wednesday, October 27, 1971

Mr. FREY. Mr. Speaker, on October 23, 1971, Walt Disney World opened in Orlando, Fla., a district I am proud to represent, with a gala dedication concert by the World Symphony Orchestra.

It is befitting that the celebration commemorating the second monument to the man whose world of fantasies has captured the hearts of people of all ages and in all countries be an international celebration.

This historic event would not be possible without the efforts of many, one of those being Pan American World Airways.

At this point in the RECORD, I would like to insert a Pan Am press release titled "World Symphony Orchestra Convenes in USA Via Pan Am."

WORLD SYMPHONY ORCHESTRA CONVENES IN
USA VIA PAN AM

To most visitors to the U.S.A., a trip to Disneyland is high on the list of "musts", along with the Empire State Building and Capitol Hill.

An international celebration will fete this second monument to the man whose world of fantasies has captured the hearts of people of all ages and in all countries.

Just as children's dreams know no bounds of nationality or language, so music is an international common ground. These two sources of worldwide communication come together with the formation of a truly international symphony orchestra.

Pan Am, which has an extensive network of international routes, will coordinate and provide the international transportation for 140 musical representatives coming from more than 60 countries to take part in the opening celebrations of Walt Disney World.

This hallmark of worldwide communications will begin with a concert in New York's Lincoln Center in conjunction with the annual United Nation's Ball, then go on to Walt Disney World in Orlando, Florida, and the Kennedy Cultural Center in Washington, D.C.

The World Symphony Orchestra was conceived and developed by the Walt Disney Organization under the auspices of the Federation of People to People Programs. The U.S. State Department is extending the foreign invitations through its posts around the world.

Pan Am will be carrying representatives of such internationally famous orchestras as the Moscow Philharmonic, Argentina's Orquesta Sinfonica Nacional, the Ivory Coast's National Orchestra, Australia's Sydney Symphony Orchestra, the Korean National Symphony Orchestra, Japan's NAK Symphony, Turkey's Presidential Symphony Orchestra, and many others. Boston's Arthur Fiedler will be conducting.

Included in all the concert's will be a special arrangement of the appropriately named tune, "It's a Small World After All."

THE UNHOLY HYMNAL

HON. PAUL N. McCLOSKEY, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES
Wednesday, October 27, 1971

Mr. McCLOSKEY. Mr. Speaker, last week each of us received from the Businessmen's Educational Fund a small book entitled "The Unholy Hymnal." The book is a collection of comments on national issues made over the past several years by leading persons in public and private life. Those comments demonstrate in a devastating manner the extent to which deception and self-deception have characterized our governmental decision-making and deliberations in recent years. I hope they will be read by every Member of this House, to the end that we will be a little less self-assured and self-righteous in our future arguments in these hallowed halls. These comments show clearly that we have been often wrong. Worse yet, we have habitually been pompous, pious, and unwilling to confess error—succeeding each failing policy with self-serving declarations of our new wisdom rather than the admission of past mistakes. If the country at large is in dismay over politics and politicians, we have only ourselves to blame.

One of the fairly typical examples of governmental deceit laid out in The Unholy Hymnal was originally disclosed before my own Subcommittee on Conservation and Natural Resources of the Government Operations Committee. The relevant portions from the book are set out below in the hope they may stimulate the reading of the full volume:

WASHINGTON.—Perhaps 5,000 sheep have sickened and died in the past week in Western Utah in a place called Skull Valley, 20 or 30 miles from the Army's main site for field-

testing chemical and biological weapons. That center, the Army's Dugway Proving Grounds site, "definitely is not responsible," a Dugway spokesman said yesterday. "Our scientists have ruled out [as a cause of the sheep deaths] programs which are part of our mission." (Time-Post Service, *San Francisco Chronicle*, March 21, 1968.)

When we first found out about it, we checked and found we hadn't been running any tests that could have caused this. (Army Public Relations Officer at Dugway Proving Grounds. Quoted in *Salt Lake Tribune* March 21, 1968.)

WILLOW SPRINGS, UTAH, March 21.—Tonight the Washington office of Senator Frank E. Moss, Utah Democrat, said that Senator Moss had been told by the Army Testing Command that . . . on March 13, two days before the sheep began collapsing and dying . . . 320 gallons of a "persistent gas" was sprayed from an airplane.

The tests were from 15 to 27 miles from the place where the sheep were grazing." (Wallace Turner, *New York Times*, March 22, 1968.)

SALT LAKE CITY, March 23.—The head of a special investigating team said today that "we are as positive as medical science can ever be" that nerve gas tests conducted at the Army's top-secret Dugway Proving Grounds had killed 6,400 sheep in Western Utah's Skull Valley.

Dr. D. A. Osguthorpe said that he believed that "sufficient tests" had been made to link deaths with Army operations. "We're very lucky no people were killed," he added. (*New York Times*, March 24, 1968.)

. . . An Army spokesman said that the military investigation was continuing, and that "no definite cause of death" had been established. (*New York Times*, March 24, 1968.)

We do not have any evidence to tell us the actual chemical compound or to help us pinpoint the source and how it got to the sheep and not to humans or to other animals. (General William S. Stone, officer in charge of Army investigation at Dugway, March 25, 1968.)

SALT LAKE CITY, March 24.—Had the Army admitted earlier that it was testing lethal nerve gas in Skull Valley, many of the 6,400 sheep that died could have been saved, a Utah veterinarian charged today.

The veterinarian, Mr. Mar Fawcett, said that many sheep had died because the Army waited several days before admitting making the tests at Dugway Proving Grounds. . . .

"I'm sure if we had known about the testing and had an antidote many of the sheep could have been saved," Dr. Fawcett said. (*New York Times*, March 25, 1968.)

Dr. Mortimer Rothenberg . . . who is scientific director at Dugway, said that the sheep symptoms were "completely atypical from what one would anticipate from nerve gas." (*New York Times*, March 25, 1968.)

None of the nerve agent which was released from the airplane on March 13 has been discovered in the soil, water or forage of the area

*In his book, "The Ultimate Folly," Congressman Richard D. McCarthy later related: "When the sheep began toppling over, ranchers summoned Dr. D. Avaron Osguthorpe, a veterinarian. He soon conjectured that the writhing sheep had been affected by nerve gas and contacted [Dugway] officers. . . . They informed him that there had been no outdoor nerve gas tests since the preceding year. . . ."

"The first admission that nerve gas testing actually had taken place on March 13, 1968, came inadvertently from the Pentagon eight days after the test. The Department of Defense sent Senator Frank E. Moss a letter describing the test. An aide to the Senator . . . ignored or was unaware of the fact that the Pentagon regarded the letter as private and released it to the press."

where the sheep died. (General William S. Stone, Quoted in statement from Senator Moss's office, March 29, 1968.)

It would be speculative to fix a specific cause of the death of the sheep. (Lieutenant Colonel William L. Black, Dugway's executive officer Quoted in *Newsweek*, April 1, 1968.)

Chemists of NCDC have isolated an identical compound from snow water and grass from White Rock area and from liver, blood and stomach contents of dead sheep from the same area. . . . Compound has been shown identical to test agent supplied by Dr. K. M. Brauner, Dugway, April 4, 1968. (Excerpt from telegram from National Communicable Disease Center, Atlanta, Georgia, to Dr. G. D. C. Thompson, Director of Utah Division of Health, April 12, 1968.)

WASHINGTON, April 18.—The Army conceded today that an unexpected shift in the wind could have carried nerve gas being tested in the Utah desert into an area where about 6,400 sheep mysteriously died. (*New York Times*, April 19, 1968.)

After first denying any possible connection with the deaths the Army has gradually admitted more and more until now they have said everything but the word "guilty" . . .

On April 10 . . . I advised the sheep owners to begin filing claims for reimbursement. The Army has held a meeting with the claimants. . . . (Senator Moss, Article in *Utah Wool Grower*, June 1968.)

WASHINGTON, Dec. 20.—The Army has said investigations failed to turn up any conclusive evidence that the sheep died because of the gas. However, it has paid a claim of more than \$376,000 for the loss of the sheep. (*New York Times*, December 21, 1968.)

WASHINGTON, May 21.—Under Congressional prodding, the Army admitted for the first time today that its nerve gas killed 6,000 sheep in Utah more than 14 months ago.

The admission was wrung from three Army officials, a shred at a time, during half a day of hard and angry questioning by members of the House Subcommittee on Conservation and National Resources. . . .

The Army spokesman confirmed, after much verbal jousting, that the public information officer at Dugway had not told the truth when he told reporters last March that Dugway had done no testing that could have caused the sheep to die. (Roy Reed, *New York Times*, May 22, 1969.)

The American public are getting fed to the teeth with attempts to deceive them—by the military or anyone else. (Editorial, *New York Times*, May 23, 1969.)

A NATIONAL HEALTH PLAN DOCTORS CAN LIVE WITH

HON. PETER N. KYROS

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1971

Mr. KYROS. Mr. Speaker, although a great deal has been written recently about various national health insurance proposals pending before this House, I believe special attention should be given to a recent article in *Medical Economics* entitled "A National Health Plan Doctors Can Live With" which is an interview with the distinguished chairman of the Health Subcommittee of the Interstate and Foreign Commerce Committee, Congressman PAUL G. ROGERS. Mr. ROGERS, one of the most knowledgeable Members of Congress on health matters, gives us the benefit of his expertise in dealing with a complicated program

which we all must eventually face. I commend his views to the earnest consideration of my colleagues:

[From the *Medical Economics* magazine, Sept. 27, 1971]

A NATIONAL HEALTH PLAN DOCTORS CAN LIVE WITH

How much professional freedom U.S. doctors can expect after 1972 is a decision that will rest with a mere 535 men and women—the members of the 93rd Congress. Most of them, in all likelihood, are already serving in the House or Senate, and forming choices among proposals that are variously but surely intended to expand Federal authority over the ways that health services shall be provided and paid for. According to virtually every political forecaster, the lawmakers are sure to enact some form of national health insurance. The questions now are how sweepingly it will alter the present medical system and precisely how it will be likely to impinge on physicians' methods of practicing and their earnings.

No less an authority than Health, Education, and Welfare Secretary Elliot L. Richardson has predicted that doctors still have time to affect emerging Government policy by evidencing a will to initiate improvements in the delivery of health care.* And though the A.M.A.'s bitter fight against Medicare enactment has left some lingering anti-doctor sentiment in Congress, lawmakers receptive to physicians' views include some whose official positions and personal prestige give them a high degree of influence.

Prominent among these leaders is Representative Paul G. Rogers, a Florida Democrat who is considered one of the most medically knowledgeable men on Capitol Hill. As the sponsor of legislation to stimulate the training of new physicians, he has been in the forefront of the campaign to increase the health manpower supply. And, while the House Ways and Means Committee headed by Arkansas Democrat Wilbur D. Mills concentrates on the tax and financing aspects of national health insurance, questions relating to the delivery of care are the province of the Interstate and Foreign Commerce Committee's subcommittee on public health and welfare, which Rogers heads.

In the following highlights of a Rogers interview by *Washington Editor James A. Reynolds*, only the italic headings preceding each section represent this magazine's interpretation; the observations themselves are Representative Rogers's own. Coming from a member of the Washington establishment, his conclusions show a surprising skepticism about the degree of responsibility for the nation's health that the Federal Government is willing to assume. Coming from one generally reputed to be sympathetic to the medical profession, they likewise indicate a belief that doctors must go further than they have up to now in accepting their share of the public obligation.

There's no overwhelming public demand for a complete overthrow of the existing health-care system. "Like most if not all members of Congress, I'm getting more and more mail dealing with health. People are concerned about the difficulty of obtaining medical care and about its high cost. These concerns must be reckoned with. But the bulk of the letters I receive don't suggest any concerted revolt against our present medical system. Rather, they indicate satisfaction with its achievements along with a wish to correct its deficiencies. This may partly reflect the fact that my constituency is a fairly conservative one. But I'm convinced that the people I represent are typical in

* See "Can Doctors Still Influence National Health Plans?" *MEDICAL ECONOMICS*, April 26, 1971.

wanting to improve what we have rather than trade it for a system completely dominated by the Federal Government.

"That's why I don't think that we should or will have a monolithic approach like the one backed by Senator Kennedy, that would let the Government take over completely. At the same time, while I appreciate the American Medical Association's support for increased aid to medical education and respect its sincerity in sponsoring the Medico plan for national health insurance, I don't feel that this largely financing-only approach goes far enough. I doubt that either of these approaches will get through Congress.

"No approach that is mainly concerned with payment will do the job. That's been the trouble with Medicare and Medicaid, which have failed to improve the nature or delivery of medical services. We have to accompany changes in payment methods with restructuring and reforming of the ways health care is furnished, to make it more widely available. How it's paid for should be scaled to income and what people can afford—whether it's done by tax credits, tax deductions, or other means. The Government should help those who can't pay all or part of their medical expenses. But it doesn't need to take over for people who can pay. There's no reason why they can't do that through a continuation or extension of private health insurance."

Prepayment group plans and catastrophic coverage are only partial solutions to the nation's health problems. "There are indications that resistance to prepaid group practice is diminishing. As the complexity of medical care increases, it will certainly be advantageous for doctors to band together to use combined facilities and supportive personnel. But I don't think that solo practice or simple partnership arrangements will disappear—or that there'll no longer be any need for them.

"The benefits that will flow from health maintenance organizations are being oversold. They are no more the great solution that the Administration seems to claim than is the centralized system that Senator Kennedy advocates. We don't want to put all doctors and all patients into prepayment groups, and I'm sure not all doctors or patients want to be in them. There will be large segments of the population that can be adequately served this way, and others that will be better served in other ways.

"I think that some form of insurance against catastrophic illness will be voted by Congress and that it will be helpful, but again only as a partial answer to our health-care problems. It will be useful to the middle class as a protection against overwhelming bills. But, as I've said, what people can pay, they should. There will have to be other mechanisms to take care of those who can't help themselves—migrant workers, deprived minorities such as the Indians and others, all of the genuinely poor.

"There's one potential benefit of catastrophic coverage that I believe has been widely misunderstood. People talk about preventive medicine as one of the advantages we can expect from H.M.O.s but say that catastrophic coverage will have the opposite effect because it will stress crisis care. I don't hold with that argument. In order to avoid catastrophic costs, we'll see the value of early detection and treatment of illness—in other words, more stress on preventive measures."

Health-care improvement requires the training and suitable distribution of more primary physicians. "I hope that catastrophic coverage will accelerate the trend toward increasing the importance of the primary physician, who first sees the patient. We need more family doctors and have to get them where they're most acutely needed. That's why a program of national health insurance—or what we might better call national health care—must change patterns of

training physician. We have to help hospitals that don't have facilities for family practice programs to get them. And we have to help the medical schools turn out more men who'll go into segments of the profession that are short-handed and who'll be willing to practice in doctor-short areas.

"Some proposals for doing this are simply unrealistic. We've heard people say that the Government should just take over the medical schools and operate them the way it operates Annapolis and West Point, putting the kids into school and then telling them where to practice. That would bring about nothing but unbelievable chaos. Programs where the Government provides educational loans and then forgives them if graduates go into ghettos and other critical areas may encourage some doctors to look away from the overcrowded specialties and the overdoctored, affluent suburbs. But there has to be a stronger thrust in our manpower legislation than just loan forgiveness, which past experience shows isn't enough of an inducement.

"I'm optimistic that this is a problem that time will help solve. Young men we talk to during our hearings and when we visit medical colleges seem more sincerely intent on helping people than on making a lot of money. Many of them talk about doing family practice and getting into community medicine. Until we can be sure that this devotion will continue from the undergraduate years through the end of residency, we have to take some stopgap measures. One such measure is allowing areas of critical shortage to be served by public health physicians."

There has to be more Government leadership in formulating health policies. "It's encouraging that the Nixon Administration has said that Government has a responsibility for helping the nation's citizens maintain good health. But I don't think the Administration has gone far enough in implementing that position, and I'm not saying that out of partisan bias.

"For one thing, there is no sign of national long-range goals on the part of H.E.W. or the Administration regard to health manpower or other aspects of improving national health. When we hear all the talk about statewide and regional and areawide planning and then see that there is no real national plan, we have to conclude that the Administration lacks a real sense of urgency. We had hoped that the appointment of Dr. Roger Egeberg would lead to the development of strong healthcare programs, but he was never given the authority to develop them and we have no reason to believe his successor will.

"In Congress, we don't see evidence that the Executive Branch shares our concern for improving national health. Most legislation that has been put through in the health field has been created with H.E.W. and the Administration just standing by or in some cases even opposing what we've tried to do."

Doctors must show more leadership in restraining the cost and improving the quality of health care. "Responsibility to society is an obligation that physicians as well as politicians must feel and act upon. Most of them do, but not all. Take the matter of fees, for instance, and the way they rose after Medicare was put into effect. Some doctors who realized that they could now be paid for certain services that they'd previously given away went a step further. Seeing that they could charge for serving people with no resources, they came to the conclusion that perhaps they should have been charging more to serve people who had resources. They gave in to patients' escalated demands and didn't resist the opportunity to provide more treatment than may have been needed. I'm not saying this was deliberate profiteering. It's just natural human frailty. But as a special group in our

society, doctors must rise above such impulses. Failing to do so will invite greater Federal regulation.

"Just as they have to do whatever they reasonably can to keep costs within control, doctors must be more aware of the need to do as much as possible to assure the high quality of health care. This means peer review. Of course many people have reservations about peer review, whether it involves doctors looking at doctors or lawyers looking at lawyers or Congressmen looking at Congressmen. We have to be sure that they'll look hard enough. There may have to be tough new laws to assure that they will, but I hope it won't come to that. The medical profession and medical institutions like hospitals are best qualified to do medical review, and they can do it if they will. There are growing signs that they know they'll have to, even if it takes Government incentives or a little Government push to get them going. It certainly will have to be part of whatever national health program comes to pass."

CANCER CONTROVERSY—ITS SOUND AND FURY

HON. MARVIN L. ESCH

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1971

Mr. ESCH. Mr. Speaker, the distinguished president of the American Cancer Society, and renowned gastroenterologist and cancer researcher at the University of Michigan, Dr. H. Marvin Pollard recently published an article in *Medical World News* which I believe is germane to the President's conquest of cancer campaign. I know that my colleagues would benefit from reading Dr. Pollard's article entitled "Cancer Controversy—Its Sound and Fury." The article follows at this point in the RECORD:

CANCER CONTROVERSY—ITS SOUND AND FURY
(By H. Marvin Pollard, M.D.)

For the past year, I have been carefully studying the proposals and efforts to establish a Conquest of Cancer Agency. And after spending some time in Washington trying to learn firsthand how the present system works and how the new system would function, I have become convinced that a cancer research effort involving possibly as much as a billion dollars a year would be handled most effectively by such an authority.

Thus, I do not share the fears of some of my cohorts, especially those expressed by the Association of American Medical Colleges, the Association of Professors of Medicine, and various editorialists. The creation of a cancer agency, whose chief would report directly to the President, will simply represent another step in the line of historical progress.

There was a time when the National Institutes of Health handled relatively small amounts of money. In 1946, for example, the federal appropriation to the NIH was \$50 million. In 1956, it was \$90 million; and in 1966, it was \$1.2 billion. With such a rapid rise in funding, administrative activities obviously had to be altered and will continue to be changed in order to deal with future increases.

At the present time, the budget and administrative policy of the various institutes must be reviewed and approved by six higher levels of bureaucracy before there is final funding of research grants. At every level, there is administrative scrutiny of all the activities and priorities of each institute. By

giving the director of the agency direct access to the President, we can bypass this constant competition and make the handling of one specific medical subject more effective and efficient. Worthy grants will receive speedier approval. Administrators will be able to pinpoint support. It should be emphasized that this proposal will not "obliterate" the National Cancer Institute nor even alter its internal processes as greatly as some people have feared. The NCI will, in fact, become the Conquest of Cancer Agency itself, and I would assume that its director will still be the most important man scientifically, while reporting to the new agency head. The study and advisory groups should remain much the same, and the center will even stay at its present location on the Bethesda campus of NIH, thus maintaining all of the cooperative benefits that it has enjoyed there.

Nor do I think that this program will make "poor sisters" of other research institutes. The National Cancer Institute led the way as the forerunner of the National Institutes of Health in 1937. This greater emphasis on cancer today will help generate an increasing concern with all health problems. And as a result, the health of our citizens should, therefore, assume a higher priority in the federal interest than such items as defense and outer space.

Although this approach could mean a fundamental change in the top structure of NIH, it does not represent a dismantling of the institutes or a disaster for biomedical research by any stretch of the imagination. If the cancer agency achieves the expected efficiencies, I would expect other NIH components to follow. Their funding ceilings will be higher and their responsibilities broader. But from the standpoint of the way grants are handled, for instance, I don't foresee much change.

Nor is the contention that this move would destroy or even disrupt relationships within NIH realistic. At present, the NCI is collaborating with several of the other health institutes on studies of primary interest to cancer research. I have no doubt that this collaboration will continue and even expand. Since the legislation very pointedly keeps the cancer research program within NIH, the important scientific relationship between the cancer agency and the other institutes should be strengthened rather than weakened.

The NIH has now been around long enough to represent a paramount fixture in the entire research careers of some investigators. It is natural, I suppose, that individual researchers or leaders in research-dependent medical schools should develop feelings of insecurity when they hear people discussing any modifications. But research programs are not going to be interrupted.

Besides, the fundamental approach to any research question cannot be altered simply by the way it is funded. I lived in a period in which there wasn't any NIH, and scientific investigators still produced. A good man is not going to be upset; research will remain research.

However, to the clinician and his cancer patients, this program potentially offers great benefits. The cancer agency will be able to mobilize support quickly to exploit promising developments. And three of the most exciting areas today include: the increasing understanding of cancer that epidemiology has brought us; new diagnostic tools, such as the carcinoembryonic antigen; and improved treatment methods, such as radiotherapy, using cobalt sources of even the subatomic particle, the pi-meson. Building new cancer centers will also help spread such benefits across the nation.

An even greater impact on cancer may be made by allocating large amounts of support to professional training and education. When you don't have a cure for a disease, it

is hard on the patient and tough on the clinician. He has trouble justifying any treatment and is put on the defensive because he doesn't have much to offer. I am particularly hopeful that as a part of this effort we will be able to draw the attention of all clinicians, particularly the young men in internal medicine and family practice, to this vital field. It is they who must identify cancer earlier if the surgeons and radiotherapists are to have any chance of improving our results.

Many pitfalls may await such a national drive. The administrative model currently considered by the House of Representatives seeks to take advantage of the efficiencies achieved by the Manhattan Project and the National Aeronautics and Space Administration. However, they had much fundamental information on which to base their projects. This is not the case in the field of cancer at the present time.

The leaders of such a cancer agency will have to guard against the temptation to go out in all directions. I don't question for one minute that a host of mediocre researchers and mediocre bureaucrats could be attracted to the program: The present system is not entirely without fault in this regard. But I hope that the directors of any new cancer effort will use their skills to correct and control this situation.

Research grants will continue to comprise the majority of the funds. Nevertheless, increasing interest is being shown in programmed research and contracts. The contract mechanism, however, can be fraught with personality weaknesses—such as poor selection and favoritism—even greater than those encountered in study groups that evaluate research grants. Still, I think that most contracts will produce excellent results. They make it possible for the director to step out with a new subject, find a research team with the necessary capabilities, subsidize them quickly, and let them concentrate on a specific area.

Doctors should not be so afraid of introducing a businesslike approach into such a national program. Over the past few years, I have had the opportunity to compare the inside administrative activities of several strictly medical organizations with those of the American Cancer Society. Never have I seen so careful an allocation of funds as made by the half-lay and half-professional groups in the ACS. I now believe that business should definitely be involved. Physicians, and particularly scientists, do not really have the concept of handling the huge financial structure involved. There may even be some advantages in choosing a businessman—or businesswoman—to head up the Conquest of Cancer Agency.

Any program that strikes out into new territory must be prepared to come to grips with a multitude of problems. However, the notion that the cancer agency has been oversold to the Administration, Congress, or the American people is ridiculous. The public wants this type of effort, and in fact is almost demanding it. The medical profession has just been a little shy in facing up to this challenge and meeting it. However, if the attention of the federal government can be channeled even more strongly toward cancer and other health fields, I believe that everyone will benefit immeasurably.

THE UN-NEIGHBORHOOD SCHOOL

HON. DEL CLAWSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1971

Mr. DEL CLAWSON. Mr. Speaker, a column by C. W. Borklund, editor and publisher of Government Executive

magazine, appearing in the October issue of that publication, provides a balanced view of a subject which has become supercharged with emotion. I commend the editorial to the attention of my colleagues at this point in the RECORD:

THE UN-NEIGHBORHOOD SCHOOL

(By C. W. Borklund)

In New York City, a family struggled for years, clawing its way up out of the Harlem ghetto, finally scratched together enough equity to buy a nice home in Greenwich Village. Then, in compliance with Federal laws on integration, New York educators in charge of such things decided their daughter should be bused to school—back in Harlem.

In Newport News, Va., a black welder at the Newport News shipyard, father of three school children, got a promotion, enabling him to buy a \$30,000 home in a pleasant residential neighborhood. He became a leader in the neighborhood education system, active in the Parent-Teachers Association. Then, in the name of integration, Health, Education & Welfare pressure on local officials resulted, in effect, in his three school-age children being bused 22 miles to the far edge of the city to school. He no longer shows any interest in the local school system.

And, of course, there's the well-publicized case of the Birmingham, Ala., high school girl whose mother had to appeal all the way to the White House before she could get her daughter off a 44-mile round trip busing ride and back into the high school just three miles from home. Mother's point: in order to catch the bus, daughter would have to drop out of the high school band, give up an important part of her musical ambition.

These are just bits and pieces in a mounting pile of evidence that school busing, as defined by the Supreme Court, is at best a gross and often grotesque tool for achieving racial integration. And while people in high places indulge in simplistic, high flown rhetoric over the merits of racial busing, it is children and not adults who are paying the real and quite probably horrendous price of it. And the real sarcasm of it is that in addition to fouling up maturing youth's impressionistic years, the whole exercise seems to be having little effect on how well people of one skin color do or do not like people of another.

We think it is all probably the best example walking around of the thesis, to paraphrase Thomas Jefferson, that Government governs best which governs locally. As Housing and Urban Development Assistant Secretary Floyd H. Hyde contended recently:

"The purpose of Government is to serve and to be responsive to the changing needs of the people. But, let me ask, is our system of Government really responding and functioning as it should? I contend it is not."

In pointing out that "For the past 40 years, there has been an ever-increasing centralization of power in Washington, away from state and local government—and away from the people," he leveled his key indictment:

"Federal legislation and administrative policies have frequently undercut the role and authority of the mayor and locally elected officials and made it almost impossible for them to act effectively."

Though Hyde was emphasizing, when he spoke, the basic problems of urban decay and the merits of no-strings revenue sharing as proposed by President Nixon, he could just as easily, in a human societal sense, have been talking about racial busing and what giant strides it is taking toward creation of the un-neighborhood school.

It doesn't take much of a sociological education to figure out that, where the building blocks of this Nation's greatness were once its rural communities, they are today—or ought to be—that increasingly vast collection of contiguous urban neighborhoods.

Thus, a logical game plan says, any government program justified as responsive to the needs of the people (and, basically what other justification is there?) ought first and foremost to impact on the needs of the neighborhood community. To the extent that government officials, especially those high up the bureaucratic ladder, fail to heed that truism, they become, in effect, their own worst enemies; because callous, insensitive government behavior simply provokes the kind of thing government can ill afford: angry public opposition.

LET US PRAY—AN AMENDMENT TO THE CONSTITUTION

HON. CHALMERS P. WYLIE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 28, 1971

Mr. WYLIE. Mr. Speaker, since becoming involved in the school prayer issue, I have read voluminous amounts of material on the subject. The most meaningful and persuasive arguments for me in favor of a constitutional amendment were presented in the Law Review article written by Charles E. Rice, Professor of Law, Notre Dame Law School, University of Notre Dame.

I especially urge my colleagues in the House to read it. Whether you agree with it or not, I think you will all concur that Professor Rice has written a very scholarly review which deserves thoughtful appraisal.

The article follows:

LET US PRAY—AN AMENDMENT TO THE CONSTITUTION

(By Charles E. Rice*)

CONSTITUTIONALITY

The school prayer decisions were wrongly decided as a matter of constitutional law. Their basic fallacy lies in the Court's erroneous construction of the doctrine of neutrality which is implicit in the establishment clause of the first amendment. That clause reads simply, "Congress shall make no law respecting an establishment of religion. . . ." It was undeniably understood by its framers that establishment of religion "meant the setting up or recognition of a state church, or at least the conferring upon one church of special favors and advantages which are denied to others."¹ The motive for the enactment of the clause was, in the words of James Madison during a debate in the first Congress, that "the people feared one sect might obtain a preeminence, or two combine together, and establish a religion to which they would compel others to conform."² The goal, in a word, was to achieve governmental neutrality among religions. The word "religion," however, for constitutional purposes, presupposed that a belief in God was the common denominator of all religions. As the Supreme Court stated in 1890, "the term 'religion' has reference to one's views of his relations to his Creator, and to the obligations they impose of reverence for his being and character, and of obedience to his will."³ The establishment clause, therefore, was more precisely designed to ensure governmental neutrality among religious sects professing a belief in God. It was never meant to compel neutrality on the part of government as between those religions that profess a belief in God and those that do not, i.e., between theistic and

Footnotes at end of table.

non-theistic religions. In the words of Mr. Justice Story, who served on the Supreme Court from 1811 to 1845, and who was himself a leading Unitarian:

Probably at the time of the adoption of the constitution, and of the first amendment to it . . . the general if not the universal sentiment in America was, that Christianity ought to receive encouragement from the state so far as was not incompatible with the private rights of conscience and the freedom of religious worship. An attempt to level all religions, and to make it a matter of state policy to hold all in utter indifference, would have created universal disapprobation, if not universal indignation.

The real object of the amendment was not to countenance, much less to advance, Mahometanism, or Judaism, or infidelity, by prostrating Christianity; but to exclude all rivalry among Christian sects, and to prevent any national ecclesiastical establishment which should give to a hierarchy the exclusive patronage of the national government.⁴

It was in the light of this understanding that the Supreme Court properly affirmed, in 1892, that "this is a Christian nation."⁵

This background, of course, must be considered in conjunction with its complement in the first amendment, the free exercise clause. Together, the two clauses read: "Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof. . . ." The free exercise clause has always protected the believer and non-believer alike against any coercion to believe in, or disbelieve, any religion. But the establishment clause, at the same time, sanctioned a governmental hospitality toward, and impartial encouragement of, theistic religions.

All this, however, has now been changed. In the 1961 case of *Torcaso v. Watkins*,⁶ the Supreme Court invalidated a provision of the constitution of Maryland requiring a state employee to declare his belief in God. The test, said Mr. Justice Black speaking for the Court, unconstitutionally invaded the employees' "freedom of belief and religion. . . ." The requirement was invalid because "the power and authority of the State of Maryland thus is put on the side of one particular sort of believers—those who are willing to say they believe in the existence of God."⁷ The Court then emphasized the right of non-theistic beliefs to protection as religions:

We repeat and again reaffirm that neither a State nor the Federal Government can constitutionally force a person "to profess a belief or disbelief in any religion." Neither can constitutionally pass laws or impose requirements which aid all religions as against non-believers, and neither can aid those religions based on a belief in the existence of God as against those religions founded on different beliefs.⁸ (Emphasis added.)

Appended to the last quoted clause was a footnote specifying that:

"Among religions in this country which do not teach what would generally be considered a belief in the existence of God are Buddhism, Taoism, Ethical Culture, Secular Humanism and others."⁹

In view of this holding, it may now be said that there are two general types of religions entitled to the protections of the first amendment. On the one hand are those which profess a belief in God. For purposes of discussion, let us call them theistic, and for analysis we shall include therein both deistic and theistic beliefs in God with their variant interpretations of the nature of God and his providence. On the other hand are those non-theistic religions described in Mr. Justice Black's footnote in the *Torcaso* case. Of the four he mentioned, the two most important in contemporary terms are Ethical Culture

and Secular Humanism, both of which may be called non-theistic religions in that they do not affirm the existence of God. It is reasonable also to include atheism and agnosticism, whether organized or unorganized, within the broad *Torcaso* description of non-theistic religions, since both are compatible with Ethical Culture and Secular Humanism.

It was difficult to tell whether the Court in *Torcaso* rested its decision upon the establishment clause or the free exercise clause, although it is more likely that it was the latter. In either event, today the Supreme Court has removed all doubt that the broad definition of religion applies to the establishment clause. The Court in the 1963 school prayer decision, which was based on the establishment clause, quoted approvingly the principle laid down in the *Torcaso* case, that neither a state nor the federal government "can constitutionally pass laws or impose requirements which aid all religions as against non-believers, and neither can aid those religions based on a belief in the existence of God as against those religions founded on different beliefs."¹¹ The Court has now ordained, therefore, through its misconstruction of the establishment clause, that the government is required to be neutral as between the two great classes of religions, the theistic and the non-theistic.

When this erroneously imposed neutrality is coupled with the Court's tendency to view the first amendment in rigorously absolute terms, one is drawn to the conclusion that the new interpretation would plainly interdict a governmental affirmation that there is, indeed, as the Declaration of Independence affirms, a "Creator," a "Supreme Judge of the World." Thus it is that Mr. Justice Brennan, in his extensive concurring opinion in the 1963 prayer case, in which opinion he probed the consequences of the Court's ruling, could bring himself to observe that the words "under God" in the pledge of allegiance are not necessarily unconstitutional only because they "may merely recognize the historical fact that our Nation (*was believed*) to have been founded 'under God'"¹² (emphasis added). Presumably, if the words were construed as a present affirmation of truth, rather than a role commemoration of a historical fact (or curiosity), they would be unconstitutional.

Actions or proceedings have been instituted to remove those words from the pledge, to invalidate governmentally-paid chaplaincies in the military services and prisons, to strike down the tax privileges enjoyed by religious organizations, and to eliminate other remaining public evidences that this is a nation which subordinates itself to God. The free-exercise-clause rights of prisoners and military personnel could well be violated unless the government, as the *Schempp* Court noted, "permits voluntary religious services to be conducted with the use of government facilities. . . ." (Emphasis added.) It may not be rash to note that the Court's reference only to "government facilities" leaves clouded the constitutional future of chaplains themselves on the government payroll. Similarly, the religious tax privileges in question apply to the purely religious activities of churches as well as to those activities, such as teaching mathematics in parochial schools, which serve a valid secular purpose. The tax privileges are, it is fair to say, in serious jeopardy of at least partial invalidation.

Given the proclivity of the current members of the Supreme Court to adhere tenaciously to their own abstractions (which in religion cases have generally been born in gratuitous and self-generated *obiter dicta* in the Court's own opinions), and given the sweeping character of those reigning abstractions, we may fairly expect the manifestations of our religious heritage in public life to be eliminated, singly but inexorably, by judicial decree. Only a constitutional

amendment can be counted upon to check the trend, for the notion of judicial self-restraint seems to have fallen out of favor among the majority of the Court.

The objection is sometimes made that, if prayer is permitted in schools or other public activities, the practices will inevitably deteriorate into a rampant sectarianism in which, for example, a communal rosary in public school would become the order of the day in a district where Roman Catholics predominate. There are ample safeguards against such excess. For one thing, the common sense and good faith of the people involved at the local level can usually be counted upon to prevent the observances from being carried to a sectarian extreme. If, however, the problem actually does arise, and, judging from experience, it will arise infrequently if at all, the state and federal courts should deal with it on a case-by-case basis. But in so doing, the courts ought to afford a greater latitude to the local governments to solve the problem than they are now given. At what point are the courts to intervene? In terms of the establishment clause, such things as the communal rosary ought to be prohibited as overly sectarian. The Lord's Prayer and Scripture reading, however, ought to be allowed, in view of our history and tradition. Also, if the case should ever occur, a mere devotional reading from the Koran, in a public school in which Moslems predominate, should be allowed, in deference to the federal character of our government and the general practical wisdom of local control.

Operating under the free exercise clause, the courts should invalidate a local practice only when there is actual coercion upon children to participate. In this context, mere embarrassment ought not to be considered such coercion, so long as scrupulous efforts are made by the authorities to minimize such embarrassment.

In fact, a proper deference by the Supreme Court to the concept of federalism and a healthy respect by the Court for the fairness and capacity of local governments would serve to restore a proper balance in this area. The Supreme Court of the United States is ill equipped to rule in a matter such as this by uniform, centralized decree. It is not, as has often been said, a "Supreme School Board." Nor should it be.

Some opponents of an amendment maintain that the inclusion of prayers in a public school necessarily violates the free exercise of religion by children and their parents, who do not believe in God. There are four weaknesses in that argument. First, in none of the cases in question was any child actually coerced to do or say anything, and the right of non-participation was scrupulously preserved. Second, the Supreme Court did not decide the cases on the free exercise basis, but rather under the establishment clause, and it is upon the Court's interpretation of the latter clause that approval or disapproval of the rulings ought to be based. Third, even if we do consider the free exercise question, the dictates of common sense are persuasive. Dean Erwin N. Griswold of Harvard Law School said it this way in a passage that is worth quoting at length:

Let us consider the Jewish child, or the Catholic child, or the nonbeliever, or the Congregationalist, or the Quaker. He, either alone, or with a few or many others of his views, attends a public school, whose School District, by local action, has prescribed the Regents' prayer. When the prayer is recited, if this child or his parents feel that he cannot participate, he may stand or sit, in respectful attention, while the other children take part in the ceremony. Or he may leave the room. It is said that this is bad, because it sets him apart from other children. It is even said that there is an element of compulsion in this—what the Supreme Court has called an "indirect coercive pressure upon

religious minorities to conform.' But is this the way it should be looked at? The child of a nonconforming or minority group is, to be sure, different in his beliefs. That is what it means to be a member of a minority. Is it not desirable, and educational, for him to learn and observe this, in the atmosphere of the school—not so much that he is different, as that other children are different from him? And is it not desirable that, at the same time, he experiences and learns the fact that his difference is tolerated and accepted? No compulsion is put upon him. He need not participate. But he, too, has the opportunity to be tolerant. He allows the majority of the group to follow their own tradition, perhaps, coming to understand and to respect what they feel is significant to them.

Is this not a useful and valuable and educational and, indeed, a spiritual experience for the children of what I have called the majority group? They experience the values of their own culture; but they also see that there are others who do not accept those values, and that they are wholly tolerated in their nonacceptance. Learning tolerance for other persons, no matter how different, and respect for their beliefs, may be an important part of American education, and wholly consistent with the First Amendment. I hazard the thought that no one would think otherwise were it not for parents who take an absolutist approach to the problem, perhaps encouraged by the absolutist expressions of Justices of the Supreme Court, on and off the bench.¹⁴

The fourth fallacy in the free exercise objection to an amendment is that the objection overlooks the right of the majority of citizens to the free exercise of their religion. Strict neutrality between theism and non-theism, as broadly defined by the Supreme Court, is not attainable. When public officials, including school teachers, are compelled to suspend judgment in the course of their official activities on the question of whether there is a God, the effect is an official adoption to that extent of the agnostic approach. Parents and children who believe in God may properly ask why those children must attend a public school where, over their objection, the basic question of God's existence is treated in an agnostic way which is incompatible with, and offensive to, their beliefs and the basic theistic tenets upon which the Republic was nurtured.

In short, there can be no governmental neutrality between theistic and non-theistic religions in terms of the establishment clause. The perpetual suspension of judgment enjoined by the Court on the part of government as to whether there is a God is in reality a mere replacement of the traditional and proper theistic affirmation by a new, non-theistic orthodoxy of agnosticism—a public agnosticism which will, if embedded in our law, spawn a public policy of affirmative and militant secularism.

PRACTICAL BENEFIT

A brief comment is in order on the practical benefit to be derived from a favorable resolution of the amendment question. The issue is, essentially, "can government constitutionally recognize that there is a God?" Implicit in such recognition is an affirmation that there is a standard of right and wrong higher than the state itself. The child who routinely sees the agents of the government, be they teachers or presidents, affirm the existence and supremacy of God and His law over all is less likely to follow the demagogue who asserts for the state, and for himself as its oracle, the final power to ordain what is right and wrong in a matter of public or private morality. Moreover, an inculcation of mere ethical values without reference to their divine source cannot serve this purpose as well as an assertion of the supremacy of an unchanging lawgiver. For, if ethical precepts arise from some non-divine source such as

the Constitution, a consensus or a social contract, then they can be subject to change or disregard by a totalitarian state or by a modern democracy enjoying the assent of a majority of its citizens. If we are to preserve the limited government that is the hallmark of American constitutionalism, we can hardly disregard the lesson of history that a strong assurance against governmental abuse is a citizenry devoted to ultimate values transcending the changing will of the state. It is surprising, and disappointing that some Catholic opponents of a prayer amendment have not addressed themselves to this question of the necessity of a frank acknowledgment by the state of the existence of a divine standard higher than itself. On Thomas Jefferson's Memorial there is inscribed his questioning warning: "God Who gave us life gave us liberty. Can the liberties of a nation be secure when we have removed a conviction that these liberties are the gift of God?"

In recent decades the schools of America have retreated from the unapologetic inculcation of love for God and country. Perhaps coincidentally, the educational philosophy of permissiveness gained supremacy during the same period. Today we are confronted with juvenile disciplinary problems of unprecedented magnitude. It is fair to say that the restoration and advancement of character will be furthered by teaching our children that there is indeed a "law of Nature and of Nature's God," which enjoins upon them a rejection of vagrant self-indulgence in favor of an ordered pursuit of a higher good.

FOOTNOTES

*Professor of Law, Notre Dame University School of Law.

¹ COOLEY, GENERAL PRINCIPLES OF CONSTITUTIONAL LAW 224-25 (1898).

² ANNALS OF CONG. 731 (1789) [1789-1791].

³ Davis v. Beason, 133 U.S., 333, 342 (1890).

⁴ STORY, COMMENTARIES ON THE CONSTITUTION OF THE UNITED STATES §§ 1874, 1877 (1891).

⁵ Holy Trinity Church v. United States, 143 U.S. 457, 471 (1892).

⁶ 367 U.S. 488 (1961).

⁷ Id. at 496.

⁸ Id. at 490.

⁹ Id. at 495.

¹⁰ Id. at 495 n.11.

¹¹ School Dist. of Abington Township v. Schempp, 374 U.S. 203, 220 (1963), quoting Torcaso v. Watkins, 367 U.S. 488, 495 (1961).

¹² Id. at 304.

¹³ Id. at 226 n.10.

¹⁴ Griswold, *Absolute Is In The Dark—A Discussion Of The Approach Of The Supreme Court To Constitutional Questions*, 8 UTAH L. REV. 167, 177 (1963).

on Government Operations, chaired by the distinguished gentleman from Texas (Mr. Brooks), held hearings on the effectiveness and efficiency of Department of Transportation programs relating to automobile and schoolbus safety. The transcript of these hearings demonstrate the Department of Transportation's concern with schoolbus safety, but it also reveals the failure of the Department to take the type of action with respect to schoolbuses that it has with respect to passenger cars and other modes of public transportation. I want to commend the subcommittee for its initiative in this matter, and I want to encourage its distinguished members to recommend the implementation of effective standards to the Department of Transportation in their upcoming report.

The merit of occupant restraint systems and better designed seats for schoolbuses has been made clear on numerous occasions by National Transportation Safety Board investigations and the hearings I have mentioned. Hearings should be held on this legislation at an early date. The sooner standards are implemented, the sooner it will be possible to reduce the annual tragedy of 100 student deaths and 4,000 student injuries in schoolbus accidents.

Mr. Speaker, the following Members of Congress are today joining me in sponsorship of the School Bus Safety Act:

- Mr. BAKER of Tennessee.
- Mr. BARRETT of Pennsylvania.
- Mr. BEVILL of Alabama.
- Mrs. CHISHOLM of New York.
- Mr. GERALD R. FORD of Michigan.
- Mr. FREY of Florida.
- Mrs. GRASSO of Connecticut.
- Mr. HALPERN of New York.
- Mr. HECHLER of West Virginia.
- Mr. PETTIS of California.
- Mr. RHODES of Arizona.
- Mr. ROBINSON of Virginia.
- Mr. SYMINGTON of Missouri.
- Mr. THONE of Nebraska.
- Mr. WAGGONER of Louisiana.
- Mr. WILLIAMS of Pennsylvania.
- Mr. WINN of Kansas.
- Mr. YATRON of Pennsylvania.

PATRIOTIC YOUNG STUDENTS

HON. J. EDWARD ROUSH

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 28, 1971

Mr. ROUSH. Mr. Speaker, I participated in the Veterans Day ceremony held at the McKenny-Harrison Elementary School in Auburn, Ind., on October 22, 1971. It was an inspiring experience to see this expression of loyalty and devotion to our country expressed by these young men and women. For me the climax of the program was the reading of the prize-winning essay by Miss Ellen Schwartz. Her essay follows:

WHAT VETERANS DAY MEANS TO ME

Veterans Day is a day when we should honor the men that have served in protecting us and our country. We should be thankful that men and women have been willing

EIGHTEEN MEMBERS COSPONSOR THE SCHOOL BUS SAFETY ACT

HON. DONALD G. BROTZMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 28, 1971

Mr. BROTZMAN. Mr. Speaker, 2 weeks ago I introduced legislation to require that all schoolbuses be equipped with seat belts for passengers and seat backs of sufficient height to prevent injury to passengers. The reaction to my proposal has been gratifying, and today I am pleased to report that 18 of my distinguished colleagues in the House have asked to be cosponsors of the bill.

In July, the Government Activities Subcommittee of the House Committee

to risk their lives for our country. All the people that have served our country are a great symbol of what this country stands for, freedom. On Veterans Day we should honor the men that have died while serving this country as well as all the men that are in the Armed Forces now. We should have the same feeling for this important day as we do Easter, Thanksgiving or Christmas. Veterans Day is very important to me because when I was very young my father was killed in the Air Force in a jet crash while serving this great America.

Ellen won a \$25 U.S. savings bond for her effort. It was deserved and I congratulate her.

SAIPAN WANTS PAN AM SERVICE

HON. FRANK E. MOSS

OF UTAH

IN THE SENATE OF THE UNITED STATES

Thursday, October 28, 1971

Mr. MOSS. Mr. President, one of this country's most pressing obligations is to better the life of the people of our Pacific trust territories.

For all too long, the island of Saipan has been neglected so far as economic progress is concerned. There is no reason why this should be so. Saipan is a beautiful island inhabited by fine people.

It is, therefore, reassuring to learn that the Saipan Legislature is making a determined effort to promote more economic progress for the island.

On August 19, 1971, the legislature unanimously adopted a resolution requesting that the United States Government permit Pan American Airways to provide service to Saipan.

With good reason, Saipan wants Pan Am's service. Saipan has seen how Pan Am has helped develop the island of Guam into one of the great and still fastest growing tourist resort areas in the world.

Those who have been to Saipan, as I have, know it has been richly endowed by nature and is one of the most scenic islands in the world. It could be a popular tourist stop-over from the United States to the Orient. But although Pan Am aircraft overfly Saipan about 10 times a week in each direction, on the Guam-Tokyo Pan Am route, they cannot fly scheduled service into it.

It is high time, in my opinion, that the Department of the Interior, the CAB and the other government agencies, as well as the U.S. authorities in the Saipan area, heed the determined plea of Saipan to be included in Pan Am's network of economic progress.

Such action on the part of the United States Government authorities would be one way of demonstrating that this nation is truly interested in the betterment of life on the Island of Saipan.

I ask unanimous consent to include in the appendix of the RECORD the full official text of the Resolution of the Saipan Legislature requesting service for Saipan by Pan American World Airways.

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

3RD MARIANA ISLANDS DISTRICT LEGISLATIVE RESOLUTION No. 25-1971

(A resolution relative to respectfully memorializing and requesting the United States Government to act favorably on the application of Pan American World Airway to serve the air route between Saipan and Japan)

Whereas, it was recently announced that the Civil Aeronautics Board had granted approval to Japan Air Lines to make flights from Tokyo to Saipan, Mariana Islands District in the Trust Territory of the Pacific Islands; and

Whereas, by granting Japan Air Lines landing rights in Saipan on its flights from Tokyo, an air route between Tokyo and Saipan was established; and

Whereas, it is recognized that the United States of America has under consideration applications by several United States air carriers to serve this route, but so far no United States air carrier has been selected; and

Whereas, after more than a quarter of a century of dormancy, the economy of Saipan has started to grow, primarily because of its most promising industry—tourism; and

Whereas, the number of tourists visiting Saipan has increased from approximately 100 in 1965 to almost 20,000 in 1970, of which more than 15,000 were citizens of Japan; and

Whereas, the tourist potential of Saipan is widely recognized as the most promising industry for a durable, stable and viable economy for the area and its inhabitants; and

Whereas, it is noted that the tourist industry in the United States Territory of Guam has gone from almost nothing to well over 125,000 visiting tourists since direct service from Japan to Guam was inaugurated by Pan American World Airways in 1967; and

Whereas, we, the elected leaders in this district-wide Legislature, believe that in selecting a U.S. air carrier to serve the route between Saipan and Japan, the wishes of the people directly involved in the responsibilities and the benefits that will result from such service should be given the greatest weight; and

Whereas, this Legislature believes that in choosing an air carrier to serve the route between Saipan and Japan, the qualifications, experience and general know-how of that carrier should also be taken into consideration; and

Whereas, on the basis of meeting this criteria, Pan American World Airways can connect Saipan to its world-wide air service system; is unmatched as the world's most experienced airline; and stands out in the matter of performance, as is exemplified by the magnificent work it has already done in promoting tourism to the U.S. Territory of Guam, for which Pan American World Airways was recognized by the Government of Guam in March of this year as the carrier has done the most towards promoting travel to Guam; and

Whereas, Pan American Airways has provided air service to Japan since 1947, and has over the years, maintained a veteran professional staff in Japan in sales promotion and public relations staff, executives and other personnel, that is unmatched by any other U.S. air carrier; and

Whereas, in order to facilitate the building of the infrastructure to accommodate the anticipated influx of tourists, we, the elected representatives of the people of the Mariana Islands District urge that Pan American World Airways be selected to serve the route between Japan and Saipan;

Now, therefore, be it resolved by the 3rd Mariana Islands District Legislature that the Government of the United States be and hereby is respectfully memorialized and requested to act favorably on the application

of Pan American World Airways to serve the air route between Saipan and Japan; and

Be it further resolved that the President certify to and the Legislative Secretary attest the adoption hereof and thereafter transmit copies of the same to the President of the United States of America, the Secretary of the United States Department of the Interior, the Secretary of the United States Department of State, to the Chairman of the Civil Aeronautics Board, and to Pan American World Airways.

FIGHTING BACK ON SCHOOL PRAYER

HON. EARL F. LANDGREBE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 28, 1971

Mr. LANDGREBE. Mr. Speaker, on Monday, November 8, this House will finally resolve the issue of prayer in schools, an action which is long overdue. The American public has been demanding action on this matter ever since the infamous decision of the Warren Court on behalf of organized atheism.

There is some question over whether the Supreme Court actually banned voluntary prayer in schools, but it is still a fact that every application of the Court ruling has had the effect of prohibiting any prayer, even the reading of prayers contained in the CONGRESSIONAL RECORD.

If the Court's intent was to prohibit all prayer, voluntary or involuntary, in our schools, then this ruling should be overturned. If, on the other hand, the Court's intention has been misapplied, then the ruling should be clarified. The Wylie amendment would accomplish either of these goals and should be passed on November 8.

Mr. Speaker, on October 1, my good friend Stan Evans, editor of the Indianapolis News, wrote an excellent article about the school prayer amendment proposed by our distinguished colleague, CHALMERS WYLIE. Four days later, Mr. Evans' paper printed an outstanding letter to the editor on the subject. I insert both of these items in the RECORD:

FIGHTING BACK ON SCHOOL PRAYER

(By Stans Evans)

Nine years after the U.S. Supreme Court struck down prayer in the public schools, Congress has moved to do something about it.

Last week the House of Representatives forced a constitutional amendment permitting nondenominational prayer in public places out of the House Judiciary Committee. This was accomplished through the difficult maneuver of a "discharge petition," by which legislation can be released from committee if a majority of the members request it. The amendment is scheduled for a full vote in the House sometime in November.

In 1962 the Supreme Court ruled that a nondenominational prayer used in the schools of New York violated the First Amendment to the Constitution, which forbids Congress to make laws respecting an "establishment of religion."

A year later the court also banned Bible reading and recitation of the Lord's Prayer in classrooms on essentially the same grounds. Both rulings caused a furore, but until last week's action nothing specific had been done

to correct the situation created by Earl Warren and his colleagues.

The amendment now before the House, sponsored by Rep. Chalmers Wylie, R-Ohio, would go a long way toward eliminating confusions spawned by the court. It states that "nothing contained in this Constitution shall abridge the right of persons lawfully assembled, in any public building which is supported in whole or in part through the expenditure of public funds, to participate in nondenominational prayer."

If one examines the history of public religious observance before, during, and for decades after the adoption of the First Amendment, there is little doubt that the Wylie amendment is in keeping with the views of our founding fathers. Many of the states which ratified the Constitution and the First Amendment themselves had maintained "established" churches. The prohibition contained in the First Amendment was specifically aimed at preventing "Congress"—the Federal government—from stepping in and interfering with the localized religious practices of the states by creating a national church like the Anglican "establishment" in Great Britain.

As Judge Thomas Cooley put the matter many years ago: "By establishment of religion is meant the setting up or recognizing of a state church, or at least the conferring upon one church of special favors and advantages which are denied to others. It was never intended by the Constitution that the government should be prohibited from recognizing religion, or that religious worship should never be provided for in cases where a proper recognition of divine providence in the working of a government might seem to require it..."

In what is by now an all too familiar story, the Supreme Court has taken the language and intention of the founders and used them to do exactly what the founders wanted to prevent. The court has used a prohibition against Federal interference with religion as a pretext for causing Federal interference with religion. It has taken a provision against "established" churches and caused the imposition of the new state-established faith of liberal secularism.

There is not a scintilla of evidence that the founders intended what the court has now wrought—banishment of religious belief or recognition of divine providence from official life.

In particular there is no evidence they would have countenanced the notion that American youngsters should be educated during their formative years in an atmosphere hermetically sealed off from religious conviction. This is an invention of modernity's secular fanatics.

Such is the constitutional law and common sense of the matter. If the House and Senate can be persuaded to agree, Rep. Wylie's amendment restoring us to sanity on this subject will be on its way to the states. Since it takes a two-thirds vote in both chambers to get the job done, however, citizens who are concerned about this issue should make their wishes known to their lawmakers.

"WALL OF SHAME"—?

To the Editor of The News:

America's wall of shame, blocking voluntary prayer in our public schools, must come down. Since 1963, when the infamous ruling of the Supreme Court denied the right of prayer in public schools, a whole school generation has grown up deprived of spiritual and religious development provided to all preceding generations. We are reaping the harvest of this imbalance today in our youth's moral training.

Educators stress the importance of developing "the whole child," but with no prayer or Bible reading or recognition of God permitted, the public schools train the mind

and body of the child but ignore his soul. No wonder our youth are floundering.

Ironically, in public buildings other than schools, there is no ban on prayers. Congress and state legislatures and other governmental activities open their sessions with prayers, and even the members of the Supreme Court are sworn into office with a religious ceremony, as are other public officers. And our U.S. coins and pledge of allegiance to the flag recognize God, as do our armed forces with their chaplains.

Then why have we allowed the wall of shame to deny to our public schools the same right? It all came about through the machinations of a small group of atheists who foisted the ban upon our nation by influencing the Supreme Court in 1963. Since then the House Judiciary Committee headed by Rep. Emanuel Celler had succeeded in bottling up every proposed amendment to the U.S. Constitution which sought to correct this prohibition of the right of prayer in schools. When the late Sen. Dirksen's amendment was defeated he said prophetically: "This issue will not die."

Another amendment seeking to lift this prayer ban has recently been pried out of the Judiciary Committee by a discharge petition of the House of Representatives. It is to be voted on by the House Nov. 8. To become law, it must pass the House and the Senate and be ratified by three-fourths of the state legislatures.

Now is the time for all citizens to write their congressmen asking them to support the upcoming amendment and help to erase our great national disgrace—the ban on prayer in our public schools, and the recognition of God and His moral universe.

SUSAN McWHIRTER OSTROM.

MERCY FLIGHTS AND THE FAA— PART 1

HON. MARK O. HATFIELD

OF OREGON

IN THE SENATE OF THE UNITED STATES

Thursday, October 28, 1971

Mr. HATFIELD. Mr. President, on October 20, the FAA held an investigation hearing in Medford, Oreg., into the affairs of Mercy Flights, Inc.

Mercy Flights is a nonprofit, community organized and backed air emergency rescue operation. Over 5,000 people contribute to Mercy Flights, so that this vital service can be provided in times of great need. It serves the small towns of southern Oregon and northern California. Over 3,000 people have been flown in the 20-year history of safe operations of Mercy Flights.

Because of the Senate schedules and votes, I was unable to attend the Medford hearing, although I had hoped to be present. I prepared a statement which was made a part of the RECORD, and I ask unanimous consent that it appear at the end of my remarks.

I have contacted the FAA and asked for a complete explanation of the FAA investigation and the future prospects of Mercy Flights. I shall have more to say to the Senate about this situation at a later date.

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

STATEMENT OF SENATOR MARK HATFIELD

I respectfully request that the Federal Aviation Administration consider the opera-

tion of Mercy Flights as a unique situation, and one that merits special consideration in determining its operating status. I would hope that the FAA could insure adequate safety regulations without destroying the ability of Mercy Flights to provide its current service to the people of Southern Oregon and Northern California.

Air safety is a complex issue, and those who support Mercy Flights certainly should not be considered in opposition to adequate safety regulations and procedures. Recent accidents by air taxi and air charter operations have focused public attention on the need to insure that the welfare of the American people is protected on such flights. This protection is the prime purpose of all safety regulations, and no one quarrels with this goal.

A basic philosophical question under consideration is whether the public welfare is better served by the new safety regulations, or by continuing the current status. Public welfare and safety should be measured in its total context, not from a limited perspective.

Just what is public safety and welfare in this broader view? While public welfare and safety certainly includes proper air safety regulations, it also means the capacity of the residents of smaller Oregon towns to live in these areas knowing that adequate medical service is available within a short time. Public welfare and safety means that emergency medical services can be reached in a matter of minutes by plane, rather than hours by car—perhaps at a reckless highway speed.

Today efforts are being made in the Congress to stem the flow of people to the large metropolitan centers of the country. Our rural areas and smaller cities must grow, rather than shrink in population. Problems of big cities—so much in the news today—will not be solved until this migration is stemmed, and our small towns acquire a new livability.

In order to attract people to the small towns of our country, the basic amenities must be provided. Adequate health care facilities certainly are one of these basic needs. Economic realities prohibit development of local medical centers to the degree needed in our small towns.

The current operation of Mercy Flights allows the people of Southern Oregon and Northern California access to emergency medical services which they need badly. If such services are not provided, other attempts to improve the quality of life in less populated areas will have to cope with this additional obstacle.

If Mercy Flights were a new, untried operation, the FAA would be in a different position in evaluating its operation. There would be no standard by which to assess safety, performance, or benefits. With the long record of Mercy Flights, however, the FAA can see that a needed service has been provided, and a safety record established. Over 3000 people have been assisted in Mercy Flight's twenty year history.

I would suggest an axiom for any administrative agency to consider. It is: "For every good regulation, there exists a worthwhile exception." The operation of Mercy Flights merits the thorough review of the FAA.

THE IMPACT OF THE U.N. VOTE AND ITS LOGICAL CONSEQUENCES

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 28, 1971

Mr. RARICK. Mr. Speaker, the full gravity of the United Nations General Assembly vote replacing Nationalist

China with the Red Chinese regime as the representative of the Chinese people has not been explained. Was this a mere procedural matter?

This procedural action in the U.N. was said to involve a matter of credentials—that is, which political structure of the two Chinas was to be recognized as the legal representative of the Chinese people. In actuality, the U.N. was holding court and its vote passed judgment condemning the Nationalist Chinese to death.

By rejecting the credentials of Nationalist China as the recognized spokesman of the Chinese people, the U.N. was, in effect, ruling that the Nationalist Chinese Government no longer represents anyone. The issue of the representation of Taiwan was never considered because it is not a nation, it is a province of China. The effect of this vote can only be to establish Red Chinese sovereignty over Taiwan, its people, laws, and government.

Within a short time those who felt that the U.N. vote was merely a matter of musical chairs in that organization will awaken to the full impact.

When the Red Chinese Communist Party assumes a seat in the U.N. General Assembly, we will learn what arrogance really means. Our Government can expect to be notified that all U.S. military bases, hospitals, and installations on Taiwan are encroaching upon the sovereign territory of the Red Chinese, accompanied by demands that we immediately withdraw, preparatory to Red China taking physical possession of its own province.

It will be interesting to see the reaction of the Nixon administration when Chairman Mao decides, under international law, to exert his new rule over Taiwan and attempts to occupy his own "province" now held by the "rebel forces."

Who knows of any international law which prevents a sovereign from exercising control and sovereign rights over its own territory—its own people?

Failure of the United States to withdraw would place us on untenable grounds before the august U.N. body and result in repeated denunciations for interference in the internal affairs of another nation. And consider how the presence of the 7th Fleet in the Straits of Formosa to defend the people on Taiwan from their national government could be made to appear.

All Red China needs is time. I fear the U.N. vote did far more than change the occupancy in the China seat—it was the death sentence for millions of Chinese living on Taiwan—and the eventual seizure of all U.S. interests and investments.

This the U.S. taxpayers have bought at a cost of \$300 million-plus a year as well as tolerating the existence of the U.N. and its bureaucrats in our country.

Our leadership must assume its share of responsibility, but those nations who supported the Albanian resolution must never be permitted to escape their culpability.

In anticipation of another betrayal of the Chinese Nationalist, I had earlier

introduced House Joint Resolution 843, a bill to provide political asylum in the United States for Chinese refugees from the Communist menace.

The two-China policy was a fraud from the beginning. President Nixon had best reconsider making his trip to Peiping and stay home to figure out how to lead free men out of this dilemma.

I ask that a copy of my bill follow.

H.J. Res. 843

Joint resolution to provide for the protection and political asylum for the people of the Republic of China

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) in the event that the United States establishes diplomatic relations with the government of Communist China, or if the United States takes any action that directly results in the abrogation or repudiation of any commitment on the part of the United States to go to the aid and defense of the people of the Republic of China, then any citizen of the Republic of China may enter the United States and obtain the status of a permanent resident, notwithstanding the provisions of the Immigration and Nationality Act; except for section 212(a) of such Act (relating to the exclusion from admission of criminals and other undesirables).

(b) The Attorney General of the United States, through the Immigration and Naturalization Service, is authorized to take any action he may deem necessary to carry out the purpose of this joint resolution.

DAILY OKLAHOMAN POINTS TO U.S. NAVY CRISIS

HON. ED EDMONDSON

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 28, 1971

Mr. EDMONDSON. Mr. Speaker, Oklahoma's largest daily newspaper, the Daily Oklahoman, has performed a continuing service in our State by pointing forcefully to some of the areas in which the U.S. defense effort is lagging.

On October 24, 1971, the Sunday Oklahoman carried a front page editorial emphasizing the expanding gap between the U.S. Navy and the Navy of the Soviet Union, in terms of replacement of obsolete vessels.

In no area is this gap more pronounced than it is in the submarine force, and this could one day prove to be an Achilles' heel of critical importance in our defense posture.

The editorial, "Plotting Our Fate," follows:

PLOTTING OUR FATE

Unless it intended to use them, no government would spend hundreds of billions of dollars in nation-wide construction of huge war weapons, factories and military equipment, including the world's largest naval and commercial fleets and super-powered weapons, and at the same time, train and equip millions of men in army, naval and air combat forces.

Russia now has more megatons of nuclear weapons than the rest of the world combined, yet is adding to them at a record pace. Military authorities estimate that Russia now has 1,500 nuclear missiles, ranging from 5 megatons to 25 megatons and is rapidly

equipping more and more launching sites for intercontinental missiles.

Already Russia has more than three times as many submarines as the United States and has a huge assembly line capable of producing at least one new nuclear submarine each month. Some of their new submarines admittedly are faster than ours.

In a few years, Russia will have an overwhelming preponderance, not only of submarines. Some of their naval ships are equipped with nuclear missiles with a range of more than 100 miles and it is said that some of their merchant ships are also equipped with a few missiles.

The United States Navy has no such equipment and while Russia is constantly adding new warships, the United States Navy is constantly mothballing its older ships and not replacing them with new and modern ships.

No other nation is capable of opposing Russia in a nuclear war and the huge development of Russian intercontinental nuclear missiles and its huge, rapidly growing naval fleet are designed to overpower the United States.

At its present rate of increase, in a few years it will be capable of an ultimatum to the United States to surrender or else.

In the meantime, Congress is appropriating less and less for our own defense.

Will the United States wake up in time or is it already too late?

CRIMINAL BEHAVIOR

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 28, 1971

Mr. DERWINSKI. Mr. Speaker, the point made in an editorial in the Harvey, Ill., Tribune of October 17, hits the nail right on the head. Therefore, I hope that by inserting this editorial into the RECORD it will receive the attention it deserves. The point so well made here should be considered by citizens throughout our land:

SHOULD BE NO EXCUSES FOR CRIMINAL BEHAVIOR

One thing certain to encourage those with martyr complexes or militant or extremist tendencies is criticism of law enforcement officers combined with rationalizations and excuses for criminal behavior, no matter how well meaning.

Now occurring regularly in the United States are senseless killings of law officers. One of the more senseless occurred recently in Jacksonville, Florida, when a 24-year-old award-winning officer stopped a suspect for questioning and was shot through the head and heart. Similar killings now take place every week, by those who hate law officers. Revolutionaries and militants (including Communists) have stirred up hostile emotions in some cases; some militant minority leaders gain power and position by sensational and divisive hate speeches.

In some cases, of course, especially in the past, police departments have been less restrained in dealing with some citizens than others. This cannot be justified and has been largely eliminated. There have been other faults in operation of police departments, prisons, and in many other areas, admittedly, and probably always will be.

Reformers who succumb to the temptation to champion criminals and excuse their behavior because law enforcement and police protection aren't perfect encourage extremists and the simple-minded to commit awful deeds.

CONSEQUENCES OF THE CHINA
VOTE

HON. BILL NICHOLS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 28, 1971

Mr. NICHOLS. Mr. Speaker, my office is receiving telegrams, letters, and phone calls protesting the United Nations vote of Monday night which resulted in the expulsion of Taiwan, one of the United States strongest allies. My constituents are calling for legislation getting the United States out of the U.N. and the United Nations out of the United States.

I share the concern of all Americans about the future of this organization, founded 25 years ago to preserve world peace. Today, the United Nations has become dominated by allies of the Communist bloc while the United States continues to pay approximately 33 percent of the overall cost of maintaining the U.N.

It is time for the United States to re-examine the United Nations and the role it is playing in today's world. Taiwan was not the only loser Monday night. Unfortunately, both the United Nations and the United States lost an important fight against the expanding Communist world.

I believe that the sentiments of most Americans were expressed in an editorial in the October 26 edition of the *Montgomery, Ala., Advertiser*. I would like to include this editorial, entitled "Consequences of the China Vote" in today's RECORD:

CONSEQUENCES OF THE CHINA VOTE

The ouster of Nationalist China from the United Nations was the worst defeat this country has ever been dealt in the world organization.

It may also be a domestic setback for the Nixon Administration, which will be blamed for this shattering precedent.

The United States supported, after more than 20 years of opposing, the admission of Red China to the General Assembly and Security Council. At the same time, the U.S. delegation fought hammer and tong to prevent the expulsion of the Nationalist government on Taiwan.

It was the sense of the UN that these were mutually exclusive concepts, that there could be only one nation representing Chinese people.

President Nixon's new China policy thus blew up in his face like an explosively charged ping-pong ball. And that, in a sense, is what it was.

It was in April, during the visit of a U.S. table tennis team to Red China, when Nixon announced steps to improve U.S.-China trade and travel relations.

On July 15, he made his surprise announcement that he would visit the Chinese mainland. This was widely approved by the American people, but millions still believed Taiwan should remain in the UN. However, that position was fatally compromised by this country's endorsement of the seating of Peking.

An old ally and client-state, the Nationalist government on Taiwan, which has remained a law-abiding member of the family of nations, was marked for expulsion by a coalition of states that have less practical reason for being in the UN than Taiwan.

Illustrative of this was victory jig by the Tanzania delegation in the front row of the General Assembly hall. That great world

power, Tanzania, celebrating the results of the resolution proposed by another great nation, Albania.

Both together are not as significant in world affairs as Taiwan, which they gleefully joined in ejecting.

U.S. Ambassador to the UN George Bush warned that the unprecedented expulsion of a member state could lead to the expulsion of others:

"Surely there is many another member in this organization which, though fully in possession of territory and governmental powers, could one day become the target of some political commanding a simple majority, aiming to throw it out . . . solely because its right to govern is disputed by others."

The UN, already fallen into disrepute and ignominy, has inflicted a grave injury on itself—and on President Nixon, an accessory before the fact.

Since 1949, when the communists overthrew the Nationalist government and forced Chiang Kai-shek and his followers to flee to what was then called Formosa, the China question has been a highly emotional one to Americans.

Although willing, at last, to admit Red China to the UN, they might be highly indignant over the price their country paid—the ouster and humiliation of the symbol of Asian anti-communism.

Coping with this emotionalism may well become another of Mr. Nixon's famous crises.

And he was already headed for the 1972 elections with quite a load of them.

It's not just the ultras on the right who are offended by this shabby treatment of an old friend. Many moderate Americans will also be up in arms. Not because Chiang ever stood a chance of retaking the mainland; not because he was a powerful ally; but simply because he was there, the aging image of a man who stood against the tyranny of communist expansionism in Asia.

The bum's rush he got at the UN, which has proven its impotency against aggression only to demonstrate its bully-boy power over an innocent nation whose only crime was anti-communism will not sit well with many voters.

All this casts a pall over Nixon's impending trip to Peking and may lend some substance to the heretofore irrational cries of "Munich."

Taiwan lost; the UN lost; Nixon lost.

MINORITY CAPITALISM

HON. GERALD R. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 28, 1971

Mr. GERALD R. FORD. Mr. Speaker, the President recently sent to the Congress proposals for an ambitious program of aid to minority business. The President has a deep commitment to assistance for minority business; the Congress should feel a similar commitment. The significance of the President's program is clearly set forth in an editorial which appeared in the October 23 edition of the *Washington Evening Star*. I commend a reading of this editorial to all of my colleagues. The editorial follows:

MINORITY CAPITALISM

One of the current folk gripes is that the government is willing to bail out corporations such as Lockheed but lets little businesses go down the drain with never a thought. There is little validity in that, because much help has been given to modest-sized firms by the Small Business Adminis-

tration. And now President Nixon has done much to silence the complaint by recommending a hefty appropriation for the propagation and strengthening of minority businesses.

He laid before Congress a most promising program last week, and asked for a budget of more than \$100 million over the next 18 months to implement it. That compares to a current budget of \$3.6-million for the Office of Minority Business Enterprise, which is the agency in charge of the endeavor. Mr. Nixon created it by executive order soon after he took office in 1969, and since then it has mainly been formulating plans. Now it's ready to undertake a long-overdue national program of minority business stimulation, if Congress will come through with the money.

Plans call for the development of broad private programs to provide loans on generous terms to minority entrepreneurs, along with training and marketing assistance. Organizations with skilled staffs would be set up in about 100 cities to give aid and counsel both before and after the creation of new minority firms.

The need to bolster minority capitalism was one of Mr. Nixon's main talking points in his 1968 campaign, but the results thus far have been slight. Much groundwork has been laid, though, and the envisioned program addresses the main needs. Black and Spanish-American citizens have traditionally been frozen off from sources of capital, and the shortage of trained minority personnel has been another handicap. The administration hopes to provide the means for removing those obstacles.

This is economic pioneering in the truest sense, and it will not be easy, but there is good reason for optimism. Minority enthusiasm runs high. Surveys show that one of the highest-priority goals of black Americans is to break into the world of commerce from which they have been largely excluded. Herein lies one of their primary hopes for economic advancement, and they are encouraged by localized examples of its realization.

In Pittsburgh, for instance, black contractors are participating in the rehabilitation of hundreds of blocks of decrepit housing, through an imaginative community program. Special training for black workers has enabled them to take advantage of the many crafts jobs that were created. Broad-scale restoration projects of this sort might be commended to Washington and other cities, as just one potential for minority businesses.

Commerce Secretary Maurice Stans has been handed complete control of minority enterprise programs, over the opposition of some who question his commitment to these approaches. He bears a heavy responsibility for the success of the venture. But there will be no chance of success unless Congress provides the funds, and it should do that without undue delay.

PAN-AFRICAN LIBERATION
COMMITTEE

HON. CHARLES C. DIGGS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 28, 1971

Mr. DIGGS. Mr. Speaker, I have endorsed the objectives and goals of the Pan African Liberation Committee, as stated in the report "Repression in Southern Africa: An Indictment of Harvard University," dated September 1971, and I am encouraging any of my other colleagues who are solicited to do likewise.

I insert in the RECORD the text of the letter from the chairman of the committee, and the report:

PAN-AFRICAN LIBERATION
COMMITTEE,
Brookline Village, Mass.

DEAR FRIEND: Enclosed is a copy of a paper which has been presented to the President of Harvard University. The paper describes in detail how Harvard University's investment in Gulf Oil Company stock contributes directly to the continuation of Portuguese colonialism in Angola, Guinea-Bissau, and Mozambique. In addition, it tells of the ineffective efforts which have been made through the use of proxy contests to get Gulf to change its present policy of supporting Portuguese colonialism. The conclusion reached by our committee is that only effective method of protesting Gulf's policies is to convince the owners of Gulf stock to sell their stock. This, however, can only be achieved by making the owners of Gulf stock hear the voice of public censure.

We, therefore, are requesting that you sign and return the enclosed petition card which is being sent to important Black leaders across the country. Harvard is by far the largest university shareholder of Gulf stock, owning 671,187 shares with a 1970 market value of \$15,437,301. If Harvard can be made to sell its shares, others can certainly be made to follow suit. All of America's so called prestigious, liberal universities and charitable institutions are connected to different degrees in the world-wide corporate web of colonialism and neo-colonialism. Only by beginning to make people aware of this can we begin to break the chains of military and economic bondage which perpetuate the subjugation of Black people everywhere.

But none of this can come about without your support. We urge you to read the enclosed paper, sign and return the petition, and begin to educate others about the struggle in Angola, Guinea-Bissau, and Mozambique and about how we can effect it.

Thank you.

In Brotherhood,

JAMES WINSTON, Chairman.

REPRESSION IN SOUTHERN AFRICA: AN INDICTMENT OF HARVARD UNIVERSITY

(Prepared by the Pan-African Liberation Committee, associated with the Southern Africa Relief Fund, P.O. Box 514 Brookline Village, Mass., September 1971)

STATEMENT OF PURPOSE

The problem

African men, women and children are being napalmed, machine gunned and bombed daily in Angola and Mozambique. They are the victims of the all out military effort being waged by the Portuguese government against the determined liberation movements within its colonies.

Portugal is using all of the most advanced Western military machinery in an attempt to regain those portions of these territories which have been liberated and to retain those areas which they now hold. At the same time the government has subjected the people left in the Portuguese held areas to atrocities and repressive tactics as inhuman as those practiced in the Republic of South Africa.

The Portuguese government does not bear the sole responsibility for the suffering and death which plague the people of Angola and Mozambique. Although these policies are instituted by the Portuguese government, were it not for the economic and military support of the Western powers, that government would be totally incapable of implementing such policies and resisting the liberation armies within the colonies. In short, only through the support of institutions like Harvard University can Portugal maintain its colonial empire.

Harvard's role

The connection between Harvard and Portugal is very simple and clear. Harvard invests in American corporations which are operating in the Portuguese colonies. For operating in these colonies, these corporations are required to pay vast amounts of money to the Portuguese government. This money is then used by the Portuguese government to finance their wars against the freedom fighters of Angola and Mozambique. Last year half of the total government budget of Portugal went toward the war effort.

There are, therefore, three important links in the chain which holds the people of Angola and Mozambique in bondage; (1) the Portuguese government (2) the corporations operating in the Portuguese colonies, and (3) the persons and institutions that own the stock of these corporations.

Five hundred years of colonial rule have shown that the Portuguese government is not interested in liberalizing its policies. The negative response of big business to requests that they stop doing business in these areas shows that the corporations are not likely to change their policies as a result of moral pressures. Therefore, it is necessary for the third link in the chain, the stockholders, to take definite steps to stop the investment of American money in the Portuguese colonies.

The solution

Upon being apprised of the significance of investment in Angola and Mozambique the logical conclusion is that Harvard should divest of any stock in companies operating in those territories. Therefore a first step might be taken now with an ultimate goal of total divestiture of stocks in companies supporting colonialism in Africa.

As a first step Harvard could divest its Gulf Oil Co. stock. In as much as Gulf Oil is the largest American investor in Portuguese Africa and Harvard University is the largest university shareholder of Gulf stock, a divestiture accompanied by (1) a public statement of the reason for this divestiture, (2) an appeal for other stockholders to do the same, and (3) a statement of Harvard's intent to follow this with similar actions against other corporations would be a meaningful act in support of freedom and self-determination for people everywhere.

The information which follows gives all the details of (1) the Portuguese colonialization of Africa, (2) the coming of Gulf Oil and other American companies to the Portuguese colonies, (3) Harvard's specific financial involvement in each of these companies, and (4) why divestiture is the only meaningful contribution Harvard can make to the people of Angola and Mozambique. A reading of this material is essential for a thorough understanding of the need for a complete and immediate discontinuance of economic involvement in Angola and Mozambique and why it is necessary for Harvard University and institutions like Harvard to lead the way.

INTRODUCTION

On March 5th 1971, the conclusions of the Harvard Committee on University Relations on Corporate Enterprise were released, prescribing a fundamental philosophy for the investment activities of Harvard University. These conclusions, contained in what is commonly referred to as the Austin Report, urged that the University be guided by a philosophy designed to realized maximum return on all monies invested.

Underlying the report's emphasis on financial return as the fundamental investment criteria are repeated references to the restricted nature of Harvard's "mission" as an educational facility and the constraints which such a role places upon morally sensitive and socially responsible handling of investment capital. Harvard's adherence to the limitations of a "special purpose orga-

nization with endowments which can be used only for the purposes for which given" seems to imply some assumptions concerning the moral and social attitudes of its benefactors as well as a reluctance to publicly assert a financially damaging position.

Nevertheless, one of the conclusions contained in the report states that there exists conflicting criteria for institutional investment policy; criteria which recognize the extent to which the activities of corporate enterprises are "contrary to fundamental and widely shared ethical principles."

It should be apparent, in the most casual interpretation of ethical standards, that many of the financial associations of Harvard University stand clearly in violation of such criteria and that the time has come for a thorough and critical examination of Harvard's relationship to the welfare of the society in which it exists.

By engaging in investments in corporations whose profits are tied to subjugation of African peoples, Harvard has demonstrated a marked lack of concern for the struggles of these people to expel the forces of Western economic control. Although this document will discuss Harvard's economic affiliation with numerous corporations currently operating in Southern Africa, it will concentrate upon one case which is of special concern; Gulf Oil Corporation's lucrative oil drilling concession in the Cabinda region of Angola, which contributes substantially to Portugal's efforts to perpetuate colonialist control of the African people.

PORTUGAL IN AFRICA

To fully appreciate the significance of Gulf's presence on Angolan soil, it is important to understand some aspects of colonial administration of the Portuguese African holdings. The consequences of present Western economic interference in Angola are strongly related to some historical peculiarities surrounding Portugal's colonial policy.

Portugal's initial contact in Africa occurred in northern Angola in 1483 near the mouth of the Congo river. The early years of Portuguese interference among the Ngola peoples (from which the region derived its name) were marked by extensive slave trading which, except for intense resistance before 1600, continued essentially unchecked until the middle of the 19th century. Although original Portuguese explorers were driven on by the greed for precious metals, the immensely profitable slave trade quickly became the foundation for the economic exploitation of Angola.

The ruthlessness which characterized the actions of expansionist Portugal at this time should not be surprising since the Pope in 1452 granted to the King of Portugal "full rights to capture the Saracens, pagans, and other infidels in your properties . . . to subjugate them and reduce them to perpetual slavery." So extensive was the Portuguese slave trade that by 1830 over 3 million African people had been removed from their land to be sold.⁴

Meanwhile, in Mozambique, the economic framework developed somewhat differently. After their arrival in 1498, the Portuguese wrested an existing trade network from the Arabs, who had controlled the explanation of East Africa, from Malindi to the coast of what is now Mozambique. Ivory, gold and precious stones formed the basis of Portugal's economic activity and led to a firmly entrenched commercial establishment along the coast of Mozambique. Although their political authority was limited to the coastal region, Portuguese merchants gained a monopolizing role in commerce from the interior which continued for more than 200 years. Except for limited attempts to forcefully colonize the Angolan coast be-

Footnotes at end of article.

tween 1565 and 1592, both regions were exploited in a casual fashion for more than four centuries. The fact that Portugal enjoyed unchallenged access to these areas during this period made it unnecessary for her to seek formal political control beyond the coastal strips of both Angola and Mozambique. Moreover, intense tribal hostilities in the interior would have made such a policy impractical if not impossible. The primary usefulness of Angola continued to be as a reservoir of slave labor, while in Mozambique the slave trade expanded to economically compensate for the temporary loss of the northern coastal trading areas to Arab merchants around 1700.

Portugal's policies toward her African holdings underwent radical change toward the end of the 19th century. Following the Berlin Conference of 1884-85, which provided for the systematic partitioning of the African Continent (and which is the premise upon which Portugal currently justifies her "legal" retention of all of her African territories), Portugal set out to secure the areas assigned to her. Military forces infiltrated the interior of Mozambique, establishing a network of control which resulted in an effective colonial stronghold at the turn of the century. Although considerably stronger tribal resistance was encountered in Angola, the inland peoples were ultimately subdued and a firm Portuguese hegemony was established by the early part of the twentieth century.

Attempts were subsequently made to stimulate the development of the colonial economies through the leasing of large tracts of land to private Portuguese investors who were granted an unlimited mandate for economic exploitation. While they enjoyed unquestioned control of mineral and agricultural rights, and the lives of the African inhabitants, these companies realized only token profits during the first half of the twentieth century. Portugal's limited resources did not permit full exploitation of the economic potential of the colonies, and mineral wealth remained largely undiscovered until the 1960's.

Thus Angola and Mozambique, representing a combined area somewhat larger than Alaska, have been economic props for poverty stricken Portugal for most of her 480 year occupation of these territories. The ruthless and racist policies with which Portugal pursued the management of these areas was strongly manifested in the rigid domination and cultural repression which led to open rebellion of the Angolan people in 1961. These insurgents were joined by Mozambican revolutionaries in 1964 and Portugal began to desperately cast about for economic support in order to maintain the colonial system.

The combined efforts of the various African liberation organizations had produced a military situation far too complex and expensive for Portugal to manage alone. The African Party for the Independence of Guinea and Cape Verde Islands (PAIGC), the Mozambique Liberation Front (FRELIMO), and the Peoples Movement for the Liberation of Angola (MPLA) have respectively mounted intense guerilla operations. Portuguese efforts to subdue these operations have consumed a massive outlay of resources.

These growing military expenditures became a costly burden which Portugal could ill afford; finally, in 1965, Portugal reversed her traditional policies and openly encouraged foreign investment in the "overseas provinces" in order to help stabilize her economy.

In search of profits, many American investors quickly rushed to fill the void, entering into trade agreements which concentrated on mining, manufacturing, and agricultural processing. Some trade agreements included provisions which allow Portugal to exercise complete control over raw material production in the event of a military emer-

gency. Thus, both directly and indirectly, U.S. business interests contribute to the oppressive, racist policies with which Portugal has supervised the control of African land. Furthermore, the unchallenged actions of these firms indicates the tacit endorsement of Portuguese policy by the United States Government itself.

HARVARD UNIVERSITY: INVESTMENT POLICY

Through its investment policies, Harvard University has exhibited a complete disregard for the human rights of African people by its continued economic support of the Republic of South Africa and of Portuguese colonialism in Angola and Mozambique. The racist apartheid policies of the Republic of South Africa are a matter of common knowledge and no attempt shall be made to elaborate upon them in this paper. However, our failure to deal with those practices in this paper should not be interpreted as a judgment that the problems we are presently addressing are more important than those existing in South Africa. We equally condemn apartheid in South Africa and colonialism in Angola and Mozambique. Moreover, world opinion, as expressed by the United Nations, is also clearly opposed to these policies and to the governments of Portugal and South Africa which perpetuate them. Yet, Harvard University has no reservations about investing in companies which are making large profits as a result of these policies. For example, the Report of the Treasurer of Harvard University for 1970 reveals that of 183 common stocks invested in by Harvard University 54 of these companies had substantial investments in South Africa.

The continuation of investment in all of Southern Africa means only one thing—oppression and exploitation of the people of Southern Africa and their land.

During the relatively short period since the relaxing of Portugal's restrictions upon foreign investment in Angola and Mozambique more than 30 U.S. companies have established ongoing operations which undergird the colonial economies. Among the companies operating in Mozambique and Angola are:

1. Caterpillar Tractor Company, Peoria, Ill. nois.
2. Chase Manhattan Bank, New York.
3. General Electric Company.
4. Getty Oil Company (via Mission, and Skelly Oil Co.).
5. Gulf Oil Company.
6. I.B.M. World Trade Corporation, New York.
7. I.T.T. (via Standard Electric).
8. Charles Pfizer & Company, New York.
9. Standard Oil of California.
10. Texaco Oil Co.
11. Union Carbide.

Each of the above-named firms has a substantial investment in Angola and/or Mozambique and as might be expected, they are all significantly involved in the Republic of South Africa. However, the most significant characteristic that all of these companies have in common is that Harvard University holds a substantial amount of the stock in each of them. Specifically, Harvard's holdings are as follows:

Stock	Number of shares	Book value (in 1970)
Caterpillar.....	165,482	\$5,729,814
Chase Manhattan.....	40,020	1,690,845
General Electric.....	99,039	6,685,132
Getty Oil.....	107,000	4,601,000
Gulf Oil.....	671,187	15,437,301
I.B.M.....	187,408	46,852,000
I.T. & T.....	40,413	1,394,248
Pfizer.....	13,500	406,687
Standard Oil of California.....	190,380	7,662,795
Texaco.....	770,259	20,026,734
Union Carbide.....	69,644	2,359,248
Total investment in companies operating in Angola and Mozambique.....		112,845,746

As might be expected, the degree of involvement with the Portuguese military effort varies appreciably among companies. Caterpillar supplies agricultural and heavy equipment.⁸ Chase Manhattan is associated with Banco Totta Alianca of Portugal and Banco Totta Standard of Angola S.A.R.L.⁹ General Electric provided a credit loan of \$1.2 million dollars in 1967 to aid in the mining of iron ore at Cassinga, Angola. Getty Oil's subsidiary, Skelly Oil, in a consortium with Sunray (Sun Oil) and Clark Oil was granted a 3 year, 14.4 million acre oil, on- and off-shore, prospecting concession by the Portuguese Government, October, 1967. They contracted to spend \$3 1/2 million in 3 years by January, 1970. After 2 years of exploration and off-shore test drilling Sunray became optimistic about prospects and estimated a cost of \$6-7 million for its current drilling program.⁸ I.T.T.'s subsidiary, Standard Electric opened a plant near Lisbon in 1968 which manufactures electronic components, and its first main project will be to improve Portuguese communications systems in Lourenco Marques and Beira, Mozambique.⁹ Texaco was granted concessions in January, 1968 and has joint agreements with Angol (Portuguese and South Africa controlled Oil Company) and with Petrangel (Portuguese, Belgian control) for oil prospecting in the Congo area of Angola, on- and off-shore. The joint Angol-Texaco group is expected to invest \$5 million in deep sea oil research by 1975. The joint Petrangel group has invested \$10.5 million during the period between June 1968 and June 1971 and Texaco is also a large fuel dealer in Angola. Furthermore, in an area of Mozambique currently under Frelimo control, Texaco had been granted a 3 year oil prospecting concession when last reported.¹⁰ I.B.M. and Pfizer are currently marketing manufactured goods.¹¹

While it is conceded that these firms are involved in Portuguese colonies to varying degrees, any involvement indicates the possibility of expansion. A case in point is the involvement of the Gulf Oil Company. Gulf Oil is the largest single American investor in Portuguese Africa. It began prospecting in Cabinda in 1954, made its first oil strike in 1966 and had invested \$130 million by the end of 1969 in developing the most profitable oil venture in Portuguese Africa. Gulf, the sole concessionaire in Cabinda, is planning further massive expansion (a projected \$76 million)¹² in the immediate future and regards Cabinda as "one of the major growth areas in the corporation."¹²

It must be pointed out that 90% of Cabinda was brought under the control of the People's Movement for the Liberation of Angola (MPLA) in 1961, and during that time Gulf's Cabinda operations were suspended.¹⁴ However, the government eventually recaptured Cabinda and since Gulf's large oil find in 1966 the government has made increased efforts to "pacify" Cabinda. The "pacification" program was an integral part of the contract between Portugal and Gulf as is reported by the following excerpt from *Africa Today*.

"Thus the Portuguese were carrying out their side of the contract with Gulf Oil, for in the contract they specifically agreed to undertake such measures as may be necessary to ensure the Company may carry out its operations freely and efficiently, including measures to permit the Company the use of and free access to public land such measures as may be necessary to prevent third parties from interfering with the Company's free exercise of its contractual rights.¹⁵ Further the authorities agree to provide military guards to protect oil fields if special security measures prove necessary. Complimentary to these security measures all foreign company contracts now stipulate that the company involved is bound to support the Portuguese Government in securing peace

and order. Allocations for construction of military barracks and payments to the Portuguese Government for the defense of national property are other standard clauses in current contracts.¹⁶

The result of this situation has been to create armed citadels "surrounded by 8-foot barbed wire fences and spotlights"¹⁷ and employing security guards who are "expected to keep watch for sabotage."¹⁸

Economic support of the government

The 1966 contract between Gulf and the Portuguese Government involved a whole series of payments to be made by Gulf during the life of the agreement.

Payments included: (1) surface rent, (2) bonuses, (3) income tax equivalent to 50% of any profit, (4) a contribution to the Mining Development Fund, and certain concession payments. When Gulf signed the new agreement at the end of 1968 the Portuguese were facing escalation of the war on all three battlefronts in Africa. The metropolitan Portuguese budget was already effectively allocating almost 50% of all annual expenditure to the war. Still more money was needed—Gulf proved to be at least one source of such revenue. Thus the new contract was drastically revised, giving the government considerable extra financial benefits.¹⁹

A recent United Nations' study estimated that the Portuguese Government probably obtained total payments amounting to 563 million escudos (more than \$20 million) from Gulf in 1969.²⁰ It seems relevant to point out that the provisional Angola budget allocation for military expenditure for 1969 was double that amount \$1,250 million escudos—\$44 million.²¹

The significance of Gulf's presence in Cabinda was clearly described recently in the *Southern Africa Task Force Proxy Statement on Gulf Oil Corporation*, March 24, 1971:

"(First) the oil Gulf is extracting from Cabinda is a crucial strategic material and Portugal has the right to buy a significant percentage of that oil. Additionally, in time of war, Portugal reserves the right to buy the totality of production.²² The Governor-General of Angola, Rebocho Vaz, has stated . . . In the mechanized wars of our times, its (oil's) principal derivative, petrol, plays such a preponderant part that without reserves of this fuel it is not possible to give the Army sufficient means and elasticity of movement. The machine is the infrastructure of modern war, and machines cannot move without fuel . . . Hence, the valuable support of Angolan oils for our armed forces.

"(Second) Gulf oil—which replaces oil formerly imported and paid for with hard currency—as well as the payments mentioned above, are a significant source of foreign exchange which Portugal can use to pay for her colonial wars.

"Finally, Gulf's close business relationship with the Portuguese government has created a natural vested interest in Portugal's colonial policy. For instance, Gulf officials explain that they have developed a cordial relationship with Portugal over the years, which they do not wish to jeopardize.²³ Gulf statements tend to portray Portugal's colonial policy in a favorable light.²⁴ And, Gulf's discoveries and production of oil in Angola are an added incentive to Portugal's determination to hold onto her oil-rich colony at any cost."²⁵

The Southern Africa Task Force Proxy Statement concluded with a series of resolutions designed to counter the undermining influence of the Gulf Oil Corporation upon the Angolan people. The resolutions which were proposed were as follows:

1. The establishment of a committee to study the corporations' involvement in Portuguese Africa.
2. Disclosure of corporate charitable gifts.
3. Enlargement of the board of directors.

4. Amendment of the corporate charter to exclude investment in colonial-ruled areas.

Despite the moderate nature of these resolutions and the convincing arguments and lucid documentation which preceded them, they were soundly defeated at the annual shareholders meeting of the Gulf Oil Corporation.²⁶

HARVARD UNIVERSITY: THE COURSE OF ACTION

It is clear that the policy of Gulf Oil Corporation as well as numerous other firms participating in the economic system of Portugal, directly subverts the struggle for African liberation. It is equally clear that, by maintaining financial ties to such firms, Harvard University (the largest university shareholder in Gulf) stands as a validation of Portuguese colonialism as well as an extension of an exploitative U.S. policy toward the African people. Furthermore, by proceeding as an indirect participant in the economic dissection of Africa, Harvard is acting in contradiction to its professed attitude of liberal generosity toward displaced Africans on the North American Continent.

This certainly is a case in which the investments of Harvard University support "activities whose primary impact is contrary to fundamental and widely shared ethical principles." Unless the Austin Report should be considered a public relations device for justifying present investment policy, it is imperative that Harvard pursue the only morally acceptable course of action—divestiture of all holdings in Gulf Oil Corporation.

No amount of appeal to the dictates of "sound" money management or the philosophical constraints imposed by Harvard's "restricted mission" can disguise the fact that Harvard University is an enthusiastic participant in the economic and political subjugation of African peoples.

Men, women, and children are dying daily in the struggle against colonialism. To engage in intellectual discourse over the proper method of relieving these people from colonialism would be to ignore this fact. The people of Angola and Mozambique have already made it clear that their freedom depends upon the complete withdrawal of the Portuguese government from their land. The lines are now firmly drawn. There is no middle ground: Blood must flow in the Portuguese colonies. How much blood must flow can only be determined by Harvard University and institutions like Harvard. Every dollar received by the Portuguese government means that the war must last a little longer and a few more people must die. Their blood will be on the hands of all those who equivocate on the issue of freedom.

FOOTNOTES

¹ "Committee on University Relations with Corporate Enterprises, Harvard University Gazette, March 5, 1971.

² *Ibid.*

³ Birmingham, David, *Trade and Conflict in Angola*, Clarendon Press, 1966.

⁴ *Gulf Angola Project* "The Southern Africa Task Force Proxy Statement on Gulf Oil Corporation", March 29, 1971.

⁵ *Directory of American Firms Operating in Foreign Countries*, 7th edition 1969, as cited in *Africa Today*, op. cit., p. 9.

⁶ Multi-National Banking Directory issued by Chase Manhattan Bank, January, 1970, op. cit., *Ibid.*

⁷ U.N. Document, op. cit., p. 10.

⁸ *Department of State Airgrams*, October 24, 1967: *Wall Street Journal*, Sept. 25, 1969: *The Star* (S.A.) January 17, 1970; Clark, Annual Report, 1969, op. cit., p. 12.

⁹ *Primerro de Janeiro*, June 27, 1968; *Diario de Lisboa*, June 26, 1968, op. cit., *Ibid.*

¹⁰ *Wall Street Journal*, January 5, 1970, op. cit., p. 12.

¹¹ *Department of Economic Affairs*, Angola, (IBM); *Directory of American Firms*, motel, (Pfizer), op. cit., p. 11.

¹² *World Petroleum*, Annual, 1969, op. cit., p. 20.

¹³ *New York Times*, January 12, 1969, op. cit., *Ibid.*

¹⁴ Chilcote, R. H., *Portuguese Africa*, Prentice-Hall, 1960 p. 81.

¹⁵ United Nations A/6868, 1967; A/7752/Add. 1, November 28, 1969, p. 27; A/7200/Add. 3, October 17, 1968, p. 79; A/7623/Add. 3, September 25, 1969, p. 53, op. cit., *Ibid.*

¹⁶ op. cit., *Ibid.*

¹⁷ Venter, Al, J., *The Terror Fighters* (Cape-town: Purnell, 1969) pp. 84, 91., op. cit., *Ibid.*

¹⁸ *New York Times*, July 28, 1969.

¹⁹ U.N. Conference Room Paper, SCI/69/3, June 24, 1969, p. 7, *Africa Today*, op. cit., p. 21.

²⁰ *Ibid.*, p. 10.

²¹ *Africa Today*, p. 21.

²² Background Information Re: Resolution Passed at the Seventh Annual Meeting of the Ohio Conference, United Church of Christ, 1970, citing the contract between the Portuguese government and Gulf (Dec. 19, 1966). Article 14:8 at p. 26.

²³ Meeting between representatives of the United Presbyterian Church in the USA and Official of Gulf Oil Corporation, Winter 1970.

²⁴ *Supra*, note 18 at pp. 5-11. (Gulf Statement to the Trustees).

²⁵ Abshire, David M., and Samuels, Michael A., *Portuguese Africa: A Handbook*, N.Y. Praeger Publishers, 1969, p. 412.

²⁶ *New York Times*, April 28, 1971, p. 63, col. 6.

EDITORIAL ON THE ATTICA PRISON RIOTS

HON. FRANK A. STUBBLEFIELD

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 28, 1971

Mr. STUBBLEFIELD. Mr. Speaker, we have heard and read much about the Attica prison riot in the past several weeks, and I suppose that all of us feel rather saturated with the gory details. Nevertheless, a country editor from Webster County, Ky., has editorialized upon this subject, and I think the Members of this body will benefit from reading his reasonable evaluation of this horrible event.

Mr. Edd Hust, who is editor of the *Journal Enterprise*, Providence, Ky., is a person not easily influenced by emotional headlines, and I have found that through the years of reading his thoughts on national issues that Mr. Hust goes beyond a surface presentation and really sinks his teeth into the background of situations before coming forward with sensational titles as he is more interested in documenting facts than in boosting circulation because of flashy headlines.

His editorial on the Attica prison riots follows:

EDITORIALLY SPEAKING . . .

Every time something like the Attica prison riot occurs, the bleeding hearts of America, led by some of our better-known names on the national scene, begin to preach that all of us are responsible. Well, I for one, simply refuse to take the responsibility.

I will be quick to tell these people, many who are seeking to use every means to get themselves nominated for the presidency, that they, more than anyone else, are responsible. Maybe not directly themselves but their willingness to go on the stump every whipstitch espousing the belief that "society is to blame" and the persons who caused the death, destruction, disturbance, or whatever,

are really "innocent victims of a sick society."

These people . . . I refuse to soil this column with their names . . . are after one of two things. The complete ruin of America by breaking down its law enforcement policies thereby creating a chaotic state in which the lawless element will rule, or they are so far from the mainstream of life they actually think they are on a kick that will get them national attention and eventually support in their political endeavors. In other words, they care nothing for America, only themselves, or they are as dumb as the man who thought poor old Horace the Mule and his tootin' fox horn was a boat.

In the past decade we have seen in America, a pattern developing that makes it more promising and rewarding each passing year for a person to turn to crime. It has almost reached the point where certain people, depending upon their station in life, can create almost any horrendous crime imaginable and get by with just a slap on the wrist. The news media and the people we mentioned above begin to set up howls "there was establishment brutality involved and the poor souls are not really responsible for their actions."

This is ridiculous. Who were the real victims of the Attica revolt? Was it the prisoners? Not on your life. The real victims were the guards who were the hostages of these murders. Whether they cut the guards' throats or dressed them in prison clothing to be shot by the storming troops who took the prison back over, they are the ones who murdered them.

We do not know the ins and outs of what went on at Attica before the riot began. But we cannot trust the national news media to tell us about it because they would slant it beyond belief. Regardless, no governor can permit the demands to be met that were being asked by the inmates. There was already one known dead guard and they were asking for complete amnesty and asked some be allowed to escape to some foreign country. If Gov. Nelson Rockefeller had permitted either of these two demands to be met, it would have signaled the death knell for what little law and order we have left.

The time has come for the American people to rise up and demand that the leaders of this country crack down on the permissiveness and technicalities in law enforcement that are slowly strangling this country to death. We are already blue in the face from the strangle-hold this menace has on society and the pressure is rapidly being applied with more force.

There is too much disrespect for law enforcement today and the "fear of the law" is no longer present. Years ago, people were afraid of the law and most people did not knowingly and maliciously break laws. Today, it has become a popular fad to "razz the fuzz" or in more sensible language laugh at the law and tempt them to do something about it.

Sure, there are arrests made every day but by the time the thing is wallowed around in the Courts, any case against the guilty parties has long ago vanished. This is especially true when various self-appointed "saviors of the world" organizations get involved and help fight the battle. These groups care not whether the person is guilty or not but that their presence is felt and their power made known.

We must have law and order and we must have true justice. But the two must go hand in hand. Without the judicial and court system many a person would be wrongfully charged and innocent people pay the penalty. But today it is reversed. The person who commits the crime gets all the attention and all the sympathy while the innocent victim of the crime is the culprit and gets all the hisses and boos.

Only time will tell where all this leads. But one thing is for sure . . . I am not accepting the blame for what some of these madmen are doing just because I am a member of society. And something else . . . I have a memory like an elephant. The politicians pleading this unrealistic cause will never get my support for public office.

THE CONTINUED INJURIES DONE BY
THE HOUSE INTERNAL SECURITY
COMMITTEE

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 28, 1971

Mr. WALDIE. Mr. Speaker, just last week our distinguished colleague from Massachusetts, Representative ROBERT DRINAN, delivered the Annual Berman Lecture at American University here in Washington.

The topic was the abolition of the House Internal Security Committee.

Mr. Speaker, I recently introduced a resolution calling for the abolition of the Internal Security Committee based on its lack of productivity and the very real threats posed by the committee and its policies to the civil liberties of all Americans.

Mr. DRINAN's speech at American University on October 21 included dramatic new evidence of the abuses to the basic freedoms of this Nation and its citizens.

Mr. Speaker, I would at this time like to include Mr. DRINAN's speech in the RECORD:

THE CONTINUED INJURIES DONE BY THE
HOUSE INTERNAL SECURITY COMMITTEE

On October 13, 1971 I attended a regular meeting of the House Internal Security Committee (HISC). I want to share with you some of the decisions reached at that meeting because from these you will see the enormous dangers inherent in the continuation of this nine-man Standing Committee of the House of Representatives.

The Committee was presented with a total of 73 names mentioned by three witnesses in hearings held by HISC in March and April of 1971. The Committee was told by a Committee aide, with 16 of the 58 members of the staff of HISC sitting around doing nothing, that 11 individuals had been named by one Gerard Connolly on March 30, 1971 as members of the "Young Workers Liberation League". The staff was anxious to release the testimony of Mr. Connolly, an alleged undercover F.B.I. agent, and had sent a registered letter to all of the 11 individuals informing them of their rights under the rules of HISC to voluntarily appear before the Committee "for the purpose of enabling them to affirm, deny, qualify or comment" on Connolly's identification. These 11 individuals could "request the Committee to subpoena supporting witnesses in their behalf."

Ten of the individuals had themselves or through an agent accepted the registered letter. In one instance there had been no actual notification since one letter was returned "Undeliverable" and a second letter was returned marked "Addressee Unknown".

I urged the point that, at least as to the person without actual notice, the testimony of Gerard Connolly should not be released. At least two of the seven members of the Committee present saw the point but were overwhelmed by words from Congressman John Schmitz (R. Calif.) an acknowledged

member of the Birch Society, when he insisted that the witness who did not actually receive notification might have deliberately refused the letter.

A move to eliminate the one individual who had not acknowledged receipt of the letter was defeated with only myself voting for it. The last assertion made by a member of the staff, and the staff speak a great deal more than any of the members during the meetings of HISC, was that he would "hate to hold up the whole report just for this one individual who may not have been notified!"

Immediately after the Committee agreed to expose forever the 11 persons named by Connolly to the pages of the hearings of HISC the Committee went on blithely to name four other individuals named by one Robert Waters as members of the Progressive Labor Party and then with even less difficulty agreed to release the names of 58 individuals mentioned by one John P. Monahan as members of the Progressive Labor Party. It did not seem to bother the members of HISC that none of the 30 persons from #28 to #58 on the list of individuals named by Mr. Monahan had actually received notification since the letter sent to them was returned marked "Unclaimed" or "Moved, Left no Address" or "Addressee Unknown". The Chairman, Congressman Richard H. Ichord (D. Mo.) suggested vaguely to the staff that in the future there should be some notification of the degree of diligence exercised in trying to locate individuals mentioned by witnesses in hearings.

The ghastly fact is that on October 13 in about 12 minutes all but one of the members of HISC gave permission for the names of 73 Americans to be permanently placed in the hearings of the House Internal Security Committee. By clear implication HISC stated that Gerard Connolly, Robert Waters and John P. Monahan have credibility and that the 73 other Americans whom they named forfeited their right to come forward and deny or qualify the allegations of the three witnesses. The further assumption of HISC is, of course, that the Progressive Labor Party is somehow subversive and that if Americans join it they must journey to Washington at their own expense to justify their participation in these organizations against the allegations of persons asked by the staff of HISC (the members of HISC are seldom if ever asked to furnish the name of witnesses.)

One of the next items to come up at the HISC meeting of October 13 involved preparation for the hearings on "Military Subversion". A staff aide rattled off the names of a dozen or more witnesses to be subpoenaed for unstated reasons. The purpose of the investigation which opened on October 20, 1971 was more than a little murky.

The Chairman, revealing remarks which he was to place in the Congressional Record the next day, October 14, stated that the purpose of the hearings was to investigate "the matter of attempted supervision of the men in uniform by militant extremists of the far left." Chairman Ichord claimed that HISC became more knowledgeable of attempts to subvert the military during the extensive hearings the Committee conducted in 1969 with respect to the Students for a Democratic Society (SDS). The Chairman went on to say that the Committee received additional information during its "lengthy 1970 hearings on the Black Panther Party".

Chairman Ichord, who is a member of the House Armed Services Committee, obviously took pleasure in announcing that he was using his position as a member of that committee to get information out of the military which otherwise it might be difficult to extract.

Chairman Ichord, in the material which he inserted into the Congressional Record on October 14, seems to have prejudged some of the very questions to which the hearings

would address themselves. He stated that "some G. I. papers . . . are known to have been originated by members of the Communist Party, U.S.A. . . ." He did not say by whom such conclusions were "known".

The staff members of the Committee reported that they had been wandering all over the country talking to G.I.'s and others who were involved in coffee house projects and underground newspapers. The several subpoenas requested were granted routinely by the Committee,—especially when the staff stated that all of the witnesses were "friendly".

A third item pushed through by the Committee almost as if it were routine was a request from a member of the staff for subpoenas to secure the names of 17 individuals whose Post Office Box number was given in a publication of the Progressive Labor Party. I objected strenuously to this as did Congressman Claude Pepper (D. Florida). The staff member shrugged it off as simply an attempt to complete the investigation into the Progressive Labor Party. The Chairman pushed the motion through despite the vigorous protestation of Congressman Pepper to the effect that people have an inherent right to secrecy and privacy in a Post Office Box number which they have obtained.

WHAT INJURIES DOES HISC INFLICT?

When I left the meeting of the House Internal Security Committee on October 13 I tried to think that the hearings which the Committee had had on the SDS, the Black Panthers, the National Peace Action Coalition (NPAC) and now on what the staff member and Chairman call the "G.I. Movement" might be foolish rather than insidious. These investigations produce extensive and expensive hearings which no one really takes seriously. The hearings allow the members of HISC to fantasize, as Mr. Ichord did in a press release from HISC of October 15, when he stated that the hearings of the Committee on the anti-war demonstrations in Washington brought to light evidence "showing that Marxists of both the Communist Party, U.S.A. and the Trotskyite varieties were instrumental in developing ways to reach and try to undermine the morale and loyalty of America's fighting men."

Despite the fact, however, that HISC receives very little publicity or visibility these days the dangerous work of the Committee goes on. With an actual budget of \$525,000 (one of the very highest of all of the 21 Standing Committees of the House) the staff can continue to pile hearsay upon hearsay, add illusion to delusion and multiply the number of 3 x 5 cards containing the names and alleged subversive activity of American citizens. In April 1971 the number of individuals and groups placed on 3 x 5 cards by nameless employees of HISC came to 754,000.

It does not matter to the staff of HISC or even apparently to the Congressional members of HISC that the Committee by clear implication states that dissent is almost always disloyalty and that unorthodoxy is almost always un-American.

It is easy, convenient and indeed fashionable these days to be amused at the excesses of the House Internal Security Committee and dismiss it as an anachronism, a leftover from the red baiting days of the 1940's and 1950's. The undeniable fact is, however, that HISC continues to damage the reputations and injure the lives and fortunes of a large number of Americans. That injury is done in many ways but perhaps particularly by the open access which the officials of the United States Civil Service Commission and other Federal agencies have to the files of the House Internal Security Committee. Everyday Federal officials charged with the hiring of qualified individuals for Federal positions check the files of HISC and, we must assume, refuse to hire qualified persons because some unnamed employee of HISC has included an

item about the individual taken from a newspaper, magazine, a letterhead or any other casual source.

Clearly there is no authorization in the rules of Congress for this data bank and this system of free reporting by which the Executive Department of government may secure and presumably utilize gossip about American citizens.

In 1969 some 25 departments and agencies of the Federal government made 1,506 visits to the file section of HISC. In 1970 1,348 visits were made to the files of HISC by authorized representatives of the Federal government.

It seems predictable that all of the names recently recorded in the hearings which HISC conducted concerning the Black Panthers, the SDS, the Peace Movement and the military protesters will be utilized by the Department of Justice. In July 1971 Mr. Robert C. Meridan, the Assistant Attorney General in charge of the Internal Security Division of the U.S. Department of Justice, testified before HISC and alleged that the Federal government now must confront a problem which arises "When employees in non-sensitive positions are hired subject to investigation, and during that time it is discovered that the individual is a member of a subversive or terrorist-revolutionary organization". Mr. Meridan gave no definition whatsoever of a "terrorist-revolutionary organization". He did state that "We have been working closely with the Civil Service Commission in meeting the challenge presented by the efforts of revolutionary terrorists and other subversives who enter Federal employment." Mr. Meridan indicated that the Nixon Administration was seeking the reinvigoration of Subversive Activities Control Board in order to have a list of organizations whose members would be presumed to have some subversive tendencies. The SACB has, of course, been re-established and will presumably turn up with a new Attorney General's list of subversive organizations in the near future. When this list is combined with all of the hearsay in the files of HISC and the totally unsupported allegations against individuals and organizations in the thousands of pages of hearings issued in the past three or four years there will be constituted a monumental data bank of information with which the government can exclude any number of dissenters from orthodoxy from Federal employment.

It seems reasonably clear that this administration claims an inherent power to use information collected by the Congress. Under intense cross-examination by myself in July 1971 Mr. Meridan, testifying before HISC, practically denied the doctrine of the separation of powers and asserted that the Executive has the inherent right to go to a "coordinate branch of government" and secure from it the information which it desires.

All of the apparatus of HISC therefore is not something innocuous but rather is the source of present and future calamity to any number of groups and individuals. In short HISC constitutes the weapon by which the present oppressive administration and any subsequent repressive government may penalize and punish dissenters by branding them as disloyal.

HISC HAS ACCESS TO EVERYONE'S FILE AT THE INTERNAL REVENUE

At one of the early meetings of HISC in 1971 a staff member brought up the matter of petitioning the President of the United States for the power to be given to HISC to subpoena any records deemed useful to HISC from the Internal Revenue Service (IRS). A question by myself to the Chairman and members of the Committee was shrugged off by the staff member indicating that the request for such power was routine. I insisted upon knowing the justification in the U.S.

Code for such a request and demanded to know the number of requests that the Committee had made during the past year. The Chief Counsel of the Committee, at the urging of the Chairman who saw how angry I was, went to secure the U.S. Code and also some information about the previous year's record. After a period some documents were produced but little hard information as to why HISC needed such authorization. I was not told that in the 89th Congress the Committee subpoenaed the records of 131 taxpayers, that in the 90th Congress the Committee obtained the records of 14 citizens from IRS and that in the 91st Congress the Committee requested and received the tax reports of 43 citizens.

I did not know until I saw a letter from the Internal Revenue Service under date of August 25, 1971, published in the Congressional Record on October 6, 1971, that HISC with 188 reports from IRS during the past six years, has outdistanced by far all of the five or six committees of the House of Representatives *e.g.*, the Committee on Government Operations, which have the power to review the tax returns of citizens.

During the 9 months in which I have been a member of HISC no request has come to the members for authorization to request IRS for information. It may be that in this area, as in all other areas of the operation of HISC, the 58-man staff runs the Committee and tells the members afterwards about their activities,—if in fact the members inquire. This staff is, of course, the largest of any one of the standing committees of the House.

Indeed with the substantial increase in funds voted after a bitter debate by the House for HISC, more lawyers and more staff have been added during 1971.

A movement was launched this week to secure a well paying position for a 59 year old West Virginia lawyer to fill a newly created position of Minority Counsel. This person, Mr. DeWitt White, has been employed for some 15 years by the Subversive Activities Control Board. The Chairman sent a note to all of the Democratic members of HISC asking if they had any objection to the employment of this individual. I have sent a very vigorous protest to the Chairman as well as to the minority ranking member of the Committee indicating that in my judgment Mr. White, who seems completely sympathetic with the purposes, objectives and history of the SACB, should not be retained as Minority Counsel for the Committee.

In a resume submitted by Mr. White he referred to certain named lawyers whom he allegedly defeated in litigation as "attorneys of the radical left". Mr. White referred to other attorneys as the "remaining counselors of the far left."

Mr. White indicated that during the period of 1961 to 1969 he prepared for the Attorney General "Most of the answers to Congressional letters." Mr. White also indicated that during that same period he "Usually wrote the Annual Report of the Attorney General to the Congress on the enforcement of the Subversive Activities Control Act."

I have protested to the Chairman of HISC that I found all of those reports most unsatisfactory. I have made it clear to Congressman Ichord and to Congressman John Ashbrook (R. Ohio), the ranking minority member, that I protest in the strongest terms the hiring of an attorney who has been so closely identified over so long a period with the Subversive Activities Control Board.

What hearing if any the Chairman of HISC will give to my protest remains to be seen. I have indicated to the Chairman and to the ranking minority member that if "no hearing is granted to me on the point I will bring my strong objections to the leadership of the House and to the floor of the Congress."

HOW CAN HISC BE MODIFIED OR ABOLISHED?

It is difficult for members of Congress to work up much indignation to HISC. It is a body more to be pitied than scorned. The almost scandalous budget of HISC, the third largest of all of the 21 standing committees, is not likely to arouse too much indignation on the part of Congressmen who daily appropriate millions and billions of dollars. The lack of any productive work or creative legislation on the part of HISC similarly leaves Congressmen without any deep motivation to dispose of a body which, Congressmen and others like to think, does not bring the shame to Congress which it did during most if not all of the years when it was named the House Un-American Activities Committee.

Clearly new arguments and new strategies are necessary if HISC is to be abolished or to be merged with the Judiciary Committee.

It may be that the strategy by which HISC can be dismembered will be discovered in the new approaches to Communism which are so clearly visible as we approach an era when Mainland China becomes a member of the United Nations and the President of the United States visits Moscow.

The one reason why members of Congress year after year renew the appropriation for HISC is the fear which they have that a political opponent in a future campaign will protest that a member of Congress is "soft on Communism" if he has voted to cut out the funds for HISC. I have talked to any number of persons who know that they should vote for the abolition of HISC but who concede that their only motive for perpetuating this committee is a fear of the consequences among the electorate.

The number of individuals and organizations which oppose the existence of the House Internal Security Committee will undoubtedly continue to grow. It is hoped that Common Cause, the League of Women Voters, the Ripon Society and the National Committee for an Effective Congress will join with Americans for Democratic Action (ADA) and the National Committee Against Reprehensive Legislation to work for the abolition of HISC.

All of the lobbies in the country, however, will not be able to secure the vote of Congressmen to abolish this committee unless or until it is politically safe for an incumbent Congressman to state with impunity that he does not think that the Congress should make investigations of any allegedly subversive individual or group since this is clearly the work of the Executive Branch and, at the Federal level, the U.S. Department of Justice.

Of the 435 members of the House only about 130 at most believe that they can vote against HISC without major political disaster to themselves. Undoubtedly some of the others who vote to refund HISC each year feel that the Committee is doing something worthwhile. I have become convinced, however, that the fear of political backlash is about the only motivation which induces Congressmen year after year to perpetuate the existence of a committee which has brought only shame, humiliation and disrespect upon the House of Representatives.

The fear of political reprisal which members of Congress have concerning their vote on HISC is analogous to the fear which many members of Congress now have concerning their vote on the Prayer Amendment to be cast on Monday, November 8. Any number of Congressmen have told me that they feel that the Amendment to change the Bill of Rights to permit so-called nondenominational prayer in public places is foolish on its face. All too many of them will, however, vote for the prayer amendment lest back home the people and more particularly their political opponents caricature their vote not to amend the Bill of Rights as a vote against prayer.

Among ways that have been suggested to

abolish HISC is to increase the number of members from 9 to 13 or 15. If persons such as myself who are opposed to the basic rationale of HISC could be induced to become members of this committee it would be feasible to liquidate the Committee within two or four years.

On the other hand it might be possible to diminish the number of members from 9 to 5—depending upon who the survivors might be. At this particular time the 4 Republicans appear to be "true believers" in the objectives of the Committee. On the Democratic side Congressman Edwin Edwards of Louisiana has never attended a meeting of the Committee in 1971. Congressman Edwards is busy running for the governorship of Louisiana and has in fact requested and received permission from the leadership of the House of Representatives to have his name removed from the payroll of the House to which he was elected by people who are now without representation. Congressman Edwards' approach to HISC is unknown to me but I would assume he would be generally in favor of the objectives and tactics pursued by HISC during the recent past.

Congressman Claude Pepper is a just and a fair man. He knows the insidiousness of HISC since his defeat as a United States Senator was due in part to the use of innuendoes and misstatements taken from the files of the House Un-American Activities Committee.

Congressman Richardson Preyer (D.-N.C.) is also a just and fair man. Congressman Pepper, Congressman Preyer and myself were the three dissenters from the five-man majority of HISC that this year recommended the perpetuation of the Emergency Detention Camps. That recommendation was, of course, overwhelmingly rejected by the House of Representatives which repealed completely Title II of the Internal Security Act of 1950 which authorized the establishment of Emergency Detention Camps for allegedly subversive individuals.

If the three Democrats who have basic misgivings about some of the objectives and tactics of HISC could count on the vote of Chairman Ichord there would from time to time at least be some progress made in the way that HISC conducts itself. I cannot, however, predict that an alliance of these four Democrats will be possible on any issue in the foreseeable future. Indeed the Chairman might well go with the four Republicans who seem to demonstrate a unanimity on the proposition that Communist influence is probably and almost undoubtedly present in any situation where there is agitation, disturbance and dissent.

Chairman Ichord until the very recent past has aspired to run for the governorship of Missouri. Acting on that assumption many speculated what the Committee would become absent the present Chairman. Mr. Ichord has now renounced his ambition to be the Governor of Missouri and will, we must assume, be the Chairman for the foreseeable future. The fact that he received only 49 votes for his position on retaining Emergency Detention Camps may possibly force Mr. Ichord to think a bit more progressively.

Congressman Ichord likes to believe and suggest that HISC does not indulge in any of the bizarre and unconscionable conduct of HUAC. The conduct may not be as blatant but it is just as insidious. Indeed I often wonder whether or not HISC is not more dangerous than HUAC. Under HUAC it was very clear that the Chairman or the members sought only to impress their constituency back home via television that they were tough on Communists and would not tolerate subversion.

Now the members of HISC have a fresh copy of the rules of the Committee placed at their desk every time the Committee meets. Chairman Ichord likes to refer to the rules and makes it clear that he is abiding

by them. The fact of the matter is that, however, antiseptic the procedure, the objectives and the strategy go on. Witnesses with evident and outrageous prejudices are allowed to continue to make totally unsupportable statements about alleged Communist influence in the SDS, the Black Panthers, the peace movement and now the military. If the witness mentions any particular person in a derogatory way the Chairman immediately insists that the testimony be deleted or that it be given in Executive Session. When the Committee hears the witness in Executive Session he is free to name person after person as a participant in some reputedly subversive organization and not produce a single iota of evidence either that the organization is in fact subversive or that the witness has more than hearsay that the person named did in fact participate in the organization mentioned.

Despite the alleged improvement in the procedure of the Committee the fact remains that HISC continues to be an insidious deterrent to the expression of diverse and dissenting opinion. It thus makes a mockery of the solemn guarantees of the First Amendment to freedom of expression and freedom of association. The staff of HISC constitutes a cadre of single-minded individuals who seek to impose their monolithic view of Communism on the public and indeed on the members of the Committee. The staff is aggressive in the expression of its desire to "smoke out" Communists wherever they may be found. The staff is so numerous, so well entrenched and so unaccountable to the members of Congress on HISC that they conduct their business almost as if the members on the Committee were there only to give moral and financial support to the inquisitorial activities of the staff.

The staff produces all types of reports about the SDS, the Black Panthers and the peace movement. These reports, frequently made up of disjointed clippings from such publications as the New Left Notes, generally insert some reference to "the radical left" or to "revolutionary movements" which in some vague way are designated as the source of the disorders described in the reports. Mr. J. Edgar Hoover is cited in the staff reports as a person having intelligence and information which approach the infallible. A report on the SDS, for example, cites Mr. Hoover as saying that "Over 70 past or present Communist Party members from New York City alone . . . were observed among the participants" in an SDS demonstration in Washington.

The reports issued by the staff of HISC (which the Congressmen on HISC never see until they are printed) are an amalgam of irrelevant, distorted but very dangerous sentences. The names of countless individuals are included in these reports in such a way that if we have a government even more repressive than it is now these individuals might well be punished by publicity beyond anything that we have seen to date.

It seems clear to an increasing number of members of the House of Representatives that the Congress made a profound mistake when on January 3, 1945 it allowed Congressman John Rankin of Mississippi to help push through a resolution on the very first day of Congress transforming the House Un-American Activities Committee into a permanent standing committee of the Congress. Congressman John McCormack argued vigorously against the establishment of that group as a standing committee. With only 280 members of the 435 present the Congress in a vote of 146 to 134 made HUAC into a permanent committee.

An increasing number of Congressmen hopefully recognize that the change in the name of the Committee from HUAC to HISC, agreed to be a vote of 262 to 123 on February 18, 1969, has really made no difference in the activities or the danger implicit in the In-

ternal Security Committee of the House of Representatives. Indeed that action was cosmetic only and insofar as it submerged all of the injuries which HISC still perpetuates it made this body more rather than less dangerous.

I have the hope the new and hopefully burgeoning organizations among the 25,000,000 new voters under the age of 25 will insist that the standard which they apply to the members of Congress for whom they will vote will include a vote against the perpetuation of the House Internal Security Committee.

I am sure that the subject of tonight's lecture, the abolition of the House Internal Security Committee, was one very close to the mind and goal of the late Professor Daniel M. Berman, a professor of government at American University, and one of the original 100 constitutional law authorities invited by Alexander Meiklejohn and Tom Emerson to join in the petition to Congress in 1964 to abolish the House Un-American Activities Committee.

Professor Berman became the Vice President for the East Coast Region of the organization then called the Committee to Abolish HUAC and now entitled the National Committee Against Repressive Legislation.

The untimely death of Professor Berman in 1967 at the all too young age of 39 did not silence his voice against repression in every form but particularly repression contrary to the First Amendment to which Professor Berman's close friend, now the late Justice Hugo Black, was so devoted.

I hope that I at least in some limited way have echoed and intensified that passionate love for the fullest freedom under the Constitution which Professor Berman exemplified in his teaching, his writings and in every aspect of his life.

A LEADING KANSAS PHYSICIAN DISCUSSES THE HEALTH MAIN- TENANCE ORGANIZATION

HON. WILLIAM R. ROY

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 28, 1971

Mr. ROY. Mr. Speaker, this Congress will be considering alternative methods of health care delivery, foremost among which will be the Health Maintenance Organization concept. For such delivery systems to be viable they must be attractive and advantageous to both those who receive and those who provide health care.

These excellent remarks by the president of the Shawnee County Medical Society, Topeka, Kans., are typical of the perceptive and progressive approach of the doctors in my home State, Kansas. I praise Dr. Arthur C. Cherry, Jr., and my fellow physicians for their recognition of our problems and for seeking constructive answers to these problems.

The remarks follow:

HEALTH MAINTENANCE ORGANIZATION

(By Arthur C. Cherry, Jr., M.D.)

The newest challenge to arrive down the pike from Washington is a concept called The Health Maintenance Organization. This idea, which is not entirely new, at least places additional emphasis on prevention of disease and maintenance of good health with treatment of acute and chronic illness. The concept, through the mechanism of prepayment, encourages efficiency and less expensive prevention of disease. Thus the physician shares

a vested interest in the economic success of the organization as he is able to keep his patient well and out of the hospital.

Such organizations already function primarily in the western states where private medical groups have negotiated with patients to provide comprehensive medical care for a monthly prepaid rate. As hospitals are utilized at a lower rate and office visits are more readily used the patient will seek less expensive care earlier in his illness or before it begins.

Are we ready to consider such a plan? What would be our objectives? What needs would be met in a better way than they are now fulfilled? The greatest deficiency in our present system is supplying adequate preventive and health maintenance care as well as treatment to those who cannot provide for themselves. Our present system of unpredictable costs outrunning budgets is inadequate and expensive and totally unsatisfactory to both patient and physician. Such an HMO must therefore provide a fairly comprehensive type of care for that population. But it must also be accessible. Many of these people cannot reach physicians' offices during traditional hours. Some aspects of care must be brought to them.

Such an organization needs adequate financing and assurance of viability. Experience of insurance actuaries is necessary to determine costs and rates and allow for necessary capital for expansion and reinvestment unless complete dependency on government grants is envisioned.

Many besides the poor need and want a more predictable health care system. The blue and white collar worker buy health care from a system keyed to treatment of illness rather than maintenance of health. As their demands get greater and our resources become less the price becomes higher and higher.

Congress will consider these plans in coming months. Certainly the citizens of this area deserve a choice of another approach to payment for medical care. Such a plan needs to be fairly comprehensive, needs to be available to those who need it, and needs to be financially sound and able to survive independently. None of this is possible without the interest, cooperation and very hard work of physicians. It behooves us to become informed about these plans and provide guidance and leadership in their development.

Unless our numbers are to increase rapidly in the next few years, which seems unlikely, we will find it increasingly difficult to meet the demands on our services. Some plan of health maintenance should reduce that demand and provide better medical care at a price which is reasonable to a large segment of our population. The cost might also be more reasonable and more predictable to the government agencies which purchase care for the indigent. Our participation should help provide a community-wide perspective which is important in any change in our health care systems.

TWO WEEKLY REPORTS TO NINTH DISTRICT RESIDENTS, OCTOBER 18 AND 25, 1971

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 28, 1971

Mr. HAMILTON. Mr. Speaker, I include the texts of my last two weekly reports, October 18 and 25, to Ninth District Residents on the impact of agribusiness corporations on American agriculture.

CONGRESSMAN LEE HAMILTON'S WASHINGTON
REPORT, OCTOBER 18, 1971

(EDITOR'S NOTE.—This is the first of two reports on the impact of agri-business corporations on American agriculture.)

The U.S. agriculture plant is a \$100 billion assembly line which provides American families with the best diet in the world at one of the best bargains in the world. Yet, farmers, government officials, economists and many thoughtful Americans are beginning to ask some startling questions about the world's most efficient food production plant:

Is the family farm going out of existence?

Is the Nation's food supply in jeopardy?

Is the future of rural America endangered?

The traditional patterns of food supply are being reshaped by dozens of large corporations which are moving into agriculture and bringing with them an integrated market production system similar to non-agricultural industries. These corporations approach agriculture, not only to produce food, but to develop a completely integrated food supply system, including production, processing, distribution and marketing.

These huge conglomerates pose a very real threat to the family farm, which traditionally has been the basic unit of our agriculture. The corporation can make profit on land speculation, tax advantages, on production, processing or marketing. The independent farmer has to take his profit from production only.

Corporations, which can borrow on greater proportions of their total assets than family farmers, also are commanding more and more of the available credit, which is critical to the survival of the family farmer. Many corporations have the advantage of a workforce which is paid much lower wages than urban industrial workers, and by their size, they command the lion's share of the government crop support payments.

The Washington Post, in a recent series of articles, pointed out that large corporations now dominate segments of agriculture. Single corporations in California, for instance, account for 90 percent of the State's melon production, 46 percent of the cattle sold, 38 percent of the cotton, and 30 percent of the citrus fruits. Only three companies produce most of California's lettuce.

The family farmer still dominates the growing of feed grains, however. In Indiana, third in the nation in the production of corn, soybeans and hogs, corporation farming does not loom large at present. The 1970 census showed that there were 584 corporate farms in the State, accounting for just over 1 percent of the total farmland.

However, with the family farmer facing the necessity of larger acreage, expensive machinery, more credit, he fears that a pattern similar to that in California might emerge in feed grains, cattle or hogs, and make it even more difficult for him to stay in business.

The influx of the corporate farm comes at a time when the embattled independent farmer already is taking it on the chin. Income levels for farmers during the first half of the year have remained relatively stable, while production items, interest rates, taxes and wage rates increased 5.5 percent. Farm income will be down this year as a result of huge surpluses. The corn crop will be 30 percent larger than last year, and the 5.3 billion bushel corn crop will be worth less in total dollars than last season's 4.1-billion-bushel crop.

The independent farmer, then, looks about him and sees that everyone in the food production system makes more money, and has more economic power than he—the supermarket chain, the food processor, the food distributor, and the corporate farmer. It is no exaggeration to say that the family farmer could disappear unless he begins to get better prices for his product.

While the family farmer has remained, for

the most part, unorganized and independent, there have been significant industrial, financial and technological upheavals in American agriculture. Many of the changes have been brought about by the emergence of agribusiness.

CONGRESSMAN LEE HAMILTON'S WASHINGTON REPORT, OCTOBER 25, 1971

(EDITOR'S NOTE.—This is the last of two reports on the impact of agri-business corporations on American agriculture based on a series of articles appearing recently in the Washington Post.)

A full-scale battle between the corporate farmers and independent farmers already has developed in some areas of the Nation. This confrontation could have a profound impact, not only on agriculture, but on the future of rural America as well.

In the last 50 years, 40 million rural Americans have migrated to the cities, many of them leaving behind the family farm which has been the economic base of small town America. As the family farmer is driven out of business, the economic base withers, the tax base deteriorates, and the quality of life is affected.

The decline in rural America also has had an impact on the American political system. The political punch of rural America has declined sharply in recent years, and traditionally, it has provided a counter-balance to urban politics. Already in this country, 74 percent of the people live on 1 percent of the land, and by the year 2000, if present trends continue, only 12 percent of the American people will live in communities of less than 100,000 residents.

The influx of corporate farming in American agriculture is having an impact on the Nation's food supply. Food is the Nation's largest and most important business. It is worth more than \$100 billion in annual retail sales and more than \$8 billion in farm exports, which keep the U.S. balance of trade from being an economic disaster. Any development which would impair a steady and efficient supply of food, or would make American agriculture less competitive abroad would have serious effects throughout our economy.

Some observers are suggesting that we judge agriculture by much broader standards than efficiency and productivity. They contend that we should be willing to sacrifice agricultural efficiency to preserve the quality of life in rural America. One farm leader says that every time a farmhouse light goes out, the country is not only losing a man's skills, but also a free man. The impact of this out-migration on the quality of American life is uncertain, but worrisome, because many of the most responsible leaders of American life have come from rural America.

The turmoil in farm organization reflects the challenge to traditional American agriculture. Farm leaders are searching for a means to protect the family farmer, some suggesting legislation to prohibit farming by big corporations, or restricting to individuals the ownership of land improved with government funds. Many are calling for legislation to benefit the family farmer, including tax benefits, more financial credit to attract more young people into farming, and improved bargaining power for farmers in the marketplace.

Some farm organizations believe that farmers should form giant cooperatives with complete systems for the production, processing and marketing of produce. Many farmers see the cooperative as just another kind of giant agri-business organization, however.

The variety of these approaches to meet the challenge of agri-business to the family farmer tend to weaken the efforts to get effective action.

The Congress, concerned with the impact of these new developments in agriculture on

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farmers, the food supply, exports and rural America, is beginning a search for solutions to the new conflicts between independent farmers and the corporate farmers.

There is a growing awareness in the Congress, however, that government policy often tends to make the role of the independent farmer more difficult. Our present agricultural subsidies are supposed to control overproduction, but they go mainly to the wealthiest farmers with the largest operations. Subsidies for wheat and cotton, especially, are much larger than needed to control surpluses.

Of the 2.9 million farmers in the Nation, 50,000 grow a third of the country's food supply, while 1.5 million American farmers continue to earn less than poverty level incomes. The corporate farmers not only command the major share of government subsidies, but they also get generous tax write-offs which encourage even larger operations.

One government expert observed: "Government has provided socialism for agribusiness, and free enterprise for the small farmer and farm worker."

COMMITTEE FOR PUBLIC JUSTICE

HON. FLOYD SPENCE

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 28, 1971

Mr. SPENCE. Mr. Speaker, a group styling itself the Committee for Public Justice meets this weekend at Princeton University. They apparently intend to zero in on the Federal Bureau of Investigation and its Director, the Honorable J. Edgar Hoover.

In his column which appeared in the October 25 edition of the Washington Evening Star, William F. Buckley, Jr., itemizes in some detail the principal participants and the common threads which draw them together in this endeavor. I ask unanimous consent to include that column at the conclusion of my remarks.

At the risk of dignifying such a group by deigning even to mention it, I call it to the attention of my colleagues in the hope that the excesses which may be anticipated from its deliberations will not go unstudied and unchallenged. Too often in the past, questionable movements of this sort have been permitted to gain attention and momentum far beyond their merit. That should not be permitted to happen in this case.

The column follows:

IS IT PUBLIC JUSTICE OR JUST HOOVER BAITING?

(By William F. Buckley, Jr.)

A gentleman at Princeton University got the idea a while ago that it would be interesting to inquire into the nature of something. So he founded the Committee for Public Justice.

Having founded a Committee for Public Justice, the question naturally arose, public justice for whom? The answer was obvious: Public justice for victims of—J. Edgar Hoover. The first extensive meeting is scheduled to be held at the Woodrow Wilson School in Princeton Friday and Saturday, and it is fearfully predictable that they will talk about the deficiencies of the Federal Bureau of Investigation.

It is strange that a committee so self-advertisedly concerned with justice should solicit, in the name of estimating the usefulness of the FBI, the services of men who are,

some of them, anti-FBI nuts. I say nuts, because criticism of the FBI needs to be evaluated with some reference to the evaluator's general view of things. If there is anyone on the masthead of the new committee who has given 10 minutes' fruitful thought to the question of crime and punishment, with the possible exception of Norman Dorsen of the ACLU, then there will be headlines indeed out of Princeton this weekend, to celebrate the discovery of crime by this set.

The most conspicuous figure in the executive council is Ramsey Clark. Clark, who is a splendid fellow, wrote, alas, the most perverse book about morals since De Sade, the jurisprudential equivalent of "The Greening of America". On top of that, Clark and Hoover, who was a subordinate of Clark for a few years, in the sense that Marshal Montgomery was a subordinate to King George V, were exchanging epithets a year or so ago.

Then there is, of all people, Lillian Hellman who, notwithstanding her great resourcefulness as a dramatist, could only think, in 1952, to answer questions about her involvement with the Communist party with mutterings about the 5th Amendment. Burke Marshall was an assistant attorney general during the Kennedy years, and in pursuit of public justice rushed to Chappaquiddick not at the urging of Mr. and Mrs. Kopechne, but of Sen. Kennedy.

Oh, it is a wonderful list! Did you know that Warren Beatty was interested in public justice?

Jules Feiffer is there, to protest what a spokesman for the committee has described as "political repression," which is to be defined, one gathers, as resistance to the burning down of ROTC buildings. J. Fred Cook is best known as having discovered that the FBI framed Alger Hiss.

Frank Donner also pleaded the 5th Amendment about his connections with the Communist party. Martin Peretz of Harvard, the philanthropist of the hard left, is still dazed from the anti-Semitic talk he ran into during one of the caucuses which, as I remember, he got the bill for.

Shirley MacLaine will be consulted. We never can remember whether Shirley MacLaine is Shelley Winters, and which of the two is related, and how, to Warren Beatty though it is good to know that they are both related by their common thirst for public justice. There is a military man. Who? You guessed it, former Marine Commandant Gen. David Shoup, who has been talking about American war crimes ever since the Viet Cong launched their reign of terror. And Candice Bergen, Mrs. Marshall Field, Mrs. Elinor Gimbel, and—Charles Goodell.

Other contributors to Princeton's search for expanding the vocabulary of anti-Hooverism are Paul Newman, who will contribute the facial expressions; Mike Nichols, who will direct them; and Arthur Schlesinger Jr., who will write the history of the Committee for Public Justice, which will be the shortest book he ever wrote, meaning that there is something in public justice for all of us.

VETERANS DAY—1971

HON. LAWRENCE COUGHLIN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 28, 1971

Mr. COUGHLIN. Mr. Speaker, as we pause from our day-to-day activities to observe Veterans Day, let us think how we, as Americans, can express our appreciation to the men and women who have helped to preserve our American way of life.

We can respond by being Americans—

Americans who are alert—Americans who are not afraid to face the challenges of today—Americans who understand the gravity of the world situation—Americans who will express their support of our national purpose to attain world peace.

Today, as never before in the history of our great country, we must show the world that we are a Nation united in pursuit of this lofty goal.

This day originally was designated by the Congress in honor of the millions of America's sons and daughters who joined the ranks of our Armed Forces in defense of freedom and individual dignity. The rescheduling of this holiday from its former date of November 11—the anniversary of the World War I armistice—to the fourth Monday of October in no way detracts from its dedication to the attainment of an honorable world peace. Hundreds of thousands of gallant Americans have made the supreme sacrifice in pursuit of that goal. Other countless thousands bear the marks of combat incurred while meeting the highest obligation of their citizenship.

In my own 13th Congressional District of Pennsylvania, I take great pride in a veteran population totaling over 98,000. The Montgomery County veterans' organizations are composed of patriotic Americans who join the more than 27 million Americans whose lasting sacrifice to their country's welfare will always be matched by the enduring affection of their countrymen.

The passage of time must never obscure or minimize our eternal debt of gratitude to all our veterans. It is with this conviction that I say the Second Session of the 92d Congress will continue to explore the plight of our veterans and their families in the light of our rapidly changing times and needs.

Lincoln's compassionate words adjuring us "to care for him who shall have borne the battle, and for his widow and orphans" are a constant reminder to us of our duty to our veterans.

With deep pride and gratitude, I join my colleagues in the Congress and my fellow Americans in acknowledging that the debt that we owe to the men and women who have fought to preserve our precious freedoms is one that can never be repaid.

CHILD DEVELOPMENT ACT TO SOVIETIZE OUR YOUTH

HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 28, 1971

Mr. PELLY. Mr. Speaker, I have openly opposed the spending of \$14 to \$20 billion for child care centers as passed recently by the House. The result has been a great amount of mail into my office when others learned of the dangerous precedent this bill sets. I am deeply hopeful President Nixon will veto this bill when it goes to him for his signature and that the House will turn around and swiftly pass the Economic

Opportunity Act of 1971 without this child development provision.

Meanwhile, columnist James J. Kilpatrick, in the *Seattle Times*, took note of the Child Development Act, and I call his remarks to the attention of my colleagues. I insert Mr. Kilpatrick's column at this point in the RECORD:

CHILD DEVELOPMENT ACT—TO SOVIETIZE OUR YOUTH

WASHINGTON.—When the House met September 30, not more than 40 or 50 members had any clear idea of what might be contained in a proposed "Child Development Act." The bill was not even before them.

Before the afternoon had ended, after a legislative coup led by John Brademas of Indiana, the House had voted, 203 to 181, to graft this unbelievable bill onto the Economic Opportunity Act of 1971. The Senate some weeks ago adopted a milder but similar plan. The whole scheme now awaits action by conference committee.

The Brademas bill runs to 11,000 words. It occupies 22 columns of fine type in The Congressional Record. No measure of greater importance has cleared the floor of the 92nd Congress, and few have had less attention from the press.

The bill is a monstrosity. No other word suffices. Many observers had expected, as part of plans for welfare reform, to see some bill enacted that would provide modest federal subsidies for a few day-care centers in major cities. These had been vaguely envisioned as places where welfare mothers could leave their children while they went to work.

Instead, the House has approved a breathtaking, full-blown plan for the "comprehensive" development of children to the age of 14. It is the boldest and most far-reaching scheme ever advanced for the Sovietization of American youth.

The bill begins with a recital that Congress finds "that millions of American children are suffering unnecessary harm from the present lack of adequate child-development services, particularly during early childhood years."

To remedy this harm, the bill directs the secretary of health, education, and welfare to foster programs that will provide "comprehensive physical and mental health, social, and cognitive development services necessary for children participating in the program to profit fully from their educational opportunities and to attain their maximum potential."

Such programs may include food and nutritional services; medical, psychological and educational services; appropriate treatment to overcome emotional barriers; and "dissemination of information in the functional language of those to be served, to assure that parents are well informed." Religious guidance plays no part.

Applications for federal financing would be funneled through various Child Development Councils. These in turn would supervise Local Policy Councils, to be composed either of parents or of representatives "chosen by such parents in accordance with democratic selection procedures approved by the secretary."

Local proposals would float up to a new Office of Child Development. This office would create a committee to develop Federal Standards for Child Development Services. Another committee would prepare a Uniform Minimum Code for Child Development Facilities. The facilities would be financed through a new Child Development Facility Insurance Fund.

Meanwhile, a National Center for Child Development would foster "research." A Child Development Research Council would smile upon it all.

The bill would provide "free" care for all children of families earning not more

than \$4,320 a year. Other children would pay a small fee. Congressman Brademas could not really say what the program might cost—maybe \$350 million in fiscal '73—but the House authorization is open-ended.

The bill contemplates, ultimately, federal support of "the entire range of services that have to do with the development of a child."

Doubtless the contrivers of this nightmare had good intentions. In the context of a Sovietized society, in which children are regarded as wards of the state and raised in state-controlled communes, the scheme would make beautiful sense.

But it is monstrous to concoct any such plan for a society that still cherishes the values (however they may be abused) of home, family, church and parental control.

This bill contains the seeds for destruction of Middle America; and if Richard Nixon signs it, he will have forfeited his last frail claim on Middle America's support.

SAVE POINT REYES PENINSULA

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1971

Mr. EDWARDS of California. Mr. Speaker, as a Californian and a Member of Congress, I feel that I must add my voice to those of my fellow Californians in support of saving the Point Reyes Peninsula. To fail to act to protect and save this area would be a crime against nature and a crime against future generations of Americans. The National Park Service's 5,150 acre wilderness proposal, while better than no plan at all, is really quite inadequate to the task that lies before us. Large areas have been excluded and the National Park Service plan, absurdly enough, includes no shoreline.

I support the alternative proposal for 36,000 acres of wilderness as recommended by a coalition of citizen conservation groups. This proposal would protect some 25 miles of ocean and bay shoreline and tidelands—a necessity as far as I am concerned. In addition to the Mt. Wittenberg area proposed by the Park Service, it includes the southern portion of the seashore from Bear Valley Trail to Pablo Point, Drakes and Limantour Esteros and Limantour Spit, Tomales Point, the full length of Point Reyes Beach and the shoreline of Point Reyes Headland.

Generous wilderness protection for the Point Reyes area is important, not only because of the amazing and gentle beauty of this area, but also because of its proximity to the millions of people who live in the San Francisco bay area—people who desperately need the peace and tranquility that wilderness areas can provide.

There are several drawbacks inherent in the National Park Service plan. Although public meetings on the overall conceptual master plans are a step in the right direction, present National Park Service policies do not provide for any citizen involvement in the decisions following adoption of the generalized master plan. I feel that citizens must be able to have a chance to review the important action plans which touch upon

such important questions as the specifics of proposed developments and the location and design of major roads. The master plan should recommend that a representative citizens advisory board be established for the Point Reyes wilderness refuge.

In addition, most of the national seashore under the present Park Service plan would be designated as class III. This means that this land could conceivably be exploited and developed for commercial profit. We could see this area logged, grazed, and hotdog stand out of its beauty. Except for those lands where we in the Congress have specifically permitted dairy cow or cattle ranching, this land should be protected more stringently than present plans provide. This area should remain wild and beautiful and should not be developed.

I am of the opinion that those in the Park Service who studied this area and wrote this master plan were trying to serve the best interests of the people of California and America. However, this conceptual plan omits details which absolutely must be open to public review. It omits specifics which are vital to the success of the effort to save this area. For example, the master plan states the principle that the automobile must be phased out of the proposed park area. However, no deadlines are given and no real procedural guarantees are provided. We in the Congress, perhaps even more than other Americans, know that this could well mean that this principle might never become reality—and that even if the principle becomes practice it may be too late. In my view, private automobiles should be excluded from this lovely area and for one reason only—to accommodate masses of private automobiles would mean the destruction of the area. Do we want to see miles of asphalt, parking lots, and traffic jams in the beautiful and primitive area? I do not think any of us wish that, and so we must act to prevent it. Naturally, when we exclude private automobiles from an area such as this, alternate, public, means of transportation must be provided. This aspect of the proposed park has not been given the attention it deserves in the master plan. We are not talking here about just another beach and just some trees. This area is unequalled anywhere in the world for its majestic seacoast, its lovely green and rolling hills and its exquisite forests.

This "island in time" provides us with a rare opportunity to save something that soon will be gone and that cannot be recreated. We have other areas where people can drive to the beach, stroll down a boardwalk, visit concessionary stands and spend a Saturday afternoon. This is all right, but we do not want all of our seashore and all of the few natural areas that remain to end up this way. We in the West, perhaps, have the good fortune to have more wild and untamed land surrounding us than in some other areas of our country. There really is no joy similar to that of hiking into the Sierra, into an area where there are no roads, no cars, no machines, no businesses and no crowds. We cannot preserve all of our land in this way. But, by some miracle, Point Reyes, just a

few miles from San Francisco, has remained in this primitive state.

At present, wilderness areas are more accessible to those with middle-class income than to lower-income families. Point Reyes could be a place where people of all incomes and all races could have easy access to lovely wilderness. I sincerely hope that the final plan for this park area will be expanded to include 36,000 acres, with provisions for cheap and rapid public transportation from the population centers in the bay area, to the lovely hiking trails of Point Reyes. I will do all that I can here in Congress to assist in this effort.

Most of all, I hope to see some action on this question quickly—to insure the safety of the wilderness and the success of all our efforts to serve the people of California.

LIBERATION BY COMMUNICATION

HON. LAWRENCE J. HOGAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 28, 1971

Mr. HOGAN. Mr. Speaker, this past Saturday, October 23, 1971, the American-Hungarian community in the Nation's Capital and the entire Metropolitan area, commemorated the 15th anniversary of the 1956 Hungarian Revolution.

Presenting the keynote address on this occasion was our distinguished colleague from the State of New York (Mr. HORTON) who discussed most cogently the present international realities of the 1970's and how they differ from the stark, cold war days of the mid-1950's.

He also, however, made the concomitant point that during this 15-year period since the 1956 revolution, we as a nation have largely forgotten the lessons learned during the 1950's about the political and military aspects of Communist totalitarianism. Particularly among our young people who do not remember the erection of the Berlin wall and who cannot envision what it would be like to live surrounded by gun towers and barbed wire, these lessons must be reiterated.

I ask, Mr. Speaker, that the address of our colleague from New York (Mr. HORTON) before the dinner commemorating the 15th anniversary of the Hungarian Revolution be included in the RECORD at this point.

The address follows:

TEXT OF CONGRESSMAN HORTON'S REMARKS IN HIS KEYNOTE ADDRESS AT THE DINNER COMMEMORATING THE 15TH ANNIVERSARY OF THE 1956 HUNGARIAN REVOLUTION, NATIONAL PRESS CLUB, WASHINGTON, D.C.

(Dinner sponsors: American Citizens Committee for the Commemoration of the 15th Anniversary of the Hungarian Revolution, Congressman Frank Horton, Chairman; Hungarian Freedom Fighters Federation, Dr. Andras Pogany, President).

LIBERATION BY COMMUNICATION

"... may a ray of hope reach our long tried people who at this moment endure the fifth day of bombs, shells, and flaming death, bearing witness, before God and the world, of their will to be free—a people whose sons are being dragged into slavery; whose chil-

dren, with their last breath cry "help" from wrecked homes, hospitals, and shelters; whose women stand before looted stores, facing stark famine.

"Arduently I pray God to bless you and your people, Mr. President—to guard and guide America in gaining the common goal of peace and joy for a troubled world. May the Almighty grant that you thrive and wax strong. On the threshold of a happier future, I beg you not to forget—never to forget—this small gallant nation braving anguish and death in the cause of mankind."

With these words, Josef Cardinal Mindszenty, Prince Primate of Hungary, wrote to President Dwight D. Eisenhower on November 8, 1956. I could think of no man on earth whose words would be more appropriate to open my remarks on the 15th anniversary of the Freedom Fighters revolution. No man, including those who died in that revolution, and including those who were exiled forever from their homeland, has made a greater sacrifice than Cardinal Mindszenty in the cause of his people and his church. Virtually imprisoned by circumstance in the American legation in Budapest, as a haven from certain death during the revolution, Cardinal Mindszenty has now made an even greater sacrifice—imprisoning his soul and his freedom of expression in exchange for his personal freedom, and in exchange for a chance for the Pope to melt the ice that has frozen relations between Hungary and Rome for the past 15 years.

While Cardinal Mindszenty may not, for the moment, be able to share with us his memories and his feelings about the people of Hungary, we can and we must turn to his words, spoken in the past, in commemorating this valiant try for freedom.

The Cardinal's prayer for President Eisenhower and the American people contains two vital and moving points. First, that America thrive and be strong so that we can gain the common goal of peace and joy for mankind; and second, that America not forget—never forget—the gallant and anguished nation of Hungary.

How far have we come in seeking these goals since the Cardinal penned his letter in the dark days of early November, 1956? We have come far, yes, but by no means far enough.

We have gone through years of anguished debate about whether the United States, at a moment when it enjoyed unquestioned military superiority in the world, could have, or should have used its strength to face down the threat of the Russian bloodbath. We have gone through years of unsuccessful effort to keep the question of Soviet occupation and stifling of Hungary and other nations of Eastern Europe before the United Nations.

But where are we today? What is the status of America's progress toward fulfilling Cardinal Mindszenty's goal of bringing peace and joy to a troubled world?

For those who long to turn the clock back to 1956, for those who wish we would return to the day when the seams of world order were held together almost solely by unquestioned American military superiority and by the presence of thousands of U.S. troops encircling the communist world, we have not come far enough.

For those who see opportunity for improving the plight of communist peoples through other than military means, however, we have come very far indeed. No man or woman who is familiar with the awesome nuclear power that has been amassed by the Soviets and ourselves can believe that the solution to freeing the minds and lives of the captive peoples lies in a military confrontation between us and the Russians. None of us should seek the sacrifice of this entire planet as the price for any goal!

I think most of us are able to discern the international realities of the 1970's, and per-

ceive how they differ from the stark, cold war days of the mid-1950's. I think that President Nixon captured the essence of present realities when he made his acceptance speech at the Miami convention in August of 1968. There he stated that it would be his goal to seek a generation of peace. He stated that this would have to be achieved by ending the era of confrontation—very dangerous confrontation—between the superpowers of the earth. He states that the generation of peace would be ushered in by what he called an era of negotiation, but he very forcefully made the point that such an era could only succeed if America is negotiating from a position of strength, not of weakness.

There are many in this nation, and many in this room who, because of their bitter experiences with the communists, and their justifiable distrust of communist leaders—based on the lessons of history—shudder at the thought of any meaningful negotiation with the communist world. In the years of the 1940's and 1950's, we could well afford to deal with the communist world on our own terms. Our military superiority in Europe, in the Near East, in the Pacific and in Southeast Asia, as well as at home, even permitted us the luxury of virtually denying the existence of Communist China and her 750,000,000 people.

In the world of the 1970's, however, we cannot base the foreign policy of free nations or of our own nation on the world as we wish it were. If our policies are to be successful, they must be based on the realities of our world as it is today—whether these realities are popular or unpopular. Only in this way can we hope to change these realities, and to have a say in how they will change.

These are tumultuous days for those who do not want to see changed the policies and the assumptions of world order which existed in 1956. For in these months, the free world is undergoing an accelerated evolution into reality. Until a short time ago, America was clinging to the military, political and economic foreign policies which had been forged for use in the post-war era. America and her leaders were reluctant to shed their image of a world led and dominated by America alone—to shed their image of an America which was wealthy enough to carry on her shoulders all of the burdens for economic development of the war-torn nations of Europe and the Pacific, and strong enough to shoulder the defense of those nations against communism.

President Nixon has seen that in order to enter the era of negotiation from a position of strength, we will have to assess our own strengths and weaknesses as realistically and as pragmatically as our adversaries do. He perceived that the assumptions of the post-war era will have to be adjusted to the realities of today, if, indeed, we are to attain a true position of strength.

As a result, we have seen major changes in American economic and military foreign policies. The Nixon Doctrine states that the area defense alliances of the post-war era must quickly evolve into true defense partnerships—with each ally bearing his fair share of the expense and the manpower and hardware burden of defending his own region. The Doctrine recognizes the need to view NATO, for example, as our adversaries view it. If NATO were to remain an alliance which is almost completely dependent on American military power and American money, its true defenses against Communism in Europe and the Mediterranean would be strong in name only. As long as NATO allies feel completely free to scorn American policies at the same time they enjoy the luxury of life behind an American military shield, then there is no true strength to this alli-

ance, or to any other alliance which is based on the same empty pronouncements of strength.

If the communists realize this, we must realize it ourselves, and we and our allies must be willing to make the hard decisions needed to give real strength and partnership to these alliances. The way to do this is not by unilaterally withdrawing American military support from these alliances, but by encouraging and even coercing our allies to pull their share of the weight.

I think that the President has withstood great pressures from people wanting to isolate America militarily and economically. While he, along with many of us in the Congress have sought to cut the fat from America's military establishment and defense budget, we have taken, and must continue to take great care not to cut the muscle and bone from our defenses. To do so would be to put us in a position of weakness at the crucial time when we need a position of strength from which to negotiate.

The same can be said for our new economic policies. How long, ladies and gentlemen, have our trading partners in the free world refused to relinquish the favored treatment they were given in the 1940's and 1950's as war-torn nations suffering the aftermath of World War II? Originally, their trade barriers were erected to protect their slowly developing economies, while they rebuilt from the ruins of war. At the same time, Uncle Sam, who had nearly all of the gold and a huge trade surplus could afford to pursue the principles of free trade, while our trading partners licked their wartime wounds behind the shield of economic protectionism and American military strength.

After negotiation failed, and while America's economy grew weaker and weaker, our President finally was forced to take drastic and unilateral action to set economic policies which are in line with the realities of the 1970's. Germany, France and Japan are no longer war-torn, developing economies. They are modern, efficient and productive economies, well able to compete with an American industrial plant, which in many areas is older, less efficient and more costly than theirs. The President has given our trading partners a stark and simple choice. Either they demonstrate willingness to understand America's economic problems, as we have understood theirs for the past 26 years, either they cooperate in establishing a realistic world economic order which can benefit all of us, or we will pursue policies that will severely limit their access to lucrative American consumer markets.

Imposing a unilateral 10% surcharge on imports and removing the gold-backing of the dollar are drastic steps. But they may be what is needed to forge economic partnerships in the free world that are truly strong.

Again, we must be willing to see our strengths and weaknesses as our adversaries see them. The Soviets know that America cannot continue to support huge military operations abroad and pursue international economic policies that will drain our productivity and our wealth, and still provide the resources needed to solve the domestic problems of the American people—problems that must be solved if we are to be a strong nation in any true sense.

We must see these realities and must make the difficult adjustments to meet them head-on. I think the result will be a free world which is far more formidable an adversary to world communism than the world in which we live today. It will be more formidable because all free peoples will be in it together, gaining equal benefits, and shouldering equal burdens.

This is my concept of the position of strength which the free world must find itself in before we can undertake the era of

negotiation that is beginning now. Speaking as a Member of Congress, I am pleased to see that we are, at last, facing up to these realities.

Early in my remarks I asked the question—how far have we come in seeking the two goals which Cardinal Mindszenty expressed in his prayer for President Eisenhower 15 years ago? My answer to the first goal—that America thrive and be strong, so we can be ready to gain the common goal of peace for mankind—is a very hopeful answer tonight. As I said earlier, we have made some progress, but have not come far enough. There is still a danger of communist expansion into third world nations. Today, both Cuba and Chile in the Western Hemisphere are under communist rule. Laos and Cambodia are precariously balanced on the brink of communist takeover, while South Vietnam seems better able to defend itself against communism than at any time in the past two decades.

Of course, the Cardinal's first goal is far from fulfilled. The peoples of Hungary, Eastern Europe, the Soviet Union, the People's Republic of China and other nations are still under the yoke of totalitarianism.

But I believe an important step has been taken toward this goal. Instead of pursuing policies founded on delusion and the realities of the past, we are now pursuing policies that can prepare us for the era we are entering.

I welcome this progress in meeting the first goal with a very strong warning that we cannot succeed if we ignore the Cardinal's second goal. That is that America and the free world not forget—never forget—what the people of Hungary fought and died for in 1956.

I am not at all happy with the progress we are making toward fulfilling the Cardinal's second goal.

Just as it is vital that we know ourselves, our strengths and weaknesses as our adversary knows them, we must also know and understand the strengths and weaknesses of our adversary. Our people must understand these realities too, and must never be allowed to forget them.

The goal of liberating the spirits and the lives of Hungarians and other peoples living under communism is not going to be obtained through military confrontation or war.

The possibility of liberation by the sword is too doubtful, and the costs to mankind are too great to pursue policies of liberation with bombs and guns.

Our task is more complex than mounting a physical invasion with tanks, planes and troops. We must instead take the other road. We must pursue the liberation of oppressed peoples with ideas, with exposure and with communication. This kind of liberation is not as heroic, as dramatic or as quick to come by as are military onslaughts. But the results of liberation by communication can be far more lasting and more beneficial to the well-being and freedom of mankind.

This must be the ultimate goal of America as she enters the era of negotiation with Moscow and Peking. But this goal will not be achieved if our only preparation is to strengthen ourselves militarily and economically. We must be ready in spirit and in the understanding and education of our own people as well.

Today, we are woefully lacking in this kind of preparation.

The experience of Vietnam, and the tragedies of racial conflict here and elsewhere in the world have weakened the free spirit of the American people. At a time when the free institutions of our own nation are under severe attack from both the right and left, we have indeed, forgotten the lessons of Hungary, and of October 23rd, 1956.

Today, the young people in our own country, at the same time they are asking probing questions about improving freedom in America, are not raising questions about the plight of human freedom in the communist world. Too many Americans see communism only as an academic philosophy. They see it as an ideal economic system where wealth is to be distributed equally according to the needs of all people. They see the social and economic aspects of communist theory without remembering to question and deplore the political and military aspects of communist totalitarianism.

When the communists come to the negotiating table, they will come with a full understanding of our system and of our people. They are treated daily to accounts of conflicts within our country and the free world. Our freedom of expression and freedom of the press does not permit us to hide these truths from them.

I fear that our people will not be as well prepared to understand communism and totalitarianism. We as a nation have largely forgotten the lessons of the Berlin wall. We have forgotten why freedom fighters battled Soviet tank troops with sticks and stones. We don't take the time to envision what it would be like to live in a nation surrounded by gun towers, barbed wire and mine-fields. We pass lightly over news articles about Soviet oppression of Jews and other minorities. We read and then forget accounts of artists and writers being condemned to mental institutions in Russia for daring to express themselves freely—daring to dissent from the communist line.

Some Americans feel that in order to have hope for world peace through negotiation with the communists, we must somehow think nice thoughts about communism, that we must play down the suppression of human freedom that occurs behind communist borders.

It has become so unfashionable to speak up about the human aspects of communism that Americans who feel deeply about communist oppression have too often been designated as fanatics or right-wingers. We saw a sad example of this in American newspapers this week. Press accounts of the unfortunate and deplorable attack that was made on Premier Kosygin in Ottawa, labeled the Hungarian Freedom Fighters Federation as a quote, "right-wing group." I totally reject such a label, and you should reject it. Are the freedom fighters right wing because they lived under communism and fought to free themselves? Are they right wing because they want the world to know what life under communism is like?

This convenient kind of labeling is dangerous to our society. I am very far from being right wing, or even a conservative Congressman. Yet, I have been fighting for nine years in Congress and in my home community to make Americans think about the meaning of communism from the standpoint of human freedom.

On the first day of every Congress I have served in, I have introduced a bill to create a special committee in the House of Representatives to examine our foreign policy from a standpoint that takes self-determination into account. At first, my resolution called for a Select Committee on Captive Nations. But that phrase has become so unpopular in official Washington that this year, for the first time, I introduced a resolution to create a Committee on Self-Determination, hoping it would gain more acceptance. The purpose of this committee would not be to advocate foreign policies that seek to liberate communist nations, or any other nations militarily. Instead, it would take a good, hard look at whether or not our foreign policies are in line with the goal of self-

determination of peoples. It would examine our relations with not only communist governments, but rightist military dictatorships as well, from that standpoint.

In addition, I have made it a point to participate each year in the celebration of Captive Nations' week. I have on hundreds of occasions, spoken on the floor of the House to point out the miseries of people living under communist rule. Last year at this time, I entered into the Congressional Record a detailed account of a new passport regulation which was promulgated under the Kadar regime. I wanted to let the American people know that this regulation is not a loosening of freedom of travel for Hungarians. Instead, it is a sinister tool seeking to discredit and punish the families of those Hungarians who have left Hungary, and who dare to speak out about oppression in that country.

As you know, each year, under both President Johnson and President Nixon, the Presidential proclamation of Captive Nations Week is worded more softly and more subtly, and is given less and less publicity. Why? Are we afraid to tell our own people what life under communism is like? Are we afraid that this will ruffle the feathers of communist leaders? Are we afraid that we will, by telling the truth, be encouraging resistance to these regimes at home and abroad? I think these are exactly the reasons that communist oppression is downplayed by our diplomats and our government leaders. For the same reason, it was impossible for our American Citizens Committee to commemorate the 15th Anniversary to get a member of the Cabinet to agree to serve as an honorary chairman. Why, when the Speaker of the House, the Minority Leader of the House and two distinguished Senators, including the Chairman of the Republican Party are willing to associate themselves with this commemoration, should the Federal executive branch be taking all pains to avoid this event?

Commemorating the revolution does not mean that America gives support to any exile or revolutionary government of captive countries. It merely means that we will not permit ourselves to forget Cardinal Mindszenty's second goal.

If our diplomats feel that in order to conduct successful relations and negotiations with the communists, we must try to forget about the events of 1956, and the events of 1968 in Czechoslovakia, I think they are sadly mistaken.

I do not notice, on the part of the communists, any attempt to downplay their steady diet of anti-imperialist, anti-American propaganda. They do not seem to feel the need to tell their people how wonderful we Americans are in order to prepare for negotiations with us.

On the contrary, I would like to recall a television broadcast I saw just this past Thursday evening. The CBS program, "Sixty-minutes" carried an excellent interview with a noted Chinese author, Dr. Han Suyin, who had just returned from a seven-week visit to Peking, and from talks with Cho En Lai. She is a personal friend of many Chinese communist leaders, and is in sympathy with their regime.

She was asked whether the Chinese would take down the huge anti-imperialist posters which are plentiful in every Chinese city, so as not to embarrass President Nixon when he visits China next year. Her reply is one which contains an important lesson for the people and leaders of America.

She said it was important to the Chinese people that the President see them as they really are. She saw no need to hide them from him the strong differences between their system and the American system. She said that negotiation and co-existence do not

mean that Chinese have to change their opinion about capitalism or imperialism.

In order for us to negotiate and co-exist peacefully with communism should it be necessary for us to forget our own principles of individual rights and human freedom? May we not decry and publicly deplore the oppression of human beings by totalitarian rulers in the world? I say we can, and we must!

If we permit ourselves to forget the second goal of Mindszenty's prayer, then we will weaken the position of free men at the negotiating tables. Then we will be unprepared and unable to liberate anyone with ideas, with communication.

We have too much to be proud of as free men. We have no reason to pay lip service to, or to speak softly about oppression or about principles we abhor.

This is why, my friends, we must not allow our government to return to the Kadar regime, the crown of St. Stephen. This symbol of legitimate constitutional government has lived for a thousand years in the minds of all Hungarians. It remains a symbol of government of the people, by the people and for the people of Hungary. Should our diplomats pretend that there is no oppression today in Hungary? Should they use the holy crown as a bargaining tool to win some small economic concessions or to smooth over our bi-lateral relations?

The answer is obvious, and it is *no*. Frankly, I think that Congressman Hogan, Congressman Scherle and others in Congress have been successful in conveying to the President and to the Secretary of State, our strong feeling that the crown should not be returned until there is significant improvement in the personal freedom of the people of Hungary. I will continue to voice this position, and voice it strongly, and I call upon you and upon all Americans not to permit the degradation of this holy crown into a crass diplomatic bargaining tool.

Ladies and gentlemen, we, on the American Citizens Committee have made it our primary goal to motivate Americans—all Americans—to speak up about the lack of freedom in the Communist world. Our efforts can help to insure that America never forgets the lessons of Hungary in 1956. We have persuaded governors, mayors and clergymen throughout this country to speak out openly in commemorating this 15th anniversary.

But this goal will not be reached if we only attend to it every five years. We must not wait until the 20th anniversary to change the image of communism in America.

For if we are to accomplish any degree of liberation by communication, we must not ourselves be afraid to communicate. If we do not publicly and frequently accentuate the differences between freedom and communism, as well as the areas where there is opportunity for negotiation, then any negotiations will be empty and fruitless.

Just as I have joined the fight in Congress to keep the voices of Radio Free Europe and Radio Liberty ringing in the ears of communist rulers and their peoples, we must fight to keep the spirit of human freedom alive in the free world.

Yes, we have made excellent progress toward reaching the first goal of Cardinal Mindszenty's prayer. But we have lost ground in assuring that America will not forget—never forget, the symbolic lessons of Hungary in 1956.

Let us regain that lost ground. Let us accept the realities of today's world, and throw off the illusions of the past as we prepare to deal from strength. But let us recognize that no amount of military or economic strength can accomplish true peace, unless we are unafraid to speak up for what we stand for.

Thank you.

U.S. AND THE U.N.—WHERE
DO WE GO FROM HERE?

HON. LAMAR BAKER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 28, 1971

Mr. BAKER. Mr. Speaker, Americans continue to express well-justified outrage at the tragic United Nations vote to oust Nationalist China, a faithful member for more than a quarter of a century. The U.N. move to admit a regime seizing and maintaining power through blatant aggression comes at the expense of a peace-loving member which consistently has observed both letter and spirit of the charter.

Tennesseans, including my Third District constituents, rightfully protest this injustice and demand the United States reassess its commitment to the U.N. in light of this decision.

I share with many of my colleagues in both houses of Congress a deep concern about the future of the United States in the U.N.

While we continue to pour out money to support this organization, other nations, reneging on their commitments, coast on our efforts. Ironically, many of these free-loaders openly mock U.S. endeavors toward world peace, as reflected by this week's vote.

I know I speak for the majority in the Volunteer State in calling for a re-evaluation of U.S. financial support and moral responsibility to the U.N. If this organization is to constitute a viable force for world peace, all nations must contribute their share. We cannot and should not continue to shoulder such a weighty burden.

An excellent editorial, which I believe presents the majority viewpoint in my home State, appeared in the October 26 Nashville, Tenn., Banner. Its message is worthy of attention by every Member of Congress. I am privileged to include the editorial, "U.N. Seals Own Death Warrant With China Vote," in my remarks:

FOR WHOM THE BELL TOLLS—U.N. SEALS OWN DEATH WARRANT WITH CHINA VOTE

U.S. Ambassador George Bush called exactly what it was the shocking United Nations decision to expel Nationalist China while seating the Communist Peking regime. It was indeed a "moment of infamy." It was an action so monstrous in concept and in consequences foreseeable as to be noted by friends of honor and justice as a total betrayal.

Representatives there of the nation thus stabbed in the back retired from the scene in dignity—mature and sober and upright even in their humiliation—while taunting elements revelling in an orgy of power lust sated danced in the aisles; a disgrace to mark as symbolic of the moral degradation and political license they personified.

The United States of America is not so impoverished of principle and judgment and elementary decency as to condone—on any ground—the depraved reversal of at least surface ideals and aims with which U.N. started out. The United States officially has recognized a sense of realistic attitude toward Red China, ordaining perhaps a reasoned acceptance of the fact that she exists—

and whatever relationships are safe and feasible. To the end of a rapprochement in degree, President Nixon is contemplating a journey there—as one latterly, by invitation, to Moscow. But there was not, and is not, room in that liberalizing policy for murderous designs with an enemy's knife in the back of a friend.

This nation fought bitterly to prevent that—as for years it had, every time the General Assembly went into session marked by leftwing determination to honor brigandry.

The tragic irony is that the vote for this consummate surrender came on Veterans Day and the beginning of United Nations Week.

The downhill course and the drift from honored principle began with the betrayal of Chiang Kai-shek at the Mena House conference in Cairo in 1943. It was followed by Secretary of State George C. Marshall's subsequent insistence on a wedding between the Nationalist Chinese and North China's Communists in 1946-47, which drove the Nationalist Chinese to Taiwan.

Since then U.S. influence in the Far East has continuously eroded. We have spent billions of substance, wasted the blood of thousands of our youth in Korea and Indochina while Mao and Ho with the help of Soviet Russia joined in the conflicts which have left Uncle Sam economically bankrupt, militarily hamstrung, internally riven politically and ideologically, and now diplomatically humiliated before the entire world.

In the bitter dregs now drained from the bottom of what was almost a toast to the convulsion there—the aftermath of bumblng diplomacy toward what Secretary Marshall and his advisory retinue called "harmless agrarian reformers"—we now are about to witness those alias "agrarian reformers" taking over the peace machinery of the world.

It could have been foretold, from the moment of the sacking of Gen. Douglas MacArthur; when with his firing there was formally inaugurated the no-win policy in war; its biggest dividend to date having been paid to the enemy by last night's vote.

The United Nations organization never has been united despite its name. There never has been any possibility it could be, and there certainly is no hope now it ever will be.

Bitter are those dregs in the mouth of any sober nation—reasoning for itself; with its eyes surely open now, and aware of the facts.

Though it cannot erase the stain last night's action in contempt of it inflicted—a trespass on the very premises this nation has provided this world body; these IS something it can do:

As already noted, members of Congress, headed by Sen. James Buckley of New York, are proposing legislative action to cut back substantially the United States' financial contribution to the United Nations. The vast overpayments we have made from the very inception of that organization—subsidizing even questionable operations by overt enemies and contemptuous ingrates—must end NOW; trimming our funding of it to as nearly a pro rata share as possible, and the barest minimum. That CAN be done. IT MUST.

That is especially feasible, just and proper, considering the long-standing arrearage—for non-payment of dues and special obligations—on the part of Soviet Russia, France, and other powers.

The United States must not—and, in conscience, cannot, continue to be the principal support of this Tower of Babel, which clearly has become the forum of our enemies.

Ask not for whom the bell tolls, in last night's moment of infamy.

It tolls ultimately for the whole cockeyed, Communist-imperiled world.

AMERICAN EDUCATION WEEK

HON. ALBERT H. QUIE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 28, 1971

Mr. QUIE. Mr. Speaker, American educators truly deserve to be honored by the designation of this week as American Education Week.

The information explosion makes the task of educators very difficult. Text books and curricular materials must be constantly updated due to the expansion of knowledge.

Our increasingly technological society increases the importance of educators. The task of equipping every student with a needed skill requires better trained teachers. Success or failure in maintaining such a developed society which meets the needs of its increased population is dependent upon a viable and relevant educational system.

I commend the educators who have improved the quality of education in this country and look forward to continued progress in the years ahead.

For the benefit of my colleagues and others interested who may not have seen the proclamation which President Nixon issued in recognition of the importance of education in the lives of each and every American, I am including the full text below. It is a well deserved and fitting tribute to those teachers dedicated to the task of serving their fellowman.

AMERICAN EDUCATION WEEK, 1971

(A Proclamation by the President of the United States of America)

Historian Henry Steele Commager has written that "No other people ever demanded so much of education as have the Americans. None other was ever served so well by its schools and educators."

What has been a characteristic of our history is even more dominant in our lives today. A system of education that has conferred inestimable benefits upon generation after generation of American citizens—that has contributed in large measure to the spirit and character of the American nation itself—continues to bring reality to the ideals of freedom, serving our people with the same dedication that it has always displayed and with an ever greater measure of effectiveness.

Yet it must be acknowledged that the challenge to our educational system is not diminishing, but mounting. For we recognize that our success in meeting unprecedented social, scientific, and physical change, and in directing its forces to positive ends, will be determined essentially by the quality of our schools, colleges, and universities, by the wisdom with which we develop and employ new educational techniques and technologies, and above all, by the compassion and understanding with which we reach out to all people—especially the young—and impart to each the intellectual and occupational enrichment which every American deserves.

After a period of uncertainty in educational matters, we are surer now of how that challenge shall be met. Our country is moving purposefully and effectively to strengthen and develop the great partnership of interests—Federal, State, local and private—through which we can accomplish our educational aims. Our educational leaders are not acting independently but with a new sense

of cooperative unity, determined to use all resources, explore all initiatives, and recast the laws, if necessary, in order to serve our national needs. This is not an easy task, and if we are to succeed, we must call upon the assistance and support of all the American people.

Now, therefore, I, Richard Nixon, President of the United States of America, do hereby designate the period of October 24 through October 30, 1971 as American Education Week.

I urge all my fellow Americans to make known during this week their appreciation for the truly heroic efforts of our teachers and all our education professionals upon whose humane skills so much of our greatness as a people depends. I ask moreover that we focus upon education as the central task of a democracy and the indispensable ally of liberty. Let the clarity of our vision and the boldness of our actions match the magnitude of our cause.

In witness whereof, I have hereunto set my hand this fifteenth day of October in the year of our Lord nineteen hundred seventy-one and of the independence of the United States of America the one hundred ninety-sixth.

THE UNITED STATES AND THE U.N.

HON. WILMER MIZELL

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 28, 1971

Mr. MIZELL. Mr. Speaker, there has been a great deal of discussion in this Chamber in the past week about the recent decision of the United Nations to expel Nationalist China completely from that organization.

In my weekly radio message to the people of North Carolina's Fifth Congressional District, whom I am honored to represent, I set forth my position on this issue, and I would like to share that message with my colleagues at this time.

The radio message follows.

RADIO MESSAGE TAPED BY CONGRESSMAN MIZELL

This week, as you all know, the United Nations voted to seat Red China, give the Peking government the China seat in the U.N. Security Council, and completely expel Nationalist China from the world organization.

This action, followed by the "undisguised glee" which President Nixon so accurately described as the reaction of some delegates, has led to the most spirited controversy and the deepest sense of outrage the U.N. has ever experienced, either in Congress or in the Administration.

In a statement I issued the day after the U.N. action, I said, "I deplore the United Nations' unwarranted action, and I call for the immediate reinstatement of this valuable and loyal ally as the Republic of Taiwan."

In my radio message today, I would like to share with you some of the reasons I have taken this position.

The United Nations in my opinion, has almost always worked at cross purposes with the United States, despite the fact that the organization itself is financed in large part by the American people, and despite the fact that almost every nation represented in that organization receives massive and usually vital assistance at the expense of the American taxpayer.

This is obviously an unacceptable situation. The United Nations itself depends

heavily on the United States' contribution for its operating expenses and for a great many special projects it conducts.

As Secretary of State Rogers pointed out, the United States provides about one-third of all the operating expenses for the U.N., a sum far out of proportion with this nation's population percentage at the U.N. In addition, we pay about 40 percent of all costs for such projects as specialized technical assistance to developing nations, a program which runs to about 100 million dollars a year.

Secretary Rogers went on to express his personal opinion that the U.N. spends too much money, anyway, and also pointed out that, due to delinquent payment of dues, the United Nations now stands about 176 million dollars in the red.

The Soviet Union has been one of the nations most often guilty of not paying its dues at the U.N., and the same situation applies to many of the smaller member nations who voted to expel Nationalist China Monday night.

By contrast, the Nationalist government has been one of the most faithful contributors to the U.N., and to the best of my knowledge, it has never fallen behind in its payments since it helped establish the United Nations twenty-six years ago.

The expulsion of Nationalist China is especially repugnant when one considers that more than half the nations now sitting in the U.N., again including many which voted for expulsion, have populations much smaller than Taiwan's and far less importance in world politics.

If, as the argument goes, we cannot afford to ignore 700 million Red Chinese, surely we should not ignore a nation of 14 million that holds great importance in the world in economic, political and strategic terms.

This is only further proof that the United Nations has put itself in an indefensible position, and has cast serious doubt on whether it will ever fulfill the great promise for which it was created a generation ago.

I believe it is time we seriously and closely re-examined the role the United States should play in that organization. I believe that, as a result of the conditions I have described, absolutely no congressional funding for the United States' participation in the U.N. is warranted, and I will work to see that none is provided. At the very least, I will do my best to have our financial contribution to that organization brought more in line with our percentage of the world population instead of carrying so much of the load, and getting so little in return.

POW RESOLUTION

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 28, 1971

Mr. JACOBS. Mr. Speaker, I was wondering, in view of the events of the past few weeks in Saigon, if any Member of Congress or any member of the executive branch would care to say he or she is willing, from this day forward, to give his or her life, limb, sanity or freedom—POW even for another day—further to prop up the Saigon dictatorship.

Other Americans are being ordered to do so today.

Following is the language of House Resolution 630, which I introduced on September 30, 1971:

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

Whereas Madam Nguyen Thi Binh, chief delegate of the Provisional Revolutionary Government of the Republic of South Vietnam stated on July 1, 1971, that the policy of her government is: "If the United States Government sets a terminal date for the withdrawal from South Vietnam in 1971 of the totality of United States forces and those of the other foreign countries in the United States camp, the parties will at the same time agree on the modalities:

"A. Of the withdrawal in safety from South Vietnam of the totality of United States forces and those of the other foreign countries in the United States camp;

"B. Of the release of the totality of military men of all parties and the civilians captured in the war (including American pilots captured in North Vietnam), so that they may all rapidly return to their homes.

"These two operations will begin on the same date and will end on the same date.

"A cease-fire will be observed between the South Vietnam People's Liberation Armed Forces and the Armed Forces of the other foreign countries in the United States camp, as soon as the parties reach agreement on the withdrawal from South Vietnam of the totality of United States forces and those of the other foreign countries in the United States camp."

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

JOHN FOSTER DULLES THREATENED TO USE VETO AGAINST SEATING RED CHINA

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 28, 1971

Mr. PUCINSKI. Mr. Speaker, last Tuesday, after the shameful vote by the United Nations General Assembly to oust the Republic of China from the UN, I suggested that President Nixon use the American veto to block seating Communist China in the UN Security Council.

I was suggesting a course of action first proposed in 1954 by the late U.S. Secretary of State John Foster Dulles.

On July 8, 1954, Secretary Dulles told a press conference that the U.S. would use its Security Council veto "if necessary to prevent Peking taking over the Chinese seat."

It is the height of irony that President Nixon was Vice President of the United States at the time Dulles made the threat.