

EXTENSIONS OF REMARKS

EFFECTS OF MALNUTRITION

HON. ROBERT TAFT, JR.

OF OHIO

IN THE SENATE OF THE UNITED STATES  
 Tuesday, March 16, 1971

Mr. TAFT. Mr. President, I am a member of the Select Committee on Nutrition and Human Needs which has directed its attention to the problems of hunger and nutrition in this country. The New York Times recently published an article describing the results of a study of the effects of malnutrition on the nerve cells in the brains of rats.

Although the results of these tests are not conclusive at this time, there was evidence of brain damage in the malnourished rats and there is a possibility that these findings may relate to humans.

This study may serve to further emphasize the importance of prenatal and early childhood nutrition. Perhaps a survey of the dietary habits and scholastic performance of young children could shed further light on the relationship between poor nutrition and damage to brain cells.

I ask unanimous consent that this article be printed in the RECORD.

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

EARLY MALNUTRITION DAMAGES RAT BRAIN  
 (By Robert Reinhold)

CAMBRIDGE, MASS.—Evidence that severe protein malnutrition before and after birth interferes with the ability of nerve cells in the brain to transmit messages to each other has been uncovered in experiments on rats at the Massachusetts Institute of Technology.

While the findings cannot be applied directly to humans, they are believed to constitute some of the first evidence to explain how inadequate nutrition might damage intelligence and learning ability.

Details of the study were published today in the journal Science.

Experiments in many laboratories in recent years have linked early malnutrition and starvation to learning and behavior problems in children and animals. But the chemical events underlying this link have not been well understood.

The new work, carried out by William J. Shoemaker, a graduate student, and Prof. Richard J. Wurtman, suggest that malnutrition affects the brain's ability to produce neurotransmitters, the chemical agents that permit communication between neurons, or nerve cells.

Anything that would tend to slow the interaction between the neurons in the brain could be presumed to impair hearing.

EFFECT OF MALNUTRITION

Scientists found, in particular, that the brains of severely malnourished infant rats contained 25 per cent less norepinephrine than those of control animals that were adequately fed.

Norepinephrine is a neurotransmitter released by neurons that have a role in the control of learning processes, mood, blood pressure and other bodily functions.

The work is based on a number of previous studies that have shown that inadequate

protein intake in early life retards brain development. This has suggested to some researchers that the generally low educational achievement of the poor may be the result, at the least in part of inadequate food.

Dr. Myron Winick of Cornell Medical School in New York has found a marked reduction in the number of cells in the brains of undernourished children and rats.

But it has not been determined whether these abnormal reductions were in the neurons, the myelin membranes that insulate the neurons, or the supporting glia cell.

Neurons make up one one-third of brain cells. To test the specific effect of malnutrition on the neurons, the M.I.T. scientists sought to measure the chemical substances found exclusively within those cells.

Nerve signals travel electrically along neurons until they reach the synapse at the end. There the signal causes the release of the chemical neurotransmitter between the nerve cell and its neighboring cell.

The transmitter then triggers the next neuron, and the signal is passed on. Should the supply of neuro-transmitters be inadequate, the signal transmission is interfered with.

In the experiment, pregnant rats were divided into two groups, one getting a high protein diet and the other a low protein one.

When the young were born, some of those born to the deprived mothers were nursed by the well-fed mothers. Similarly, some of the young of the well-nourished mothers were given to the deprived rats for nursing.

Another group of prenatally deprived rats were nursed by deprived mothers. This arrangement allowed the scientists to differentiate between the effects of prenatal, postnatal, and total malnutrition.

After 12 and 24 days of life, the brains of the rats were analyzed chemically. The results showed significantly less norepinephrine content after 24 days in the rats suckling deprived mothers than in the control group, but not in those suckling the control mothers. In all, the results suggested that malnutrition was more dangerous after birth.

In addition, the levels of another neurotransmitter, dopamine, were also found to be depressed in the malnourished rats.

One of the questions that remains to be answered is whether this effect is the result of a reduction in the total number of neurons, which would be permanent damage since brain cells do not divide for very long after birth, or whether it is the result of a reduction in the output of each cell, which is damage that could be reversed.

In an interview today, Dr. Wurtman said preliminary but inconclusive evidence suggested that the damage was reversible.

These findings have been given added weight by the recent work of another M.I.T. graduate student, Mr. Robert Holdtke, who has been studying victims of kwashiorkor, a disease caused by severe protein starvation.

He has found that the urine of kwashiorkor patients in Guatemala was deficient in metabolites, or end products, of norepinephrine and dopamine, but the evidence is not yet conclusive.

The study was supported by the United States Public Health Service.

Dr. Wurtman was reluctant to comment on the widespread controversy over whether learning problems among black children were the results of environment or genetic endowment. He would only say, "Here is a set of evidence that a changed environmental input can cause a change that you would expect to impair learning."

CBS INTERVIEWS THE SECRETARY OF DEFENSE

HON. F. EDWARD HÉBERT

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES  
 Tuesday, March 16, 1971

Mr. HÉBERT. Mr. Speaker, Secretary of Defense Melvin R. Laird was interviewed on the CBS Morning News program on March 16.

His comments provide the most recent exposé into the CBS program, "The Selling of the Pentagon." The Secretary also had other pertinent statements about our military affairs.

Nothing can be added or taken away from what he had to say, and I insert it at this point in the RECORD:

SECRETARY OF DEFENSE MELVIN R. LAIRD ON CBS MORNING NEWS, MARCH 16, 1971

BERNARD KALB. Our guest this morning is Secretary of Defense Melvin Laird. With him here in the Studio is CBS News Pentagon Correspondent Bob Schieffer. I would like to begin in the questioning, Mr. Secretary, by referring to the latest news from Indochina—a report that the South Vietnamese have abandoned the Fire Base Lolo today because it is reported the United States helicopters have not been able to provide support. This is the second base the South Vietnamese have abandoned since last Friday, the first one being Sophia. What does this say in your estimate for the capabilities of the South Vietnamese military?

Secretary LAIRD. The operation is going according to the plan. The situation is thus: the South Vietnamese are not going to occupy bases or territory in Laos. The purpose of the operation in Laos is to disrupt the logistics supply route and to get the North Vietnamese to mass its forces in attack. The South Vietnamese will move continually in this operation as long as they remain in Laos, and so it will be a moving operation. It will not be a standing operation; it will not be an operation to occupy as far as the South Vietnamese are concerned.

Bob SCHIEFFER. Mr. Secretary, are you ready to say then that this operation is a success already and what the South Vietnamese have done is what they are supposed to have done?

Secretary LAIRD. Two or three weeks ago, this is the fifth week that the South Vietnamese have operated in Laos, I indicated at that time that if the operation were to terminate then it had been successful in disrupting the supply routes and making it more difficult for the North Vietnamese to resupply their sanctuary areas in Cambodia and to get the needed arms, ammunition and food to their forces in South Vietnam. I believe that the statement I made two weeks ago is even more true today that it was then.

Mr. KALB. Mr. Secretary, I'd like to come back to your reply—your first reply to the question. You said that the operation in Laos is going according to plan. The report is that the South Vietnamese gave up the Fire Base Lolo because U.S. choppers could not get in to resupply them. Is the not getting in to resupply them according to plan?

Secretary LAIRD. No, the weather, we cannot plan the weather. The weather is rather difficult to control. You were in South Vietnam long enough to know that we cannot plan the weather and the weather is a very important limiting factor as far as the use

of helicopters is concerned. What I am saying is that the South Vietnamese according to their plans, as I was briefed by General Vinh, and also by President Thieu in January, never planned to occupy bases or occupy territory. It was a hit operation. To hit the supply trails, to hit the supply routes, to disrupt the area and then move, to cause the North Vietnamese to mass their forces, and then use superior airpower when practicable. It is not possible, I'm sure you know, for us or for the South Vietnamese—there's only one force that can control the weather. We in the Department of Defense have claimed many things, but we've never claimed that we can plan the weather.

Mr. HART. Mr. Secretary, there are field reports that the South Vietnamese plan to be out of there by the time the heavy rains come later on this spring. Would you be surprised if they remained in Laos, say, beyond May or June?

Secretary LAIRD. I certainly would. It was never planned in any plan that I was briefed on, and of course this is a South Vietnamese operation, I would not expect them to stay there after the rainy season starts. The rainy season can start about the 1st of May, give or take 10 days or two weeks. As you know, John, the weather is very bad there on many occasions, and the weather is a limiting factor, not only on the use of airpower, the use of helicopters, but it will be a very limiting factor as far as the use of the Ho Chi Minh Trail by the North Vietnamese come about the 1st of May. The real success of this operation will be judged, of course, and can be proven probably in September or October, based upon the difficulties that the North Vietnamese have in Cambodia and the difficulties they have not only in the Cambodian sanctuaries but in operating in South Vietnam because of the lack of supplies.

Mr. HART. Would you expect all the South Vietnamese to be out then by that time, or would some of them remain, and also where would they go?

Secretary LAIRD. You know, I never like to make a positive statement because I'm not going to be over there counting the South Vietnamese operating in Laos. I can assure you that the major portion, all of the Regular Forces, will certainly not plan to be in Laos during the rainy season. Last year was the first year that the North Vietnamese even kept any substantial number of people on the Ho Chi Minh Trail area. In the years prior to that they removed most of their forces from the Ho Chi Minh Trail area because the weather in there and the rain and the mud is something that most Americans can't even imagine.

Mr. HART. Is this the kind of thing that's going to go on, Mr. Secretary? Will they be ready to go back in after the rain stops?

Secretary LAIRD. I would think that the South Vietnamese would give consideration to that. They have the capability, they have a regular force now of well over a million men; they have the largest helicopter force of any nation in the Free World, with the exception of the United States. They're building up their air force, just fourteen months ago they had 23 squadrons; today they have 33; next year they will have 50 squadrons. So they will have the capability, not only to move on the ground but they will have the capability to give adequate air support to various operations, to protect the security of their country. So, I would not rule out the possibility of the South Vietnamese making attacks along this line should the North Vietnamese continue to violate the Accords and occupy this particular territory.

Mr. KALB. These attacks, Mr. Secretary, that you talk about that could be made in the future, would they as well involve U.S. air support?

Secretary LAIRD. As you know, we're going forward with the Vietnamization program.

At the time these operations are being carried on, in the last five weeks, 15,000 Americans have come home. We are going forward with the Vietnamization program and we will terminate U.S. involvement in the fighting. The President has made it very evident that we will continue to withdraw at the rate of 3,000 men a week, and this program will continue to go forward. We, of course, will assess the effects of this operation later on in the summer or fall and it may be possible for us to substantially increase the rate of withdrawal, but we are committed, and as the President has said to the current rate of withdrawal according to our Vietnamization plan.

Mr. SCHIEFFER. Mr. Secretary, let me just pin you down on that withdrawal. You're saying we're committed to a withdrawal rate of 3,000 a week, that's 12,500 a month; does that mean that the United States is committed to that withdrawal rate from now on?

Secretary LAIRD. The President has so stated and the President has told the American public that we will continue on that average rate, and the average rate is 3,000 (weekly), or 12,500 a month. Right now, as you know, we have a troop ceiling that comes up on the 1st of May which is 284,000. When I became Secretary of Defense and President Nixon approved the Vietnamization program, we had a total force as far as the troop ceiling was concerned of 549,500. It has been a remarkable withdrawal that we have made, it has been orderly, it has been an effective withdrawal. We will continue that rate. We hope to be able to make increases based upon the success of this operation.

Mr. SCHIEFFER. Let me just do some simple arithmetic here. If we reach 284,000 by May the 1st, then you continue a withdrawal of 12,500 a month until the end of the year, that puts you down to a little less than 200,000 in Vietnam by the end of this year, and a force of a little less than 50,000 by the end of next year. Are you saying that that's the maximum number of people who will be in Vietnam by the end of '72—50,000 people?

Secretary LAIRD. What I'm saying is that if we continue that rate and do not increase the rate—you know, there's one way for a very quick end to this war. The Vietnamization program does not take the place of negotiations in Paris. The President has the most forthright peace proposal on the conference table in Paris ever made by any nation, and this war can end quickly, total and complete withdrawal can take place, complete and total exchange of all prisoners of war held by the North Vietnamese in Laos and Cambodia, in North Vietnam, and in South Vietnam. So, we can certainly hope, and I still have hope, because Vietnamization merely complements negotiations, but we can have a faster, more rapid, end to American involvement than just the Vietnamization program should the North Vietnamese show any interest in peace, in a peaceful settlement in that area. So don't abandon the idea—your question abandons that idea, and I don't believe that America should abandon that because as the President said, we are moving towards an era of negotiation. Not only are we negotiating in Paris, we're conscientiously negotiating there with a 5-point peace proposal; we're negotiating in SALT; we're negotiating in the Middle East, we are entering this era of negotiation and that's an important part of the President's foreign policy position. It's an important part of our new strategy of realistic deterrence that I put before the Congress and will continue to put before the Congress today, before the Armed Forces (Services) Committee today of the United States Senate. So, I believe your question really misses the point of negotiations as the fastest way to end American involvement.

Mr. HART. Mr. Secretary, what one thing has been achieved in Paris?

Mr. KALB. John, may I add to that question—why are you optimistic that the Paris peace talks will produce any peace?

Secretary LAIRD. I'm not optimistic. I'm pessimistic, but I do not believe that we should abandon the idea that the fastest way of reducing American involvement is still the route of negotiations and the President's 5-point comprehensive peace proposal. The question which I was asked completely ignored that route because that's the fastest route to end involvement in Vietnam. I think many people—it seems to me the October 7th 5-points of the President, his plan for peace, really was the most forthright proposal that any nation could possibly make. They say that the North Vietnamese may not move towards the negotiating route until after the elections in South Vietnam. I don't know what the reason is. I cannot read their mind, but I know that that proposal as far as the all-Asian conference; as far as the withdrawal rate; as far as the exchange of prisoners of war, 10 to 1 ratio, all of the provisions of the October 7th proposal still are on the table in Paris.

Mr. SCHIEFFER. Aren't you saying, though, sir, that if all else fails, at the end of 1972, we'll have a maximum force in Vietnam of 50,000 men?

Secretary LAIRD. According to the time schedule which has been announced by the President of the United States, you're a better mathematician than I am, but I think that your figures would check out in accordance with the President's time schedule which he has announced.

Mr. HART. Mr. Secretary, do you mean to indicate then that your time schedule envisions a complete withdrawal within a few years of all Americans from Indochina and that we will not have there the situation we now have in Korea?

Secretary LAIRD. John, I think there's one very important consideration that you overlook and that is something that I've said, it's something that the President of the United States has said—we will maintain a United States presence in South Vietnam just as long as the North Vietnamese hold a single American prisoner, either in Laos, Cambodia, South Vietnam, or in North Vietnam. So, we will maintain a presence in South Vietnam until this POW question is resolved. As Secretary of Defense, I feel I have a special obligation to the wives, the mothers, the fathers, the families of these men, and I can assure you that we will maintain that presence until this question has been negotiated to a successful and final conclusion. The freedom of these men is indeed most important because of what they have given up for all of us and for our country.

Mr. KALB. Mr. Secretary, aren't you on a collision course? The United States saying it will remain in South Vietnam as long as the POWs remain in the hands of the North Vietnamese, the North Vietnamese saying there's nothing that can be done about the POWs unless the United States talks in terms of a total withdrawal from South Vietnam.

Secretary LAIRD. We, of course, are ready to talk about total and complete withdrawal, it's one of the very important points of our October 7th statement. I just believe that it's most important for you to understand that we are on no collision course, but we are not going to forget those men that were ordered to serve in protecting the position of our country. Most of them were taken prisoners prior to the time this Administration took office, but they will not be forgotten by this Administration.

Mr. HART. We're talking in Washington with Defense Secretary Melvin Laird, along with CBS-News Correspondents Bob Schieffer and Bernard Kalb.

Mr. KALB. Mr. Secretary, I'd like to throw at you a figure that Saigon gave us last week



about the number of enemy killed in this war in the last 10 years. They estimated 1,700,000 Communists. A two-pointed question: do you believe that and, No. 2, how many civilians have been killed in this war?

Secretary LAIRD. First, I think you know and Bob knows, that since I've served in the position as Secretary of Defense we have not been dealing in body count figures as far as the Department of Defense. It's something that I've discarded. I question some of these figures and I want to answer your question, but you raised the question, I did not. We're trying to stop the killing in South Vietnam, that's what the President's peace proposal is all about and I don't believe that should be overlooked. I believe that some of the estimates are certainly high. I have asked the South Vietnamese, I've asked our commanders. They insist that they're reasonably close, but I have not engaged in that kind of accounting since I've been Secretary of Defense. What I've been trying to do is to withdraw Americans and stop the killing.

Mr. KALB. Would you quarrel with that figure that Senator Kennedy gave us this week of 25,000 South Vietnamese civilians killed in a year?

Secretary LAIRD. I'm not sure just exactly where Senator Kennedy gets his figures but as far as getting into those numbers and projections, I've not engaged in that. If CBS, NBC, AP, UP and others want to engage in that kind of speculation, I do not object, but I do not engage in that. My priority is to withdraw Americans from the conflict, the conflict that was raging very high. Americans were being committed at an ever-increasing rate each of the last few years, and our objective has been to withdraw Americans and to do what we can to see that the killing is stopped. That's what the President's peace proposal was designed to do.

Mr. KALB. Mr. Secretary, you've mentioned all three networks and I'd like to ask you about the CBS News—

Secretary LAIRD. I think I missed ABC, and I apologize.

Mr. KALB. The CBS News documentary "The Selling of the Pentagon." Did you see that by the way?

Secretary LAIRD. Yes, I did.

Mr. KALB. We know that Vice President Agnew has called it "disreputable," and Congressman Herbert has called it "un-American." Do you share those reviews of the documentary, sir?

Secretary LAIRD. I believe that there probably could have been a little more professionalism shown in putting the show together. I think the comments that have been made by the Department of Defense in answering Congressional inquiries are correct, and those comments are available to you, and available to your listeners should they write us. They're very detailed and factual in answer to Congressional questions. Any viewer that would like to have these facts, all they need to do is address me at the Pentagon and I will see that the replies of Assistant Secretary of Defense Dan Henkin are made available to you on the comments in answer to Congressional inquiries about this particular show.

Mr. SCHIEFFER. Do you have any reviews underway within the Department of the public relations activities, Mr. Secretary, as a result of the program?

Secretary LAIRD. Yes, we do. We do have certain reviews going forward. I wouldn't say they were as a result of the program, however. We've been going forward with this review, and I personally am interested. I've questioned from time to time whether some of the old films, whether they are produced by CBS or by anyone else, whether they're adequate today. I kind of watched them with the long skirts on the girls, and we are supposedly going mod in the Navy, and the Army, and the Air Force, and I don't think those skirts are too attractive to be

showing our young men in the Service, we want to really go a little more modern than that.

Mr. KALB. I suppose we ought to mention that "The Selling of the Pentagon" will be rebroadcast on March 23rd.

Secretary LAIRD. We've had tremendous response from it and we've had great support, it's increased our support in the Congress many times. We don't look for any close votes this year because this particular program has indeed helped us because of the very unprofessional type of work that was done in quoting a Colonel out of context completely. He was using a quotation and the words were put in his mouth. I believe I have to protect our military men, and I think it was a misuse of certain film clips to use him in that way. I have not gotten into the controversy, but if CBS would like to talk to me at length about this, usually they run out of time—

Mr. KALB. That's exactly what we've done now. Thank you, Secretary Laird, Bob Schieffer, and Bernard Kalb.

NIXON ADMINISTRATION COMMITTED TO WITHDRAWAL OF U.S. TROOPS FROM VIETNAM

HON. ROBERT P. GRIFFIN

OF MICHIGAN

IN THE SENATE OF THE UNITED STATES

Tuesday, March 16, 1971

Mr. GRIFFIN. Mr. President, in a television interview this morning, Defense Secretary Laird underscored the determination of the Nixon administration to bring an end to American participation in the Vietnam war.

The Secretary pointed out that American troops are now being withdrawn from Vietnam at the rate of 3,000 a week, or 12,500 a month; and he indicated an expectation that the withdrawal rate will be accelerated.

If withdrawal proceeds even at the present rate, the number of American troops in Vietnam will drop—from 550,000 when President Nixon took office—to 184,000 by the end of this year, and to 34,000 by the end of 1972.

Mr. President, I ask unanimous consent that a news story published in today's Washington Star be printed in the RECORD.

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

[From Washington Star, March 16, 1971]

U.S. WITHDRAWING VIETNAM TROOPS

(By Orr Kelly)

The United States is now committed to withdrawing its troops from Vietnam at the rate of 3,000 men a week or 12,500 a month, and hopes to go even faster, Defense Secretary Melvin R. Laird said today.

At that rate, the number of men remaining in Vietnam would drop to no more than 184,000 by the end of this year and no more than 34,000 by the end of next year.

The troop level now is about 317,000 and is expected to drop to no more than 284,000 by May 1.

President Nixon is scheduled to make an announcement the middle of next month of a further withdrawal.

"HOPE TO ACCELERATE"

"We will terminate U.S. involvement in the fighting," Laird said during an interview on CBS News.

"President has made clear that we will withdraw at the rate of 3,000 men a week. We hope to accelerate that rate later in the year. We are committed to at least the current withdrawal rate."

"This has been a remarkable withdrawal... we will continue and hope to increase," Laird said.

Laird said the United States would maintain some troops in South Vietnam as long as the enemy holds a single prisoner.

"We will maintain our presence until this question is resolved," he said. But he did not specify how many troops would remain under those circumstances.

"What I've tried to do is to withdraw Americans and stop the killing," Laird declared.

The withdrawal rate Laird cited is the average that has prevailed since the beginning of the U.S. troop pullout in mid-1969. Although the President has mentioned his plans for continued withdrawal, this is the first time a high administration official has committed the government to those specific numbers.

NOT OPTIMISTIC ON TALKS

The fastest way to get American forces out of Vietnam, Laird said, would be through negotiations in Paris.

Although he said he was not optimistic, Laird said he and the administration still hope successful negotiations can be carried out both to reduce the number of men in Vietnam as rapidly as possible and to arrange for the release of prisoners held by both sides.

Laird also said in the interview that he would not be surprised to see the South Vietnamese go back into the Laotian panhandle during the next dry season if the North Vietnamese continue to use that supply route.

But he implied that such an operation would be carried out with little if any American support because of the withdrawal of large numbers of Americans during the remainder of this year.

SOUTH VIET CAPABILITY

Laird said the South Vietnamese have the capability to go back into Laos on their own.

"They now have the largest helicopter force of any country in the free world except for the United States," he said.

Laird said he would be surprised if any sizeable number of South Vietnamese forces should remain in Laos during the rainy season, which begins about the first of May.

Already, he said, the operation has succeeded in its purposes of disrupting enemy supplies and causing the enemy forces to mass so they can be attacked from the air.

"The real success of the operation can be judged in September or October based on the difficulties the North Vietnamese have in Cambodia and South Vietnam," Laird said.

DEVELOPING RURAL AMERICA

HON. MARVIN L. ESCH

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 16, 1971

Mr. ESCH. Mr. Speaker, I like what I see emerging from the special revenue sharing program for rural development just introduced in the Congress. It's a beginning in the direction that will surely lead to the objectives long held in this country, but in recent years never really given a chance for success.

Up to this point the Nation has operated on a theory, in effect at least, that

all knowledge and direction could best come from a central government. The people living in 3,000 counties were largely reduced to beggars coming to Washington with hat in hand to convince some agency or series of agencies that a need existed for some particular project.

Now we have started to reverse this theory. We are recognizing that at the source of our Nation's greatness are the energetic people whose private initiative has created and implemented the job-creating industries upon which every other phase of our national life depends.

Although this Congress has attempted by piecemeal legislation to correct the inequities visited upon our 65 million citizens who are scattered across 50 States and 91 percent of the land area, the vibrant surges that arise in any given section of the country by some particular circumstance could not be felt in far-away Washington. Often, for lack of proper planning and capital, the surges subsided or were only partially implemented.

Under this new measure, we will be turning back to the people what should have been their right and prerogative all along—the actual planning of their own destinies and primary funds to start them.

Rural America has everything to offer millions of people who want to live in this open environment, but who have been forced by lack of opportunity to crush into the cities. Government must take much of the blame for this tragic situation.

Lamenting the past, however, is not a part of my purpose today. I am elated that we can now consider these sorry conditions as history, because through this special revenue sharing program I am sure that the years ahead will reveal we have embarked upon the single most important move of this decade. We are giving initiative back to the people, and returning sufficient taxes to them for an initial start in developing the dormant opportunities so abundantly waiting in rural America.

#### LIMIT FARM SUBSIDY PAYMENTS

### HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 16, 1971

Mr. ANDERSON of California. Mr. Speaker, I am today introducing legislation to limit price support payments under our farm programs. This bill would amend Public Law 91-524 to limit Federal payments to individual farm producers to \$10,000 per crop per farm.

The 91st Congress took a step in the direction of the bill I am introducing by providing a \$55,000 limitation of payments per crop per farm. But, I do not believe this goes far enough. The law passed last year still allows payments of as much as \$165,000 per farm, and the bulk of these Federal funds still continue to end up in the hands of the large farm corporations and absentee landlords.

The purpose of the farm subsidy pro-

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gram is to compensate producers for limiting production. Unlimited production would, allegedly, destroy the entire farm economy. Myself, I would much prefer that the Government—instead of paying farm producers not to grow crops buy the excess farm products and distribute them to needy families. It seems intolerable to me that we have the potential to feed the poor—yet, we pay farmers not to produce.

Yet, while limiting production, the bulk of farm subsidies wind up in the billfolds of the major producers. In 1969, seven farm companies received in excess of \$1 million each in farm payments, 14 received between a half million and a million dollars, and 54 received between a quarter-and-a-half million dollars in farm subsidies.

Obviously, these are not small farmers. For example, one company in California collected more than \$4 million in farm payments in 1969. This policy is unfair and economically wasteful and can only be broken by imposing payment limitations.

My bill, if enacted, could save as much as \$200 million of the taxpayer's money. At a time when inflation continues to threaten our economy, I cannot see justification for this wasteful expenditure of Federal funds.

#### GREEK INDEPENDENCE

### HON. JAMES L. BUCKLEY

OF NEW YORK

IN THE SENATE OF THE UNITED STATES

Tuesday, March 16, 1971

Mr. BUCKLEY. Mr. President, this year marks the 150th anniversary of the 1821 Greek revolt against the Ottoman Empire. The revolt was inspired by those seeking freedom—the inherent right of all people. As a symbol to all those still denied freedom, we must not pass by this anniversary without commemorating it.

For nearly 400 years the Greeks suffered under the Ottoman Empire. They were subjected to heavy taxation and denied justice. Greeks were exploited economically, politically and socially, and were conscripted to fight their masters' wars.

The Ottoman Empire began to weaken in the 17th century and the decline carried into the 18th century. In 1770 insurgent Greeks, aided by Russians, staged a revolt against the Ottoman Empire, only to meet with tragic failure in their first attempt to win freedom.

Conditions for revolt brightened in later years and the struggle for independence gained momentum, and in 1821 the Greeks launched a drive for freedom which finally resulted in The Treaty of Adrianople, signed in September 1829, and the London protocol, signed in February 1830, in which the independence of the Greek Nation was formally declared.

Tyranny is a degradation of the human condition, and the independence by Greece must be seen as a release from this degradation. Let us condemn all such tyranny and grant moral support to peoples who struggle for freedom.

March 16, 1971

## NUCLEAR JARGON—A LAYMAN'S QUANDARY

### HON. JOHN G. DOW

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 16, 1971

Mr. DOW. Mr. Speaker, my constituents have very properly involved me in their alarms about the dangers inherent in nuclear powerplants. I have undertaken to find out the facts and hope to take a stand on this issue. However, I no sooner commenced to look into the matter than I found out that the terms of reference are not uniform, the measures of radiation's intensity in land, sea, and air are not standard and the duration of radioactivity in those elements is unclear.

I began a letter to Commissioner Seaborg of the AEC intending to be utterly positive, but wound it up as a kind of lament about my inability to agree even amongst myself as to what specifically I was talking about.

Mr. Speaker, I quote below the letter to Mr. Seaborg, hoping that its publication will rouse others to join in a call for clarity, for uniformity, and for standardization in the nuclear radiation language. How can we hope to understand one another's dialog about this crucial subject until we agree on the terms? My letter follows:

CONGRESS OF THE UNITED STATES,

HOUSE OF REPRESENTATIVES,

Washington, D.C., March 15, 1971.

HON. GLENN T. SEABORG,

Commissioner, Atomic Energy Commission,  
Washington, D.C.

DEAR MR. SEABORG: For a long time now, I have been most concerned about the growth of atomic power plants, particularly construction now underway in populated areas near the 27th Congressional District.

A great deal of study is still needed before we move ahead with these plants. Many constituents have contacted me about these problems and I would appreciate it if you would add my remarks to the record of the hearings now being held on proposed construction of additional atomic power plants at Indian Point, New York.

Laymen deserve a much clearer explanation of radiological danger from nuclear plants.

Dr. George L. Weil, a nuclear expert, says, "Nowhere is the information gap between laymen and scientist more evident than in nuclear energy..."

As a thoroughly confused layman, I would want to see radiological danger measured in consistent terms that I can understand.

I am frightened when I read some of the data recently published on this subject. For instance, Senator Gravel last year said in the Senate: "Each 1,000 megawatt nuclear powerplant will produce, every year that it operates at 75 percent capacity, as much radioactivity as the explosion of several hundred Hiroshima-size bombs. That could mean the equivalent of 250,000 bombs every year, if there were 500 plants operating."

Does this mean that so much radioactivity will be contained within the power-plant, will it be released into the air, or will it be captured and deposited somewhere as waste? Can that amount of radioactivity be contained permanently in a burial ground?

A reader is easily confounded by the various, appalling comparisons and diversity of measurements that are offered by authorities who depict the nuclear situation.



Senator Gravel's statement includes the following: "It should be remembered . . . that a single 'hot particle' of radioactive plutonium lodged in the lung is capable of causing a lethal cancer." What is a single "hot particle" of radioactive plutonium like? Is it a cinder that one can see? Is it an invisible atom or molecule floating through the air? Can it penetrate the body unbeknownst to us? How many would be released by a Hiroshima bomb?

Dr. Edward A. Martell, another authority, who is cited in the December 15, 1970 issue of *Look* magazine, is quoted as saying, "The estimated total plutonium deposited in off-site areas which we have examined so far is in the range from curies to tens of curies." He was speaking of soil samples near the Dow Rocky Flats plant where plutonium triggers are made for hydrogen bombs. So my questions include these: Is a curie a lot or a little? What is its relation by measure to Senator Gravel's "hot particle" of radioactive plutonium? How many curies are lethal? If they are in the soil, how many curies were found in a cubic foot of soil? What would be their life there? Are the curies floating from the Dow Rocky Flats smokestack dangerous when in the air and how many parts are found in a cubic foot of air? Is that number lethal and how is it lethal after the smokestack shuts down for any reason?

The AEC evidently does not measure radioactivity in terms of curies. For we observe them using measures such as the "rem," an acronym for "roentgen equivalent in man." Sometimes the "rad" is used, being another unit of radioactivity.

The *Look* article speaking about uranium says, ". . . the Animas River below uranium mills in Durango, Colorado contained almost 300 percent of the maximum daily intake for radium." What is the maximum daily intake? What is the measure, that is? Is it stated in curies or rems? How much water would one have to drink from the Animas River in order to equal the maximum daily intake? Could one acquire equal exposure by swimming in the Animas River?

Further along in the *Look* article it is said, "El Paso Natural Gas Company uranium tailings in Tuba City, Arizona on Navaho land, showed radium radiation levels up to 1,000 times the average background. Gamma radiation was 12 times the level . . . Tailings at the empty A-Z Minerals Corporation mill in Mexican Hat, Utah, in May, 1968, also Navaho land, had radon-gas concentrations around the pile up to five times the maximum level."

This sounds very fearsome, and undoubtedly it is. Yet it has no significance under any scale of cognition that the normal layman is used to—or Congressman, either.

We would like to have some one tell us, in consistent, and I emphasize that word, "consistent," terms just what our exposure is. Then we can judge much better what level of danger is posed by a nuclear plant in our neighborhood.

A 1957 AEC study predicted that an explosion in a nuclear reactor would kill 3,400 people up to 15 miles away, injure 43,000 up to 45 miles, contaminate up to 150,000 square miles—about the size of California—and damage property up to \$7 billion. Since I live within 20 miles of the three Indian Point plants that the Consolidated Edison Company of New York is building on the Hudson River—and thousands of my constituents live closer to it than I do—I am opposed to the building and operation of those plants.

However, I would like to reiterate that, as a layman, I have no ready way to sort out all the statistics to understand the magnitudes of radiological exposure in relation to what is safe and what is lethal.

It seems to me, that the AEC owes it to us, first, to reduce the myriad yardsticks of danger to much simpler terms. Then, the cit-

izen in the street can judge better what his hazard truly is. The press, too, should cooperate by using a standard terminology that will be understandable to all readers.

In effect, the standard measure of radioactivity ought to become common parlance. The standard may have to be qualified separately for air, water, and soil as to quantify per cubic feet. It may have to be qualified for a time if, for example, radioactivity in the air dissipates after awhile. If the exposure is heightened by ingestion, then that should be a qualification also.

Perhaps we will look more kindly on nuclear plants, or even accept them in remote places, if their relative danger is put in simple terms that we all understand, like the Fahrenheit scale or the clock on the mantlepiece.

Meanwhile, everyone should be skeptical of nuclear plants until the AEC can produce, and we can judge, a scale for radiological exposure that is within the frame of reference of ordinary laymen, and their Congressmen.

Sincerely,

JOHN G. DOW,  
Member of Congress.

A TIME TO SET VALUES

HON. BILL CHAPPELL, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 16, 1971

Mr. CHAPPELL. Mr. Speaker, about 100 Members of the Congress recently met with some students and staff members of the Odyssey House from New York City, a privately operated nonprofit organization for drug addicts. Most of us were seeking answers as to why a young person would turn to drugs. The answers which these young people had for us were unexpected, but I believe hit right to the heart of the matter. To the amazement of all the Congressmen, they were not asking for funds; they did not seek more legislation; and they did not want contributions for their work.

The drug problem is reaching an epidemic proportion, and it is high time each of us recognizes his individual responsibility about this situation and start now to do something about it.

These young people are crying out for values; they seek from us some guidelines and rules for their lives; they are imploring us to speak the truth with them; and they entreat us for our love. It is for lack of these values and the resulting feeling of unworthiness and frustration that causes the young people to become addicted to drugs.

What the young people from Odyssey House asked us is to carry this message back to every part of the Nation. Mr. Speaker, I feel this is the very least that the Members of the Congress can do to try to help in this very real crisis of drug addiction.

Mr. Speaker, these young people are telling us a simple, but powerful message that we must not ignore. I hope their words will speak to the hearts of our people so that we can attack the drug problem at its root cause. Ministers, teachers, and parents must resolve now to promote values, establish the standards, and enforce the discipline that our young people need and want. Either we win them to a life of hope or drugs will condemn them to a life of despair.

RUGGED WEST TEXAN'S VIEW OF THE BUDGET

HON. EARLE CABELL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 16, 1971

Mr. CABELL. Mr. Speaker, the Dallas Times Herald on Sunday, February 28, 1971, carried an article by its copublisher and editor, Felix McKnight. Mr. McKnight is one of the finest and most astute newsmen in the country. The article and comment concerns Representative GEORGE MAHON, of Texas. Certainly Texas is proud and Congress is proud to have men of the caliber of GEORGE MAHON. I thought that the article was of such merit that I would like to insert in the RECORD its full text:

RUGGED WEST TEXAN'S VIEW OF THE BUDGET  
(By Felix R. McKnight)

George Mahon's leathery face, brushed since boyhood by the West Texas winds, just looks honest. It tops the lean and rangy frame of a man who doesn't look near his 70 years. More like an athletic 60.

The genuineness of the original man from Marlboro Country draws instant respect from his colleagues.

So, when George Mahon arises in the U.S. House of Representatives to expound on a full employment budget and revenue sharing, he gets their attention with the opening line:

"Mr. Speaker—now comes the revolution. Something new has been cast into the fiscal arena. I almost said something shocking . . ."

"There is new imagery and sloganeering. A new face has been put on some of the harsh realities. The concept of a full employment budget is not new to economists, but it is new as declared foundation for a federal budget."

The chairman of the powerful House Appropriations Committee, a persistent but reasonable watchdog these many years, wonders whether full employment budgets and revenue sharing would lead us out of fiscal and economic woods or run us deeper into the forests.

"The answers are no means clear. And the dangers of such fiscal policies—embodied in today's budget—are potentially great. This nation has been overspending for years—either we have been overspending or else we have been undercollecting revenues to pay the bill. Witness the increase in debt."

Rep. Mahon cites, correctly, the decade of the 1960s, when the federal debt rose about \$114 billion. State and local debt rocketed over 600 per cent between 1948 and 1969.

The Colorado City attorney, who has been in the Congress since 1934, cautions his colleagues that "I do not stand here to lambaste the President or George Shultz of the Office of Management and Budget. They have an incredibly difficult job to perform. Our job is likewise incredibly difficult . . ."

But George Mahon's prairie country philosophy is openly honest. He contends that the Congress cannot confine itself just to needs for spending; it must also look at the financial resources available to pay for the spending. It must look to the revenue side of the budget.

"The President must do that. The Congress must do that. The committees must do that. And the country must do that . . ."

At best, Rep. Mahon argues, we are a nation of spenders—adding that "we do not need any undue encouragement in that direction." He fears that the full employment budget concept will add to the spending and thus add to inflationary pressures.

"To us, restraint is as bitter as quinine. We want to talk about the programs we want to see financed; we do not want to talk about raising the money to finance them. It is potentially dangerous to encourage the Congress to embrace a budget concept that tends to make spending virtuous..."

The West Texan, whose Defense subcommittee funnels \$1 billion per week from the Capitol to the Pentagon, looks with jaundiced eye on a program that affectionately and suddenly "embraces deficits of tremendous proportions with assurance that this is just what the country needs."

The same weather eye severely scans the question of revenue sharing. To Rep. Mahon, the question is elementary:

"There is no revenue to share. There is a deficit to share this year and next year. If the pending proposal (the President's plan) were adopted, we would be sharing not revenues, but borrowed funds.

"Is it logical and is it wise for one legislative body to raise the money and then turn it over to another legislative body, the states or cities, for their expenditure? Is that a practical approach to the problems that confront us? Would it not be better to undertake to find a better solution to the problem?"

George Mahon's highest commitment is to maintain the independence of the nation. Defense must come first, he argues. Without it, non-defense programs would wither and vanish.

Rep. Mahon has respect for the military establishment, but it is tempered by a commitment to civilian control and his insistent demand for proof of the need for mounting military security items.

It is this kind of tough Texan who looks with a non-political eye at escalating costs of government. It is the reason he received the Congressional Distinguished Service Award from the American Political Science Association for:

"Discharging with quiet distinction one of the Congress' most difficult and important tasks."

#### BETTER TECHNIQUES FOR SOLVING HUMAN PROBLEMS

### HON. SAMUEL L. DEVINE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 16, 1971

Mr. DEVINE. Mr. Speaker, the President's proposal for the new community planning and management program offers an unparalleled opportunity to use new and better techniques for solving human problems. Past urban planning efforts have too often produced only maps—not intelligent choices and decisions.

The community planning and management proposal takes a wholly different approach—developing staff capacity at the State and local levels of government to determine local problems and to effectively allocate and manage local resources that will be augmented by shared Federal revenue.

It has become altogether too clear that many of our public institutions at all levels of government have not been able to develop the capacity to manage present functions, much less new ones. The problem is compounded by their financial crisis—revenues that increase perhaps 5 percent a year while expenditures, mostly nondiscretionary, rise at 10 percent a year.

As a result, it has become increasingly difficult for Government leaders to ar-

#### EXTENSIONS OF REMARKS

ticulate and make these tough decisions. Hiring another consultant is clearly not the answer.

Clearly the highest level of management talent must be applied to the problems. The community planning and management funds will be used by chief executives to develop this capacity to make decisions and change the traditional ways that public institutions have delivered public services.

In a very real sense, bringing together shared revenue and the return of decisionmaking to State and local officials will be the catalyst for the "new revolution." They will demonstrate this administration's commitment to finding better ways of doing the public business and attracting the attention and talent needed to bring Government up to date.

#### WHITNEY YOUNG, JR.—A RESPONSIBLE LEADER

### HON. JAMES HARVEY

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 16, 1971

Mr. HARVEY. Mr. Speaker, America has lost a responsible leader with the recent passing of Whitney M. Young, Jr. His death leaves a void that will not be easily filled.

Mr. Young, in a decade of dedicated service as executive director of the National Urban League, labored untiringly for the betterment of all minority groups in this country.

He served with quiet dignity, working through the American system to improve the plight of the Nation's minorities. He believed that social justice and social progress for black Americans and other minorities were closely linked to their economic progress.

Despite the intolerances and injustices Mr. Young saw in America, he never once lost faith in his country. He worked diligently to right these wrongs—at a time when the irrational and the irresponsible had the ears of many. Through his extraordinary efforts and positive leadership he not only calmed these voices of irresponsibility, but also accomplished much for his people.

He opened much needed lines of communication for a continuing dialog between our citizens. He mastered the art of getting things done.

Much to his credit, Whitney Young was not an exhibitionist who constantly sought the national spotlight for himself. He was much more concerned with positive accomplishments for his people.

He once said:

The only criterion by which I want to be measured is whether I have helped to improve the economic, political, health, and social future of the black people—not on the basis of how many white people I curse out.

Mr. Young came along at a time in America's history when we greatly needed moderation, tolerance, understanding, and responsible leadership.

His voice was one of calm restraint in the midst of turmoil. His record was one of positive accomplishment. He will be sadly missed.

March 16, 1971

#### TRANSPORTATION NEEDS OF THE ELDERLY

### HON. HERMAN BADILLO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 16, 1971

Mr. BADILLO. Mr. Speaker, in the last few decades the pattern of our society has changed radically. People tend no longer to accept a job and settle down in a given geographic area. There are frequent transfers. Families tend to be separated by vast distances. They live either in small, single-family dwellings or small apartments. It is no longer the custom for grandparents and other relatives to share a family home. As a consequence, many of our senior citizens are on their own. As far as social life and recreation are concerned, they have to make it without assistance.

In addition, our vast, sprawling metropolitan areas no longer contain within themselves the traditional neighborhood concepts and divisions. No longer does one find doctors' offices, drugstores, shopping centers within easy walking distance of residential areas. In order to shop, to attend a church, visit a physician, our senior citizens often have to cover considerable distances. Many are too infirm to drive—many cannot afford a car. Public transportation has become increasingly expensive and inconvenient. Increasingly, in addition to other ills, our senior citizens suffer the deadening effects of isolation, loneliness and their inescapable consequences—depression.

This is not only needless and cruel—it is a waste. The vast majority of our senior citizens are alert, well informed, and capable. They are used to contributing—the present wealth of our Nation was built largely on their contributions—and there is much that they still could add to our national life. It is in the interest of our society to make it possible for them to participate.

On our list of national priorities our senior citizens have consistently been on the low rung. Per capita allocations for programs beneficial to them are among the lowest in the Nation. For the present fiscal year the grand total of \$2.8 million is earmarked for research and development programs for the aging—and this \$2.8 million is spread to include employment opportunities, nutrition studies, retirement planning, and various other areas.

Although there is an obvious need to make our older citizens more mobile, only five demonstration projects are at present devoted to this purpose. The total funds allocated to these projects represent only 3 percent of the already meager \$2.8 million.

It is high time that a comprehensive study be undertaken that would explore the economic and service aspects of transportation in both rural and urban areas; would probe into the feasibility of establishing special services in target areas having concentrations of senior citizens; would explore the consequences and impact, economic and social, of reduced fares—in other words would conduct a comprehensive evaluation of the



transportation field as it relates to our senior citizens.

For this reason I would like to offer an amendment to the Older Americans Act of 1965 to authorize a special emphasis transportation research and demonstration program.

Mr. Speaker, I commend this measure to the attention of my colleagues. For their convenience, I am inserting at this point into the RECORD the text of the bill:

H.R. —

A bill to amend the Older Americans Act of 1965 to authorize a special emphasis transportation research and demonstration program

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the Older Americans Transportation Services Development Act.

SEC. 2. Title IV of the Older Americans Act of 1965 (42 U.S.C. 3031) is hereby amended by adding at the end thereof the following new section:

"SPECIAL EMPHASIS TRANSPORTATION RESEARCH AND DEMONSTRATION PROJECTS

"Sec. 403. (a) The Secretary is authorized to make grants to any public or nonprofit private agency, organization, or institution and to enter into contracts with any agency, organization, or institution, or with any individual—

"(1) to study the economic and service aspects of transportation for older persons living in urban or rural areas;

"(2) to conduct research and demonstration projects regarding the feasibility of special transportation subsystems for use by older persons or similar groups with similar mobility restrictions;

"(3) to conduct research and demonstration projects on portal to portal service and demand actuated services;

"(4) to conduct research and demonstration projects concerning the impact of pricing structures on the comfort, well-being, and morale of older persons;

"(5) to study transportation and social service delivery interface;

"(6) to conduct research and demonstration projects to coordinate and develop better transportation services rendered by social service agencies; or

"(7) to conduct research and demonstration projects concerning other relevant problems affecting the mobility of older persons.

"(b) There are authorized to be appropriated to carry out this section \$1,000,000 for the fiscal year ending June 30, 1972; and \$2,000,000 for the fiscal year ending June 30, 1973."

**THE URBAN COMMUNITY DEVELOPMENT SPECIAL REVENUE SHARING PROGRAM**

**HON. BARRY M. GOLDWATER, JR.**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 16, 1971

Mr. GOLDWATER. Mr. Speaker, the Urban Community Development special revenue sharing program should help restore our faith in our ability to govern ourselves—as citizens living in communities of all sizes, in all kinds of circumstances, with diverse problems.

In effect, the President has said that State and local governments must be returned to their key roles in the Federal system. It is these governments—being

close to our people—that must respond to their need for governmental services in the areas of community development and housing. The Federal Government—even if it had a superior wisdom, which it does not—is not in a position to be responsive to our local needs. At the same time it is in the Federal interest to help our local governments—not to call the shots, but to help them develop the capacity to make their own decisions—wisely and effectively.

This, in essence, is the spirit behind this bill.

I would especially call attention to the new program of planning and management assistance grants. The \$100 million authorized for this program would help State and local governments strengthen their planning and management capabilities—in the words of the President:

To enhance their ability to make well-informed policy decisions, to lay intelligent long-range plans, to allocate their budgeting resources wisely, and to coordinate complex development activities in many fields.

**"DEATH AIN'T NOTHING BUT A ROBBER."**

**HON. JOHN B. ANDERSON**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 16, 1971

Mr. ANDERSON of Illinois. Mr. Speaker, history works its ironies on the innocent and the undeserving, as well as on those whose debt is clear. Last week our Nation, and especially its black community, lost yet another leader—not through violence or bloodshed, but as he played in the Atlantic surf on an African beach. Others have eulogized Whitney Young better than I, and my purpose here is merely to reaffirm the sorrow that I know all of us here in the Congress feel. His passing at this time in our country's history has taken from us a firm and gifted leader whose voice was seldom raised in anger but often heard and never dismissed in the councils of those men, public and private, who must move our country forward toward the still distant goal of equal rights and equal opportunity for all our citizens. In the words of Bayard Rustin, "death ain't nothing but a robber."

Fortunately, Whitney Young left a legacy. His work is not done, but he pointed a way for others to follow, and it would be my hope, and the hope of others here in this Chamber I am sure, that others will heed his quiet but insistent plea for economic participation, for an equal measure of the goods and services produced by our abundant economy, for an equal chance at the kind of education that will allow black businessmen access to "green power." Whitney Young was not a demagog. His pursuit of social justice was tempered with a belief that this was possible under our system. He was tough-minded. He would not be put off. As Philip Geyelin put it in this morning's Washington Post, "his wisdom lay in his acceptance of the realities of what it would take to make his country move."

Mr. Speaker, we have all lost a comrade in Whitney Young's death, for I daresay that every single person in this Chamber, whether or not they may have disagreed with individual goals or statements he expressed, is very deeply committed to his ultimate goal of social justice and economic participation for all Americans, and to the processes of democracy and enterprise through which he sought those goals. In closing, I would like to insert the full text of Mr. Geyelin's essay in the RECORD.

**THE LOSS OF WHITNEY YOUNG**

(By Philip Geyelin)

Among the black leaders in the struggle for racial equality, some brought religion to the movement, some brought the liberals, some brought labor. Whitney Young, more than any man, brought the business community, the men of money and of the power and the influence that comes with money, and in a certain sense this was the hardest part of it although it was not by any means where his contribution ends. Still, it was the role that made him unique because it made him exposed. A black man had to be suspect who dealt with the Rockefellers and the Fords. So Whitney Young was a controversial figure from his first days as the executive director of the National Urban League. His chosen role within the movement was by the nature of things politically precarious. But if this bothered him, it was not in his nature to show it very often; he was too busy getting things done.

Whitney Young had come to the Nigerian capital for a meeting of the African American Institute, as a member of an American delegation which included many of the black leaders he had worked with most closely over the years. As they huddled together in the numbness of their sorrow, after his death, what they remembered best about brother Whitney was not the arguments they may have had over strategy—one rarely does, of course. What they were saying was that "Whitney was always there when you needed him . . . and that somebody had to do what Whitney did . . . and the man could not have done it better . . . and that no man could fill those shoes." And the way they talked and worked together and worried about the future and grabbed for the first signs of leadership by one of their number (the young radical preacher from the Southern Christian Leadership Conference, the Rev. Jesse Jackson) you could not doubt that they meant what they said.

"He was the big man who led the interference around the end," said Bayard Rustin, the veteran from the A. Philip Randolph Institute who had fought the long wars with Young. "And he was also a man you could sing and drink and bull with." So Rustin only spoke briefly at the memorial service in the sweltering Christ Church Cathedral in Lagos on Saturday and then he sang "Death ain't nothing but a robber . . ."

Jesse Jackson led the final prayer and he called him "a father figure in the civil rights movement." To the former Attorney General Ramsey Clark, he was "a giant laughing man" and quoting Sandburg on the one hundred and fiftieth anniversary of Lincoln's birth, he spoke of the "paradox of terrible storm and peace, unspeakable and perfect."

He was the man who cooled things, was what they were saying, who brought every kind of people, rich and poor, together because he could talk to all of them. And yet, to suggest that his death is somehow a setback to the forces of moderation—as the Vice President did—is to miss the point. There was nothing moderate about Whitney Young's devotion to the cause of humanity and to the redressing of the grievances of his race. "He had an impatient patience" is the way one of his American colleagues de-

scribed him. "He had a tremendously sublimated anger and he turned it into creative acts." His achievements were very practical ones; they can be measured in the work of the Urban League over the years, in its great effort to improve the lot of the black men who had poured into the Northern ghettos from the South. It can perhaps be best illustrated by the street academies in the ghettos which were his special creation—places where young blacks could gather and study and learn and receive counsel because they could do none of these things in overcrowded homes.

Practical solutions born of a profound compassion for people, a restless, driving energy, unending good humor and a love of living—these were his great strengths. Because he was a sociologist before he was a national and international figure in the struggle for human rights, he knew what the problems were in an academic, theoretical way. And he knew them first hand as well; not the least of his contributions was what he did to bring the Urban League itself more actively into the political rough and tumble of the ghettos—into the places where the problems are. That was the key to it: he knew the problems and he knew the right people and if this led some of his black brothers to fault his lack of militancy or his close associations with the rich and powerful, it led none of them to fault him for himself, for none could withstand the warmth and wit and wisdom of the man.

His wisdom lay in his acceptance of the realities of what it would take to make his country move. He knew the value of dedication and hard work and rhetoric and organization and all the rest. He felt deep down the rightness of the cause. But he also knew where the levers of power were and how they worked. "Say something that I can go back and scare America with" he told Africans at the meeting here. "What's going to happen—that's the only basis on which America is going to move." He didn't mean it quite the way it sounded, because he didn't believe in fear. "My father said to me you only hate that which you fear and I don't want you to fear a living soul," he also told his colleagues at another point. What he did believe was that America would only act effectively to increase aid to Africa out of an acute self interest in its own security because that was the way it had always been with foreign aid, and he wanted the Africans to tell what would be the consequences if the United States did not do more for the developing nations and the black people on this continent.

Not fearing and not hating, he dealt with the corporate executives and counselled with President; he consorted, in other words, with men who were looked upon by others in the movement with unrelieved hostility. And the fact is that many who were critical of this approach would be the first to admit that in the practical terms that matter he was right—that the movement had to have such an ambassador.

Jesse Jackson said as much in his booming eulogy. Recalling a time when it appeared that Whitney Young might become a member of the Nixon Cabinet, Jackson said he sent him a telegram urging him to accept. "I felt it didn't matter what you thought of the man," Jackson declared. "I felt that I didn't want twenty million or thirty million Americans disconnected from the man who is making decisions about them every week." Jackson said that later he asked Young why he hadn't taken the job and that "Whitney bowed his head in the dilemma that the black man is trapped in and replied that he wanted the job and that he thought he could have done the job but that he thought the brothers would not have understood."

And so he worked on with that patient impatience to end. "We have to talk to people who are hungry tonight," he said at an-

other point while he was in Lagos. "The rats are biting the kids tonight."

He relished every part of it. "This is great," he is said to have shouted in the surf of a Nigerian beach just before he died and he would have said the same thing about his life's work. He was in Nigeria for a conference of Africans and Americans dedicated to the causes of black men on two continents, and it will be said many times over that there was something appropriate about the fact that he should have died on an African beach while actively and exuberantly engaged in such an enterprise. Perhaps so. But the grief of all the black brothers of many nations who were working with him when he died, and of other men, white as well as black in this country and abroad, is a measure of how little consolation there is in this for his loss.

### LET'S STOP THE ATTACKS ON ONE OF AMERICA'S KEY PARTNERS

#### HON. DAN KUYKENDALL

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 16, 1971

Mr. KUYKENDALL. Mr. Speaker, American business, like many of our national institutions, is today under an all-out attack from various sources seeking to either drastically change the basic concept of private enterprise or to do away with big business all together.

I say, with some pride, that I am one of the few Members of Congress, who came directly from what is known as big business. Because of this, I feel I am able to speak with some authority in behalf of those business enterprises which are currently undergoing continued harassment both by public and private agencies.

I would like to say at the outset that I do not condone all the practices of big business. I believe there should be, and must be, regulation against monopolies and unfair trade practices. I also believe that there must be strong protection for the consumer against shoddy merchandise and some questionable advertising procedures. But I do not believe that the interest of the individual consumer nor the interest of this Nation will be served by destroying business and discouraging business growth.

And I am afraid that this is what will happen if we allow the attacks upon business to go unchecked. It is time we took a look at the activities of the Antitrust Division of the Justice Department as well as the attacks upon business from individuals who have made a career, quite a successful career I might add, out of attacking the private free enterprise system and individual companies and from some members of the press who enthusiastically jump on the bandwagon when any American institution is attacked.

Over the past months we have seen a number of antitrust prosecutions instituted by the Justice Department, and while no corporations to my knowledge have been found guilty of any willful wrongdoing or deliberate violations of antitrust laws, delays in decisions and adverse publicity have resulted in serious damage to corporate images; shareholder returns have been seriously affected, and

too often the best interest of the consumer has not been of primary concern.

I believe that the time has come to take a hard and searching look at our antitrust laws to see where they need to be brought up to date. The need to update antitrust laws is made clear when we realize that despite the tremendous changes in the structure of our commerce, the last significant antitrust law was enacted more than 20 years ago. For this reason I have joined with my colleague from the 18th district of Texas, Congressman Bob Price, in co-sponsoring a bill to establish a national commission on the revision of Federal antitrust laws. Until such a commission is established and until such a review is made to determine what must be done to preserve the integrity and strength of our private enterprise system and to protect the consumer, I suggest that the Justice Department and others who are responsible by law, or assume responsibility for directing the course of this Nation, cease their relentless efforts to make business the scape-goat for all of the problems we face in this era of change and demand for change.

May I suggest, Mr. Speaker, that in this area of our national life, we should strive to create a partnership of all of our citizens and all of the segments of the economy—business, industry, government, and the general public in creating the best possible climate to strengthen and preserve the fundamental aspects of our society.

We have grown great as a nation and have offered greater opportunity to more people than any other system in the history of mankind under the kind of government and the kind of economy that has welded us into a partnership for the growth and development of all our people and for the common good.

I submit that there is room in this free society for big business as well as small business and that business and industry have made and will continue to make a tremendous contribution to the Nation. I further submit that should we for any reason succeed in destroying our major industries and our major businesses then the freedom of all of us, even down to the individual citizen, will be in jeopardy.

### ISRAEL'S BOUNDARIES SHOULD BE BASED ON NEUTRAL BARRIERS

#### HON. FLETCHER THOMPSON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 16, 1971

Mr. THOMPSON of Georgia. Mr. Speaker, according to the press reports over the weekend, the State Department is applying great pressure against Israel to require that they withdraw to the lines as they existed in 1967.

Mr. Speaker, I am interested in a permanent peace in the Middle East, as I am certain are the other Members of this body. History has shown that whenever a country is placed in a position of basically having vulnerable boundaries—



boundaries not along natural lines—that there is more likely to be a conflict ensuing.

Mr. Speaker, I am not a map drawer. I do not suggest what the lines should be, but it certainly appears to me that our State Department is wrong, if this present report is correct, in insisting that the boundaries be redrawn on a basis which history has shown promotes nothing but constant conflict.

Mr. Speaker, I feel that we should support Israel in helping it to achieve boundaries which are defendable and which will promote a lasting peace.

**LIBERTY BANK LETTERWRITING CONTEST ON POLLUTION**

**HON. JACK F. KEMP**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 16, 1971

Mr. KEMP. Mr. Speaker, the Liberty National Bank and Trust Co., of Buffalo, N.Y., has recently sponsored a letter-writing contest on pollution among fourth, fifth, and sixth grade students in the Buffalo area. Over 4,000 entries were received from young people who are truly concerned about the environmental crisis we are facing. I would like to call to the attention of my colleagues the texts of the three winning letters because I think they point out with clarity what one individual can do to help prevent further pollution of our environment:

ST. MARTIN SCHOOL,  
Buffalo, N.Y., February 26, 1971.

DEAR SIR: I alone can do many little things to stop pollution, but my parents also play a part. They help by not buying lead gas and detergent and nonreturnable bottles. The following is what I can do to prevent pollution.

When I go to the store and I am not buying much I can tell the clerk that I don't need a bag. When I set the table I don't use paper place mats or napkins. If I have to clean the dust mop I can put a paper bag over the head then shake the dust into the bag. This way I'm not shaking the dust into the air. You can buy just returnable bottles and the non-returnable bottles you have to buy you can save and take them to stores like Penny's where they are going to save them, then send them to Corning Glass. There they will experiment and see how economical it would be to recycle the glass.

These are some of the things I can do. I'm willing to hear other peoples ideas. I'm very much interested in this problem. At times I get very angry with people who laugh off pollution. After all, it's my world, I want to live in it.

ANN SELIG,  
Buffalo, N.Y.

ST. JOHN'S SCHOOL,  
Kenmore, N.Y., February 19, 1971.

DEAR MR. JONES: If we don't hurry up about cleaning up pollution, it will be so bad, there won't even be a way. I can encourage my parents and other grownups to cut down or cut out smoking completely, because that endangers their lives and adds smoke to the air. At the supermarket I could point out to my mother the pop in the returnable bottles and ask her to buy it so she would be helping clean up pollution. After bread, rolls, or other products in plastic bags are all gone, I can put them aside for future use. Instead of driving the children who are supposed to walk to school, the parents should know that

when they drive their children to school they are adding pollution to the air. When I spill something on the floor instead of getting five or six papertowels, I can use a sponge. After we use the products in plastic containers and foil containers, we can save them to put other foods in. At Christmas or other holidays, if the boxes are decorated, we do not have to wrap them, which helps a little. In school and at home I know I waste a lot of paper which could be used again. Instead of RE-FUSE, we could drop the F and REUSE all we can. Even though I'm ten years old, I can do my part at home and school. If we don't do it, it won't get done!

Sincerely yours,

SANDRA FISHER.

S.S. PETER, PAUL'S SCHOOL,  
Hamburg, N.Y.

**WHAT I WILL DO TO REDUCE POLLUTION IN MY COMMUNITY**

I am going to try very hard to reduce pollution in my community by, buying returnable bottles and using my lunch bag over again. Not littering all my candy wrappers and other things. Eat all my food do not put it down the disposal it makes unnecessary sewage and causes pollution. When in a car when traveling I will not throw things out side. I will tell my dad to get a garbage bag and I'll use it. I'll ride a bike or walk if I can instead of asking my mom or dad to take me in the car and to use low-lead gasoline. The buses and smoke cause air pollution. I'll put all the old used coffee grinds and egg shells to the garden, they make good fertilizer. Remind people I see to use the trash cans that are in public places. Use plastic bags only if necessary. Try to give to the poor people rather than throwing away all old clothes you have. I'll tell my mom not to buy colored toilet paper.

LISA ROBINSON.

**URBAN SPECIAL REVENUE SHARING**

**HON. JOHN E. HUNT**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 16, 1971

Mr. HUNT. Mr. Speaker, for too long Federal programs designed in Washington to supposedly solve critical urban needs have failed to meet the challenges of our complex urban society. These federally devised and federally administered categorical programs have funded a proliferation of independent, unrelated jurisdictions, each with a fragmented interest in the whole problem.

Urban special revenue sharing offers an opportunity to consolidate a variety of fragmented programs into a comprehensive attack on the root causes of urban blight and urban social decay. Equally important, special revenue sharing provides to State and local governments, those jurisdictions best equipped to solve local problems, discretionary revenue to fund locally devised programs to solve special and unique local problems.

This is a departure from what has been traditional over the past third of a century. But it is an innovative and potentially effective way to return traditional powers of longer historical import to local general-purpose government which in the final analysis is held accountable by its citizens. Special revenue sharing is in my opinion the most effective way to strengthen the capacity of local government to deal with acute local problems.

**SELF-DETERMINATION OF THE AMERICAN INDIAN**

**HON. LEE METCALF**

OF MONTANA

IN THE SENATE OF THE UNITED STATES

Tuesday, March 16, 1971

Mr. METCALF. Mr. President, last week I received a copy of the keynote address delivered by an old friend and constituent, Barney Old Coyote, at a meeting of American Indians in Kansas City on March 8.

Mr. Old Coyote is a widely known and distinguished Indian leader whose views are respected and sought, both by the members of the Cosmos Club on the subject of acculturation of the American Indian and by his neighbors who elected Barney to be their delegate in the tribal delegation which recently came to Washington to confer with Members of Congress and Bureau of Indian Affairs officials. Barney has a rich background of Government service, at home and away from home, beginning with the BIA at the reservation level and finally as assistant to Secretary Udall in charge of the Interior Department's Job Corps program. At present he is head of the Indian studies program at Montana State University which has recently conferred on him an honorary doctorate degree.

I ask unanimous consent that Mr. Old Coyote's address be printed in the Extensions of Remarks at the conclusion of my remarks.

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

**SELF-DETERMINATION OF THE AMERICAN INDIAN**

My purpose today in keynoting this historic conference is to share some ideas and concepts with you, and I might even offer a few suggestions. This is the first time that an administration has attempted to come to grips in this fashion toward exploring with Indian leaders what needs to be done with a long-standing problem—the problem of formulating policy of the government toward the American Indian. Formulating policy that will be at once responsive to the needs of the American Indian and still be consistent with the overall policy of the United States.

The theme of your conference is "self-determination" . . . or more to the point . . . "Indian self-determination".

The President, in his historic message of July 8, 1970, talked about this very thing, and many interpretations of that message have been made since. Just what did the President and the administration mean? What does self-determination mean? The word "self" is self-explanatory; in this sense it means that the Indian will do this himself, rather than having it done for him. But the word "determination" has many meanings and interpretations. If I were to speak for the Indian, I believe that he construed self-determination to mean that he would now, at long last, have the opportunity to determine his own future and destiny. This suggests that he prefers to use that particular definition of the word which is "to fix conclusively and authoritatively" and to decide what his future and destiny will be. This eliminates for the Indian that interpretation of the word that suggests determination as "to bring to a close or to terminate". Additionally, I do not believe that the American Indian believed for a moment that "self-determination" in itself was a goal or

an objective. I believe that he thought of self-determination as a means or a tool to do some of the things that all Indians have aspired to since the early years of the reservation system and the early beginnings of a federal government relationship with the American Indian.

It seems to me that the message of President Nixon did two things for the American Indian. First, it suggested that the Indian would now decide for himself his own destiny, in effect make decisions for himself, but more importantly that this led to the second point, his relationship with the government. Putting the two together, he saw self-determination as a means of guiding this partnership relationship with the United States Government and to continue and further that relationship at his own choosing.

This is a relationship that he cherishes, with no intent of severing it unless it is on his own terms, his own time-table, and in a fashion that is responsive to his own desires. This is why there has been a concern over whether or not self-determination is a step toward self-termination. So it is that we can characterize self-determination to mean that the Indian will now have the opportunity to guide his own future, more particularly in the area of relating to the United States Government, and how that government will relate to him and work with him in the partnership concept that has now become a byword. This is the concept that has been acclaimed and welcomed by the Indian leaders of this country. At the same time, they have become concerned that self-determination might well be another promise that is destined for that wastecan that can be labeled "broken promises to the Indian". They have become concerned because there has not been any evidence of the consultation that was promised or of the partnership approach that was suggested.

At this conference the Indian leadership wants to hear what the administration meant when it expounded on the principles of self-determination, consultation and partnership. Further, I would say that the Indian leadership no longer wants to hear about these things that they feel have been promised them in one way or another. I hope that I am not too far off the truth when I relate that what the Indian now wants is a demonstration of the principles that have been articulated by the administration.

They want no more rhetoric, they want no more promises, they want no more philosophizing . . . they want action, they want concrete programs, but more importantly, they want a demonstration of good faith that they are going to participate in the process of making decisions involving or affecting them and to do this through the Indian community's own elected leadership. They want to do this in a fashion that recognizes the basic responsibility of the United States Government to the American Indian.

Bill Youpee, a tribal chairman, in his own historic address of February 18, 1970, at Billings, Montana, said that the responsibility of the United States Government is a historic and traditional one dating back to the Constitution and reaffirmed time and again since by the United States. Chairman Youpee reminded all of us at that conference that the responsibility of the government was a shared responsibility. That it was a responsibility shared only with a particular group of people, the elected tribal leaders of federally-established reservations, pueblos and other Indian communities.

His message was clear. He did not minimize the needs and plight of the non-reservation Indian, nor did he encourage the federal government to ignore the non-reservation or urban Indian. What he did say was that for too long, the federal government had established priorities without regard for the feelings and desires of those people for whom

this special relationship of the government and the Indian was established . . . the reservation Indian and more particularly his own elected leadership. This is one reason why this conference is historic, although somewhat overdue. It brings together the two communities that have one thing in common . . . that of having the Indian leaders, who have the primary responsibility for the reservations and the leaders of a government that has as its primary responsibility the same reservation Indian situation that these leaders represent.

It is the hope of the elected American leaders that the priorities of the government will now be returned to where they belong through this process. That is to return priority in policy, in programs, and priorities of effort and attention of the government to the reservation situations.

In essence, we are hearing that all of us need to refocus and realign our thinking to where it belongs. . . . to the reservation and its people. We will be hearing that it is the federally established reservations and communities that justify federal programs for the American Indian, and this is as it should be. It follows that if there is to be consultation between the government and the Indian, then it should be between government and those Indians that have an undeniable responsibility to represent that community. . . . the elected tribal officials. So we are making progress. We are seeing history being made, because we are seeing the government sitting down with the elected tribal leadership and exploring what self-determination is, what it means and what we can do with it. . . . and to do this in a partnership approach. It is not the government telling us what it is going to do with Indian policy, in program planning and establishing program priorities.

We are seeing reservation leaders come forth with positive approaches to what they feel needs to be done, and how it should be done. They are not saying that there was not progress before, nor are they saying that everything that was done before is bad. They are saying that what has been done and how it was done can be improved and that we can now make a quantum jump in the direction of revitalizing the government's relationship with the Indian. They are not saying only Indians should be involved in Indian affairs. This is the significance of this meeting. Self-determination is going to be given substance here. It is going to have a function. We will probably find that self-determination is the tool that we need to make things happen without the interminable waiting that used to be the fashion of Indian affairs.

As the government works more closely with the elected tribal officials, they are going to learn one thing in particular. They are going to learn that these tribal officials are sensitive, responsive and resourceful people—not the slow-thinking, unresponsive rubber stamps who are content to sit on the status quo as we have heard so often. But enough of that.

What can we do with self-determination? I don't have all the answers, and perhaps none at all. But it seems to me that when the Vice President of the United States is here to pick up where he left off personally at Albuquerque in October, 1969. . . . that we can now begin to do some of the things that Indians and Indian leaders have talked about since. Let me mention a few. First of all, let us erase once and for all the cloud of termination over everything that we do. As we address ourselves to the task of self-determination and a partnership with the government, let us take on the task, together, of eliminating and expunging House Concurrent Resolution 108 from the nation's records in order that what we do hereafter will not be clouded with the threat of termination. This will give substance and meaning to the administration's expression

that it is not pro-termination, and this fear will be removed from the minds of the Indian people and they can positively chart new courses for the future without the fear of such action leading to termination.

Self-determination in itself is also not a one-step process within the context that we are using it here. It means that we are going to determine what needs to be done, but it also means that we need to follow-through on these decisions, and together with the government, see that these things come true in order that self-determination becomes an accomplished fact. Let me mention a few other things that we might put our minds to at this conference.

I think that one of the things that Indians have aspired to for a long time is to reclaim lands that they have lost, through whatever process. They want to protect the lands they now have, because this is little enough and they recognize that they are not ever going to have enough land and land-related resources to meet all their needs. Because of this, they want to reclaim lands for their people and for their homelands, much in the same fashion that Blue Lake was reclaimed for the Taos Pueblo. This is why the Indians applaud the administration for the help that it gave the Taos people. They want to regain the controls over these lands and controls they have lost over the lives of the people.

We hear expressions that Indians are losing control over their lands, non-Indians do not respect their ordinances nor their rules and through the leasing of lands, they no longer control the activity or control the destiny of their people on their own lands and on their own reservations. We should now give consideration to the idea that the administration, from President Nixon on down and all the agencies, now stand in the corner of the American Indian.

That the government will be the advocate and the partner to the Indian in his effort to reclaim lands he has lost and regaining controls that the Indian has lost over his lands and the lives of its people. When this is done, then we as Indian people can go to any agency of the government and gain their support to reclaim our lands and regain controls that we have lost without the compromise of principles and conflict of interests that we now face. This is important as we talk about the Legal Trust Authority and other legislative proposals of the President.

Many people felt that the President's message of July 8 fell short on this point. That particular point of the administration being in the Indian's corner to reclaim his land and regain his lost controls should now be made crystal clear, to the Indian people, but more particularly to all agencies of the government and to the Congress.

Water Rights, Fish and Game Issues, Mineral Rights, Taxation of Indian Lands and Income, and the Alaska Land Claims are prime examples of what the White House can do for Indians in the direction of regaining Indian lands and land-related resources, as well as regaining and protecting our controls over lands and the lives of our people. In this connection, we should also be thinking about the government giving equal consideration to the tribes as the government moves in the direction of revenue sharing. This because we already know from experience that local and state programs did not respond to Indian needs as we have seen through the federal programs of 1964 and since.

I want to say something more about self-determination, partnership with the government and more particularly as these apply to the principle of consultation with the Indian community by the United States Government. Why not have a national Council of Elected Reservation Officials at the highest level of government? This would serve in a manner similar to the National Council of Economics Advisors and the National Se-



curity Council, which is chaired by the Vice President, but not necessarily as a cabinet or administrative type of function.

This would do two things. It would provide consultation and advise at the highest level of government and give substance to the consultation, self-determination, and partnership concepts that we have been hearing about. It would build in controls for self-determination and for consultation and assure that these are done. It would provide a follow-up and review capability that the government does not now have. It would provide a mechanism to measure the effectiveness of programs and priorities by the same people that are on the receiving end of the government's efforts, the elected reservation tribal officials. This would recognize in no uncertain terms the primary responsibility of the United States to the Indian . . . the reservation situations.

At the Billings meeting of Reservation Council Chairmen a resolution was passed to organize a national organization of elected reservation tribal leaders primarily to provide consultation and input to the government. Why couldn't the administration now take this cue and appoint reservation chairmen to a national council, without requiring them to abdicate their responsibilities as tribal chairmen, and employ them in a fashion similar to other commissions and other offices of the Executive White House. In this way, the Washington community would have real Indian representation to consult in connection with federal programs and Indians.

While we are talking about some things that we might do in partnership with the government, let me mention another thing. To help the economic development of the tribes and reservations, why not put our minds to the idea of extending the principle of the "Buy Indian Act of 1910" to all agencies of government. Then a tribe or a combination of tribes could negotiate for the building of portions of an Inter-state Highway through the Department of Transportation and other like approaches. The OMBE has extended this principle to many agencies for minority enterprises, so why not extend a statutory principle that applies to Indians beyond the Bureau of Indian Affairs to all segments of the federal government.

For too long, we as a government have tried to apply broad and general situations to the reservation Indian, thence to the broad Indian population. For example, it is fine for the poor people of this country to fight City Hall and the power structure through the Community Action programs and Legal Aid. This is necessary to gain needed services.

In the Indian community, however, the tribal councils do not control welfare, the school systems that the poor people need, nor any of the services, so it is difficult to understand why we pit Indian against Indian in these situations, simply because it is the fashion and style to fight the system. Rather, we should be thinking about how to we can bring our too few numbers together in a common effort, and to include our Indian youth in the process. So, it is that self-determination for the Indian promises the only real tool for alleviating those conditions that we have often noted in decrying the deprivation of reservation situations and what a government can do for the Indian.

Through self-determination, through the understanding of the government and through a partnership approach with the government, we can now begin the formidable task of changing the direction of Indian affairs in this country. We need to realign our thinking before we realign our efforts and our mechanisms. We, as Indian people, need to be mindful of the trends and tendencies of this country if we are to remain a viable part of the American community. The

government needs to recognize our uniqueness and the principles that led to the special relationship between the government and the American Indian. The government needs to return priorities and consultations to where they belong. . . . to the federally established reservations and communities.

We can establish a national executive council of reservation Indian leaders that recognizes the government's primary reason for a special relationship with the Indian people. We can put this council at the highest level of government to assure that self-determination and consultation between government and the Indian becomes a reality.

Through this conference at Kansas City, history can be made in the affairs of government with the Indian. Our task, therefore, is to make this relationship a living history. Through self-determination and a partnership with the government, we can turn over to succeeding generations of Indian leaders a new relationship, a new philosophy and a new direction. This is the opportunity and challenge of self-determination. President Nixon's message of July 8 can become a fact—a fact to make Indian situations better, but it can only be done by pulling together as Indians and working in partnership with the government. This is the task before you, and it can and will be done—and we can begin here and now.

THE AMERICAN INDIAN IS REVIVING HIS SPIRIT

HON. ARTHUR A. LINK

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 16, 1971

Mr. LINK. Mr. Speaker, Mary Yellowhammer is an American Indian. She is one of about 60 Indian students from North Dakota's four reservations who is participating in a career opportunities program offered by the U.S. Office of Education. The program is designed to prepare Mary and her colleagues for teacher certification or college diplomas.

Mary gave an address to the Future Indian Teachers Convention at Mary College, Bismarck, N. Dak., held on February 18 and 19, 1971. Her comments indicate that the American Indian is reviving his spirit, viewing his heritage with pride, and looking forward with determination to the challenges and responsibilities ahead. I wish to share her remarks with my colleagues in the House:

SPEECH BY MARY YELLOWHAMMER

I am an American Indian. I am very proud and happy of my heritage.

Viewing from the eyes of my "life's estimation," we have been approached as a defeated people too long, "Killed in Our Spirits." Another word *akin* to that word is Apathy which prevails among our Reservations. Now and then an Indian Spirit is revived and he makes good in name, in money, and is accepted. Too often they become like white men and much of our Indian values are lost and we keep on living a lethargic, hungry, and forgotten life.

After attending these "Ominieyes," (Sioux word for "Council Meeting") I have caught a few glimpses of what may be in store for us as spoken by dedicated Indian men as a cause; some white men are also very sincere.

My friends who are in this program from the Grass Roots level, let us now be reawakened and rededicate our lives, to listen and speak often to the "Great Spirit," for guid-

ance and self-direction that we may walk this profession whereby we are called to walk.

To attain this profession we *chose*, we must walk a narrow and hard walk called Perseverance, Patience, everyday tests of life, open rebuke, evaluations or criticisms, self control, discipline, and sacrifice. Let us be prepared in our hearts for this walk and aim to grow *strongly* and *brave* in our character and bring honor to our communities.

We are again rising up in spirit, mind, and body in this great land of ours known only as "defeat," but glowing before us now with opportunity.

Let us today accept these challenges and responsibilities with an open mind and heart and overcome this *Hurdle of Apathy*.

Let us give our children a chance that they in the future may reap this harvest of *values* that was almost lost.

With a banner of Good Faith let us be sensitive to right from wrong and treat all fellow men—Black, White, Yellow, and Red—justly. Let us also learn to count our blessings.

WHITNEY M. YOUNG, JR.

HON. CHARLES McC. MATHIAS, JR.

OF MARYLAND

IN THE SENATE OF THE UNITED STATES

Tuesday, March 16, 1971

Mr. MATHIAS. Mr. President, the sudden death of Whitney M. Young, Jr., last week deprived the Nation of one of its most effective and influential voices for justice and peaceful progress. It is a loss we can ill afford.

The outlines of Whitney M. Young's impressive career are well known. From his beginnings in social work to his leadership of the National Urban League, he dedicated his life to the cause of improving race relations and securing truly equal opportunities for black Americans. His steadfast commitment to moderation and to nonviolence never wavered despite the turbulence and pressures of the past decade, and he earned countless honors and national esteem as one of the truly constructive forces in our changing society.

Although this silhouette of his achievements is clear, no single person may ever learn the full breadth and depth of his accomplishments. Much of his most impressive work was done quietly, in the small meetings and closed conferences in which vital decisions were made and strategies were shaped. Whitney Young did not seek headlines; he sought results.

I am sure that across America, there are many thousands of individuals who owe to Whitney Young their jobs, their opportunities, their insights, and even their faith in the American system of peaceful change. These personal debts can never be recounted, much less repaid. Nor can our national, collective thanks be measured by our eulogies. Rather, we should commit ourselves to pursuing the course which he steered, and building on the foundations which he established so patiently and well.

Mr. President, I wish to extend my deepest sympathies to Mrs. Young and the entire Young family in this sad time.

I ask unanimous consent that an article from today's issue of the Washington Post by Philip Geyelin entitled

"The Loss of Whitney Young" be printed in the RECORD.

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

#### THE LOSS OF WHITNEY YOUNG

(By Philip Geyelin)

Among the black leaders in the struggle for racial equality, some brought religion to the movement, some brought the liberals, some brought labor. Whitney Young, more than any man, brought the business community, the men of money and of the power and the influence that comes with money, and in a certain sense this was the hardest part of it although it was not by any means where his contribution ends. Still, it was the role that made him unique because it made him exposed. A black man had to be suspect who dealt with the Rockefellers and the Fords. So Whitney Young was a controversial figure from his first days as the executive director of the National Urban League. His chosen role within the movement was by the nature of things politically precarious. But if this bothered him, it was not in his nature to show it very often; he was too busy getting things done.

Whitney Young had come to the Nigerian capital for a meeting of the African American Institute, as a member of an American delegation which included many of the black leaders he had worked with most closely over the years. As they huddled together in the numbness of their sorrow, after his death, what they remembered best about brother Whitney was not the arguments they may have had over strategy—one rarely does, of course. What they were saying was that "Whitney was always there when you needed him . . . and that somebody had to do what Whitney did . . . and the man could not have done it better . . . and that no man could fill those shoes." And the way they talked and worked together and worried about the future and grabbed for the first signs of leadership by one of their number (the young radical preacher from the Southern Christian Leadership Conference, the Rev. Jesse Jackson) you could not doubt that they meant what they said.

"He was the big man who led the interference around the end," said Baynard Rustin, the veteran from the A. Philip Randolph Institute who had fought the long wars with Young. "And he was also a man you could sing and drink and bull with." So Rustin only spoke briefly at the memorial service in the sweltering Christ Church Cathedral in Lagos on Saturday and then he sang "Death ain't nothing but a robber . . ."

Jesse Jackson led the final prayer and he called him "a father figure in the civil rights movement." To the former Attorney General Ramsey Clark, he was "a giant laughing man" and quoting Sandburg on the one hundred and fiftieth anniversary of Lincoln's birth, he spoke of the "paradox of terrible storm and peace, unspeakable and perfect."

He was the man who cooled things, was what they were saying, who brought every kind of people, rich and poor, together because he could talk to all of them. And yet, to suggest that his death is somehow a setback to the forces of moderation—as the Vice President did—is to miss the point. There was nothing moderate about Whitney Young's devotion to the cause of humanity and to the redressing of the grievances of his race. "He had an impatient patience" is the way one of his American colleagues described him. "He had a tremendously sublimated anger and he turned it into creative acts." His achievements were very practical ones; they can be measured in the work of the Urban League over the years, in its great effort to improve the lot of the black men who had poured into the Northern ghettos from the South. It can perhaps be

best illustrated by the street academies in the ghettos which were his special creation—places where young blacks could gather and study and learn and receive counsel because they could do none of these things in overcrowded homes.

Practical solutions born of a profound compassion for people, a restless, driving energy, unending good humor and a love of living—these were his great strength. Because he was a sociologist before he was a national and international figure in the struggle for human rights, he knew what the problems were in an academic, theoretical way. And he knew them first hand as well; not the least of his contributions was what he did to bring the Urban League itself more actively into the political rough and tumble of the ghettos—into the places where the problems are. That was the key to it: he knew the problems and he knew the right people and if this led some of his black brothers to fault his lack of militancy or his close associations with the rich and powerful, it led none of them to fault him for himself, for none could withstand the warmth and wit and wisdom of the man.

His wisdom lay in his acceptance of the realities of what it would take to make his country move. He knew the value of dedication and hard work and rhetoric and organization and all the rest. He felt deep down the rightness of the cause. But he also knew where the levers of power were and how they worked. "Say something that I can go back and scare America with" he told Africans at the meeting here. "What's going to happen—that's the only basis on which America is going to move." He didn't mean it quite the way it sounded, because he didn't believe in fear. "My father said to me you only hate that which you fear and I don't want you to fear a living soul," he also told his colleagues at another point. What he did believe was that America would only act effectively to increase aid to Africa out of an acute self interest in its own security because that was the way it had always been with foreign aid, and he wanted the Africans to tell what would be the consequences if the United States did not do more for the developing nations and the black people on this continent.

Not fearing and not hating, he dealt with the corporate executives and counseled with Presidents; he consorted, in other words, with men who were looked upon by others in the movement with unrelieved hostility. And the fact is that many who were critical of this approach would be the first to admit that in the practical terms that matter he was right—that the movement had to have such an ambassador.

Jesse Jackson said as much in his booming eulogy. Recalling a time when it appeared that Whitney Young might become a member of the Nixon Cabinet, Jackson said he sent him a telegram urging him to accept. "I felt it didn't matter what you thought of the man," Jackson declared. "I felt that I didn't want twenty million or thirty million Americans disconnected from the man who is making decisions about them every week." Jackson said that later he asked Young why he hadn't taken the job and that "Whitney bowed his head in the dilemma that the black man is trapped in and replied that he wanted the job and that he thought he could have done the job but that he thought the brothers would not have understood."

And so he worked on with that patient impatience to the end. "We have to talk to people who are hungry tonight," he said at another point while he was in Lagos. "The rats are biting the kids tonight."

He relished every part of it. "This is great," he is said to have shouted in the surf of a Nigerian beach just before he died and he would have said the same thing about his life's work. He was in Nigeria for a conference of Africans and Americans dedicated to the causes of black men on two continents,

and it will be said many times over that there was something appropriate about the fact that he should have died on an African beach while actively and exuberantly engaged in such an enterprise. Perhaps so. But the grief of all the black brothers of many nations who were working with him when he died, and of other men, white as well as black in this country and abroad, is a measure of how little consolation there is in this for his loss.

#### FREEDOMS FOUNDATION AWARD ESSAY

HON. HERMAN E. TALMADGE

OF GEORGIA

IN THE SENATE OF THE UNITED STATES

Tuesday, March 16, 1971

Mr. TALMADGE. Mr. President, there recently came to my attention an essay written for the Freedoms Foundation at Valley Forge by Jon L. Anderson, lieutenant junior grade, U.S. Naval Reserve, that I found especially thoughtful and inspiring.

Lieutenant Anderson, a resident of Atlanta, Ga., was honored at a luncheon here and his essay accorded an award by the Freedoms Foundation. He is to be commended for his insight and perception of the qualities of American life and government that have made our Nation great, and I ask unanimous consent that this essay be printed in the Extensions of Remarks of the RECORD, at the conclusion of my remarks.

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

ATLANTA, Ga., October 9, 1970.

GENTLEMEN: In the laws of physical science, each action has an equal and opposite reaction. Likewise, in the laws of political science, each privilege has an equal and corresponding obligation. This makes freedom both a privilege and an obligation. The luxury of freedom cannot be enjoyed without the responsibility.

The United States has long been the beacon of freedom to the world. The sight of the Stars and Stripes flying in some foreign country will immediately bring to mind the freedom of America. Our favorite songs sing about "the land of the free." Our election process, the latitude allowed our newspapers and magazines and the rights given our criminally accused persons, privileges which many Americans take almost for granted, are still merely dreams in many parts of the world. Yet our freedoms are as old as our nation. They were insured by our Founding Fathers in the Constitution and Bill of Rights. These men knew that such privileges would make this country both strong and unique. They also understood that attached to each of these privileges was the obligation to use it wisely and prudently. Privileges exercised without responsibility are no longer paths for the common good, but roads to chaos and anarchy.

And yet this very day, nearly 200 years after the birth of this nation, there are still those who do not understand the responsibility required of an American citizen. Our cities have been shaken by those who would abuse the privileges of freedom. Like a cancer, dark and stealthy, they slip from place to place, leaving behind the ruins of their presence. To be sure, they are for some of the privileges of freedom, for those privileges are the very things that enable them to move about and conduct their sordid business. And the words freedom, privilege and rights speckle their speeches and writings like pep-



per. To advocate a cause or belief is a privilege of the free, and indeed a noble undertaking, but to incite riots and destroy another's property and then hide behind the cover of freedom is a ploy, a shameful abuse of our great system.

One of the reasons the United States grew to become the power it is today was because it did not automatically reject all new ideas. It welcomed discussion and change, and even provided for these changes in its governmental structure. Today there are still laws, institutions and prejudices that need to be changed, and our legislatures and councils are still debating new ideas. But there is nothing, nothing that needs changing so badly that a city must be burned, its buildings blasted, its shops and stores looted and some of its citizens killed. Americans are dying in distant places to protect and preserve the freedoms of this country, and it is a sad commentary for them to see how we abuse the freedom they are protecting.

But these rioters and rabble rousers will never bring America to her knees. Troublesome they may be, supreme they are not. For in the makeup of America lies an innate sense of responsibility. The obligation of freedom will be recognized. In our schools and churches, in civic organizations and patriotic units, and in the state and national governments, the obligations of freedom are still discussed and taught. And this teaching regenerates the essence of freedom, for in teaching we define and explain the reason and beauty of our freedom, while simultaneously instilling a sense of pride and responsibility in protecting its heritage. Thus our children learn that the privilege of swinging your fist in the air includes the obligation to stop short of some other fellow's nose, and this knowledge will keep them free.

Sincerely yours,

JON LEE ANDERSEN.

**CATEGORICAL GRANTS-IN-AID PRODUCE SERIOUS PROBLEMS**

**HON. DONALD D. CLANCY**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 16, 1971

Mr. CLANCY. Mr. Speaker, the system of category grants-in-aid, without question, has produced a serious problem to State and local governments. The vast number of these narrow programs are poorly coordinated and, more often than not, are in conflict.

These highly restricted forms of Federal assistance have fragmented local initiative and made it difficult for cities to frame a communitywide development strategy. In our passion to meet national problems, we have overcentralized decisionmaking and eroded the authority and responsibility of State and local elected officials.

Lengthy Federal reviews and the imposition of Federal categorical requirements have excessively delayed renewal activities and too often distorted local priorities.

The President—and I heartily concur—proposes that States and localities be allowed the freedom to solve problems in their own way. Special revenue sharing is designed precisely for this purpose.

All of the activities which are eligible for support under present urban develop-

ment categorical grants would be eligible for support from the new special revenue sharing fund which would take their place. Decisions on the choice of activity to pursue and what proportion of available funds to be channeled into the activity will be made locally. Racial discrimination would be prohibited and the rights of all persons to equitable treatment would be protected.

While many are quick to criticize this administration for proposing a utopian dream, I for one urge your careful consideration of this proposal and ask you to join me in support of this long-needed corrective action to our present system.

**HOUSE AND SENATE SHOULD NOT LET THEIR POWER BE ABUSED BY UNJUSTIFIED EXECUTIVE ACTION**

**HON. WILLIAM L. HUNGATE**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 16, 1971

Mr. HUNGATE. Mr. Speaker, I am today introducing a resolution on a matter of extreme importance to the relationship between the legislative and executive branches of our Government. An identical resolution was introduced in the Senate on February 25, 1971.

In the last session of the 91st Congress, construction of public works projects throughout the country was authorized by the Congress for the welfare of the communities affected thereby. Appropriations for these projects have been passed by the Congress after full consideration by the Appropriations Committees of the House and Senate, and then signed by the President.

Prior to the formulation of the fiscal year 1972 budget, the President placed in budgetary reserve funds designated for public works projects in more than 35 States. He included construction projects previously funded but not initiated, projects recommended in the budget as new starts, and all congressional add-ons for planning and construction.

When the President places in budgetary freeze funds already authorized and appropriated by the Congress, it is the distinct responsibility of Congress to speak out immediately when it appears the administration is using an improper sense of priorities in trying this means of alleviating economic pressures.

By signing the public works appropriations bills, and then placing certain funds in budgetary reserve, the President is exercising a change power that only he can do; a partial temporary veto. As far as I am aware there is no constitutional basis for such action.

In my own congressional district in Missouri there are several projects that have been delayed by this Presidential freeze. Mississippi Agricultural Area No. 8—Elsberry Drainage District—is presently a year behind schedule and will not be able to initiate planning until fiscal year 1972 because of the funds now held in budgetary reserve. The Little Chariton

River Basin, which now has \$350,000 in budgetary reserve and was not even included in the President's budget for fiscal year 1972, may be held until after fiscal year 1972, putting it far behind the schedule originally contemplated by Congress. Union Reservoir with \$300,000 now in budgetary reserve was scheduled for completion during fiscal year 1977. This completion date, along with many others, will have to be changed.

Mr. Speaker, the ultimate victim in the game of budgetary impounding is the taxpayer. Once a project has been approved by the Congress and signed into law by the President, it is nearly certain it will be completed. Such delays caused by the President do not bring relief to the taxpayers, but increase his burden as the expense of construction continues to rise each year the project is delayed. These funds should be spent and the projects completed with as much conformity as possible to the schedules set by the Congress. It is bad economy to hold up these projects when we know that they will be built anyway, eventually.

This, Mr. Speaker, is why I question the reasoning used by the President in freezing these funds.

In a few short weeks the snows will melt, spring floods will come bringing the disaster and erosion caused by lack of funds and uncompleted projects, that would have been saved if proper action were taken to ward off erosion and flooding.

High Government officials will soon take to the air to lament and deplore the ravaged countryside.

These protestations will seem more sincere if these same officials can promptly make available the funds necessary for flood prevention projects.

Pending full resolution of all of the constitutional issues involved, I feel that it is the responsibility of the House to stand along with the Senate in support of its legislative power and not let this power be abused by unjustified executive action.

My resolution reads as follows:

Resolved, That it is the sense of the House of Representatives that (1) the President of the United States should provide for the immediate release of funds which were appropriated by Congress for public works under the Public Works for Water, Pollution Control, and Power Development and Atomic Energy Commission Appropriation Act, 1971, and which were placed in budgetary reserve for fiscal, economic and related budgetary reasons at his direction, and (2) construction of such public works, excepting those being reconsidered or delayed for environmental reasons, should proceed according to the schedules set and funds appropriated by the Congress in the exercise of its proper legislative function.

I respectfully request my colleagues' support of this resolution to release funds we have already approved for these urgently needed public works projects.

I include a list of Corps of Engineers civil works funds for fiscal year 1971 now held in budgetary reserve to be printed in the RECORD:

CORPS OF ENGINEERS—CIVIL WORKS, FUNDS IN BUDGETARY RESERVE, FISCAL YEAR 1971

| State and project   | Amount in reserve |
|---|-------------------|
| Alabama:  |                   |
| (FC) Montgomery   | \$50,000          |
| Alaska:   |                   |
| (N) Kake Harbor   | 150,000           |
| (N) King Cove Harbor  | 100,000           |
| Arizona:  |                   |
| (FC) Gila River and tributaries downstream from Painted Rock Dam                          | 500,000           |
| Arkansas:   |                   |
| (FC) Little Rock levee  | 260,000           |
| (FC) Red River levees and bank stabilization below Denison Dam, Ark., La., and Tex.       | 200,000           |
| California:   |                   |
| (FC) Buchanan Lake  | 700,000           |
| (FC) Chester Feather River  | 150,000           |
| (FC) Cucamonga Creek  | 190,000           |
| (FC) Hidden Lake  | 1,050,000         |
| (FC) Lower San Joaquin River  | 720,000           |
| (FC) Lytle and Warm Creeks  | 1,000,000         |
| (N) Monterey Harbor   | 150,000           |
| (N) Oakland Harbor  | 2,820,000         |
| (N) San Diego Harbor  | 130,000           |
| (N) Santa Paula Creek   | 150,000           |
| (FC) Tahquitz Creek   | 150,000           |
| Colorado:   |                   |
| (FC) Bear Creek (Mount Carbon) Dam and Lake   | 390,000           |
| (FC) Boulder  | 150,000           |
| Connecticut:  |                   |
| (FC) Park River   | 100,000           |
| Florida:  |                   |
| (FC) Central and Southern Florida   | 200,000           |
| (N) Cross-Florida Barge Canal   | 350,000           |
| (N) Gulf Intracoastal Waterway, St. Marks to Tampa Bay (ecological study)                 | 180,000           |
| (N) Miami Harbor  | 160,000           |
| Georgia:  |                   |
| (MP) Spewell Bluff Dam  | 500,000           |
| (MP) Trotters Shoals Lake, Ga. and S.C.   | 300,000           |
| Hawaii:   |                   |
| (N) Heia-Kea Harbor   | 149,000           |
| (N) Kawaihae Harbor   | 1,102,000         |
| (BE) Waikiki Beach  | 200,000           |
| Idaho:  |                   |
| (FC) Stuart Gulch Dam   | 175,000           |
| Illinois:   |                   |
| (FC) Levee District 23 (Dively), Kaskaskia River  | 60,000            |
| (FC) Lincoln Lake   | 100,000           |
| (N) Lock and Dam 26, Alton, Ill. and Mo.  | 351,000           |
| (N) Mississippi River between Ohio and Mississippi Rivers, Ill. and Mo.; Regulating works | 1,000,000         |
| (N) Mound City Lock and Dam, Ill. and Ky.   | 100,000           |
| Indiana:  |                   |
| (FC) Big Pine Dam and Lake  | 50,000            |
| (FC) Clifty Creek Dam and Lake  | 50,000            |
| (FC) Greenfield Bayou Levee   | 50,000            |
| (FC) Lafayette Lake   | 100,000           |
| Iowa:   |                   |
| (FC) Ames Lake  | 100,000           |
| (FC) Big Sioux River at Sioux City, Iowa and S. Dak.                                      | 170,000           |
| (N) Missouri River, Sioux City to mouth, Iowa, Kans., Mo., and Nebr.                      | 400,000           |
| (FC) Waterloo   | 100,000           |
| Kansas:   |                   |
| (FC) Cedar Point Lake   | 125,000           |
| (FC) Dodge City   | 350,000           |
| (FC) El Dorado Lake   | 300,000           |
| (FC) Grove Lake   | 150,000           |
| Kentucky:   |                   |
| (FC) Martin   | 150,000           |
| (FC) Martins Fork Lake  | 100,000           |
| (FC) Painsville Lake  | 330,000           |
| (FC) Taylorsville Lake  | 150,000           |
| Louisiana:  |                   |
| (FC) Bayou Bodcau and tributaries   | 50,000            |
| (FC) Lake Pontchartrain and vicinity  | 3,000,000         |
| (N) Mermentau River (Lake Arthur bridge)  | 835,000           |
| (N) Michoud Canal   | 50,000            |
| (FC) Monroe floodwall   | 30,000            |
| (FC) New Orleans to Venice hurricane protection   | 574,000           |
| (FC) Ouachita River Levees  | 80,000            |
| (N) Red River Waterway, La., Ark., Okla., and Tex. (Mississippi River to Shreveport only) | 1,600,000         |
| Massachusetts:  |                   |
| (N) Fall River Harbor, Mass., and R.I.  | 25,000            |
| (FC) Saxonville   | 39,000            |
| Michigan:   |                   |
| (N) Lexington Harbor  | 15,000            |
| Minnesota:  |                   |
| (FC) Roseau River   | 100,000           |
| (FC) Zumbro River   | 50,000            |
| Mississippi:  |                   |
| (FC) Tallahala Creek Dam and Lake   | 160,000           |
| Missouri:   |                   |
| (FC) Brookfield Lake  | 59,000            |
| (FC) Chariton-Little Chariton Basins  | 350,000           |
| (FC) Dry Fork and East Fork Lakes (fishing river) (restudy)                               | 58,000            |
| (MP) Harry S Truman Reservoir (formerly Kaysinger Bluff Reservoir)                        | 100,000           |

Footnotes at end of table.

| State and project  | Amount in reserve |
|--|-------------------|
| (FC) Little Blue River Lakes   | \$1,220,000       |
| (FC) Mercer Lake   | 140,000           |
| (FC) Mississippi River Agricultural Area No. 8 (Elsberry drainage district)  | 120,000           |
| (FC) Pattonsburg Lake (town relocation only)   | 50,000            |
| (FC) Union Lake (advance participation, highway bridge)  | 300,000           |
| Montana:   |                   |
| (MP) Libby Dam and Lake  | 650,000           |
| Nebraska:  |                   |
| (FC) Papillion Creek and Tributaries   | 1,310,000         |
| New Mexico:  |                   |
| (FC) Albuquerque diversion channels  | 250,000           |
| New York:  |                   |
| (N) Cattaraugus Harbor   | 30,000            |
| (BE) Fire Island Inlet to Jones Inlet  | 50,000            |
| (N) Irondequoit Bay  | 170,000           |
| (N) Oak Orchard Harbor   | 150,000           |
| (FC) Yonkers   | 55,000            |
| North Carolina:  |                   |
| (FC) Howards Mill Dam and Lake   | 190,000           |
| (FC) Randleman Dam and Lake  | 78,000            |
| North Dakota:  |                   |
| (FC) Minot   | 100,000           |
| (FC) Pipestream Lake   | 450,000           |
| Ohio:  |                   |
| (FC) Alum Creek Lake   | 620,000           |
| (FC) Chillicothe   | 75,000            |
| (FC) East Lake Chagrin River   | 160,000           |
| (FC) Salt Creek Lake   | 300,000           |
| Oklahoma:  |                   |
| (FC) Birch Lake  | 400,000           |
| (FC) Copan Lake  | 500,000           |
| (FC) Lufata Lake   | 450,000           |
| Pennsylvania:  |                   |
| (FC) DuBois  | 100,000           |
| (MP) Tocks Island Lake, Pa., N.J., and N.Y.  | 3,600,000         |
| Tennessee:   |                   |
| (MP) J. Percy Priest Dam and Reservoir (Nashville Davidson County bridge)  | 839,000           |
| Texas:   |                   |
| (FC) Aquilla Dam and Lake  | 190,000           |
| (FC) Arkansas-Red River chloride control (supplemental studies), Tex., Okla., and Kans.                            | 410,000           |
| (FC) Aubrey Lake   | 115,000           |
| (FC) Big Pine Lake   | 35,000            |
| (FC) Cooper Lake and channels  | 300,000           |
| (N) Corpus Christi ship channel  | 250,000           |
| (N) Gulf Intracoastal Waterway, New Orleans to Houston, 16-foot channel, La. and Tex. (Corpus Christi cutoff only) | 200,000           |
| (FC) Mouth of Colorado River   | 95,000            |
| (N) San Gabriel River tributary to Brazos River  | 800,000           |
| Utah:  |                   |
| (FC) Little Dell Dam and Lake  | 191,000           |
| Virginia:  |                   |
| (FC) Four Mile Run   | 170,000           |
| Washington:  |                   |
| (MP) Little Goose Lock and Dam (additional units)  | 130,000           |
| (FC) Vancouver Lake  | 85,000            |
| (FC) Wynoochee River Dam and Lake  | 1,900,000         |
| West Virginia:   |                   |
| (FC) Burnsville Lake   | 120,000           |
| (FC) Leading Creek Lake  | 150,000           |
| (FC) Rowlesburg Lake   | 150,000           |
| (FC) Stonewall Jackson Lake  | 150,000           |
| Subtotal   | 39,277,000        |
| Miscellaneous:   |                   |
| (N) Small navigation projects not requiring specific legislation costing up to \$1,000,000 (sec. 107)              | 90,000            |
| (FC) Small projects for flood control and related purposes not requiring specific legislation (sec. 205)           | 750,000           |
| (FC) Recreation facilities, completed projects   | 1,000,000         |
| Total construction, general  | 41,117,000        |
| Flood control, Mississippi River and tributaries:  |                   |
| Athafalaya Basin   | 1,750,000         |
| Cache River  | 100,000           |
| Channel improvement  | 732,000           |
| St. Francis Basin  | 1,150,000         |
| West Kentucky tributaries  | 100,000           |
| Yazoo Basin:   |                   |
| Greenwood  | 200,000           |
| Upper auxiliary channel  | 200,000           |
| Yazoo backwater (Muddy Bayou)  | 100,000           |
| Total Mississippi River and tributaries  | 4,332,000         |
| General investigations:  |                   |
| Gavins Point Dam and Lewis and Clark Lake, Nebr. and S. Dak. (relocation of Niobrara, Nebr.)                       | 200,000           |
| Grand total  | 45,649,000        |

1 Planning.  
2 Construction.  
3 Land acquisition.

For reference see page 3942, Congressional Record 2-25-71.

A COLLEGE STUDENT'S VIEW OF CIVIL DISOBEDIENCE

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 16, 1971

Mr. WALDIE. Mr. Speaker, a constituent of mine, Mr. W. T. Teuton, of Orinda, Calif., recently sent me a copy of his son's term paper prepared for a freshman course at St. Mary's College. The paper presents an excellent insight of civil disobedience from a college student's perspective and exhibits understanding achieved through thorough research.

Mr. Speaker, I should like Mr. Teuton's paper, "Civil Disobedience: An Electoral Responsibility" inserted in the CONGRESSIONAL RECORD for the benefit of all the Members of Congress.

The paper follows:

CIVIL DISOBEDIENCE: AN ELECTORAL RESPONSIBILITY

At first glance, the term civil disobedience appears to be self defining. But upon more intimate investigation we find ourselves in fields afar from the original pasture. As Francis Bacon would have put it, it is the relationship between the hand and the mind:

"Neither the naked hand nor the understanding left to itself can effect much change. It is by instruments and helps that the work is done, which as much wanted for the understanding as for the hand. And as the instruments of the hand either give motion or guide it, so the instruments of the mind supply either suggestions for the understanding or cautions."<sup>1</sup>

To reach a thorough understanding of civil disobedience we have to lift the curtain barring it from other forms of human reasoning. To accomplish this we have to examine the commonplace terminology of the day: democracy, morality, legality, liberty, patriotism, and idealism. All of these terms instill in the mind loosely defined concepts and prejudices.

To the casual and most often indifferent reader, civil disobedience is a "foreign importation" into the United States, and most probably inspired by communists. However, this only applies to youthful dissidents on the college campuses and to draft evaders. Civil disobedience is not confined to the rally-protest movement, but stretches to the white and blue collar workers of the suburbs. The use of strikes, especially when in violation of specific court orders, is an equal act of disobedience of civil law. We see strikes today justifiable by auto workers, by policemen and teachers, and sympathize with postal workers. Of course, strikes were not always such an esteemable action. The Pullman strike in 1894 became violent after President Cleveland called out the troops to keep the railroads moving.<sup>2</sup> As late as 1937 the viewpoint of educated people condemned strikes as a means to an end.

In that year, a group of seven Bostonians including the President Emeritus of Harvard University sent a letter to the United States Senate stating "armed insurrection—defiance of law and order and duly elected officials—is spreading like wildfire . . ." The armed insurrection to which these noteworthy gentlemen were referring was a sit-down strike at General Motors in Detroit. Of course there were no prosecutions ensuing from the strike because "political and economic powers outweighed legal considerations."<sup>3</sup> Strikes ensuing from the working class have to do with the fulfillment of pragmatic grievances, such

Footnotes at end of article.



as working conditions and salary disputes; student anti-war movements and draft evasions are of a more philosophical nature. The first instance is condoned, the second condemned. There seems to be a relationship between the public acceptance of the protest, either philosophical or pragmatic, and the public conception of the action. From this a deduction could be made concerning the terminology of pragmatic and philosophical. By this it is meant that public acceptance might be due to the nature of the grievance and the ability to remedy it. Pragmatic protest, such as working conditions, are easier to justify and remedy than philosophical protest, such as the morality of war and involuntary servitude; in short, public acceptance is due to the ability to satisfy the grievance.

The biggest obstacle in the path of the individual who has chosen civil disobedience as a political means to an end is the discrepancy between what is legal and what is moral. Is it morally right to disobey an unjust law, since law, no matter what form, is the foundation of civilized society? Or in some instances the question might read: Is it morally right to disobey a just law in order to eradicate an unjust circumstance? The answer to both of these questions is a resounding yes. The conspiracy question which applies to the accomplice of a robbery applies also to the individual conscience. To act against one's conscience because of the law is as immoral as it is illegal for a man to harbor a criminal. "Must the citizen ever for a moment . . . resign his conscience to the legislator? . . . It is not desirable to cultivate a respect for the law so much as for the right."<sup>4</sup> By lending oneself to an unjust law, by complying with that law, is a moral deprecation; and at the same time allows government to view its action as just, do to conformity. The second question appears to be immoral, but if we move from the general to the specific, understanding follows. If a number of serious traffic accidents occur at a certain intersection, and the city fathers zens to bring attention to the situation. There is at this point, no law that they can protest, what they are doing is protesting the lack of law. In order to attract attention, the citizens have to violate a just law, traffic regulations. However, the action was sparked by the highest morality, concern for the safety of others. Another valid protest would be against the welfare system. Justice Douglas has described it as a socialism for the rich and free enterprise for the poor:

"In one year Texas producers, who constitute .02 per cent of the Texas population, received 250 million dollars in subsidies, while the Texas poor, who constitute 28.8 per cent of the population, received 7 million dollars in food assistance."<sup>5</sup>

There is no law to which action-protest (designed to bring attention to the injustice) could be applied. So in order to get attention, protesters must disobey valid laws.

Both of these questions mankind has wrestled with since the conception of reason: What is morality? What is the scope of the law? These are both questions philosophical in nature and without boundaries of discussion. For the purposes of time and convenience, we will define moral as that which is right or just, and law as pertaining to the insurance of justice in social actions. Morality, or that which is right and just, cannot be legislated; however, the appearance of morality can and ought to be legislated. Ideally, the law would buttress morality, but in fact the law not only wavers from pure morality but also deals with purely non-social acts. Morality cannot be accepted as fact. It requires the conscience of the individual, and not the passage of law, to accept a newly revealed principle. "Every recog-

nition of a truth by man, or rather every deliverance from an error is always attained through a conflict between the awakening conscience and the inertia of the old condition."<sup>6</sup>

It is important to remember that an act of civil disobedience is not spontaneous. In his book, *Man v. The State*, Milton Mayer opens with a statement by Lewis F. Powell, Jr., President of the American Bar Association: "An ordered society cannot exist if every man may determine which laws he will obey . . . that only 'just' laws need be obeyed and that every man is free to determine for himself the question of 'justness'." Mr. Powell seems to believe that an individual picks "just" and "unjust" from a hat. It seems evident that the Gandhis and Kings, among the most well known proponents of disobedience, have an equal right to determine justice as the legislator does. An act of civil disobedience cannot be paralleled to a common theft. The first is the obvious distinction that one is a social motive, the other a selfish motive. The second is that much soul searching and premeditation accompanies civil disobedience, where as the thief acts more pragmatically. To Gandhi, civil disobedience was a non-violent action; satyagraha—love force. Non-violence required complete self-purification. Before one can practice non-violence in relation to others, he must achieve spiritual non-violence with himself.<sup>7</sup> Most of the debate in movements of disobedience in the United States is not whether to commit acts of violence, but whether to expose oneself to violence.<sup>8</sup>

So we see that non-violence is the chief tactic of civil disobedience. Non-violence is not an attempt to seize power, but rather to transform the relationships of power.<sup>9</sup> This is not to say that non-violence is the only means of disobedience. Gandhi, the disciple of non-violence, speaks of violence as well:

"(Injustice must be resisted). No doubt the non-violent way is always the best, but where that does not come naturally the violent way is both necessary and honorable. Inaction here is rank cowardice and unmanly."<sup>10</sup>

Martin Luther King brought the theories of non-violence to the United States. In his book, *Stride Toward Freedom*, he speaks of the six components of non-violence. First, the belief in passive resistance was a belief that battles of the mind promoted more justice than battles of the flesh. Second, non-violence is not a tactic to defeat the opponent, but an attempt of reconciliation, an attempt to win his friendship and understanding. Third, the attack is against the forces of evil and not the agents of evil; "The tension . . . is not between white people and Negro people. The tension is . . . between justice and injustice . . . We are out to defeat injustice and not white people who may be unjust."<sup>11</sup> Fourth, a willingness to accept suffering without retaliation. This is an attempt to stir the consciences of other people. Fifth, an avoidance of spiritual as well as physical violence. Not only does he refuse to maim his opponent, he refuses to hate him as well.<sup>12</sup> Sixth, the believer in non-violence, as all people desiring change, has a faith in the future.<sup>13</sup>

Both Gandhi and King had deep convictions concerning morality, and the realm of God. They held, as others before and since, that man is obedient to God first, and to the state second. Furthermore, they believed, as did St. Thomas Aquinas, that "Human law does not bind a man in conscience . . . (and if it conflicts with man's participation in the Eternal Law) human laws should not be obeyed."<sup>14</sup> The writers of the American Declaration of Independence bottomed their cause on "the Laws of Nature and of Nature's God." It was thus recognized that there was a supreme law higher than that of the state.<sup>15</sup> Again, at the Nuremberg trials the

Nazi leaders were convicted of crimes against humanity. Their actions were legal by German law, but apparently there was a universal criminal code which transcended the sovereign laws of Germany.<sup>16</sup>

At this point the conflict between morality and legality takes the turn of a conflict between individual liberty and state authority. In democracies, the power to govern is derived from the will of the people. Moreover, it is the will of the majority of the people. Therefore, there are two intrusions on the individual's liberty; first, the possible intrusion by the state, and second, the tyranny of the society itself. In the first case, the individual has the best ability to safeguard his own liberty. In the second place, it is the role of the state to protect a minority from the opinions and feelings of the majority. John Stuart Mill describes the three parts of liberty. First, the liberty of conscience, to think and hold opinions not subject to an external force. Second, the liberty of tastes and pursuits. Third, from the individual liberty described follows the liberty of combination among individuals.<sup>17</sup> In the first case, the state is the most fervent opponent; for the state to be able to function, it requires a general consensus of opinion. In the second case, society, sometimes acting through the state, is the antecedent to liberty. In the South, it was the opinion of whites, acting through the state, which regulated the lives and subsequent aspirations of the majority Negro population. It was the tyranny of social fashion, which until recently, regulated the aspirations of millions of people. In the final case, it is presently the state which is forbidding this liberty in the name of "conspiracy." The first instance, of freedom of conscience and opinion, is carried into action by Mill.

"The same reasons which show that opinion should be free, prove also that he should be allowed, without molestation, to carry his opinion into action at his own cost."<sup>18</sup>

In the book, *Concerning Dissent and Civil Disobedience*, Justice Fortas speaks of the power of the ballot box as an alternative to violence. But in the case of the civil rights movement, and until recently, the draft resistance, no access was given to the ballot box. And even with the ballot box, we still became involved in a war which the electors had rejected. Howard Zinn, paraphrasing Thoreau, writes:

"Democracy is not just a counting up of votes; it is a counting up of actions. . . . That is why civil disobedience is not just to be tolerated; if we are to have a truly democratic society, it is a necessity."<sup>19</sup>

The present situation in the United States is so tense that it inspired Jon Van Dyke, a professor of law, to write:

"We live in a country so polarized that our political leaders have chosen to put into jail, force into exile, or kill many Americans solely because they disapprove of the way they live or the ideas they have."<sup>20</sup>

Even after the Presidential Commission on the Causes and Prevention of Violence found that the violence at the 1968 Democratic Convention was caused by the police, seven individuals of the New Left were charged and convicted of crossing state lines to incite a riot. There seems to be a conspiracy in the land, not by the dissident groups, but by the federal government. The Mayor of Seattle revealed that his Chief of Police was asked by the Federal Bureau of Investigation, under the supervision of the Justice Department, to conduct a raid on the local headquarters of the Black Panther Party. There have already been raids in Chicago, Omaha, and Los Angeles, with the police insisting that they were "provoked." The Defense Minister of the B.P.P., Huey Newton, speaks of two choices of the oppressed: Reactionary suicide or revolutionary suicide. The first is caused by an adherence to the present system, and the environment it produces; the

Footnotes at end of article.

second, dying a noble death by violently opposing the established order.<sup>21</sup> Again, Mr. Van Dyke continues:

"This fear is increased when they note that the federal government continues to maintain large internment camps in various parts of the country. They are unable to find any explanation . . . other than that someone in the federal government is contemplating the possibility of someday putting people in them."<sup>22</sup>

Of the more recent court actions, it is worth noting the conspiracy trials. The government has decided to prosecute individuals who "conspire to commit . . ." At this time we will deal briefly with two such trials, the Oakland Seven and the Boston Five.

The Oakland Seven were acquitted of conspiracy to commit misdemeanors. But it is worthwhile noting the manner the case was put together by the state. Under California law, conspiring to commit a misdemeanor is a felony. The misdemeanors to which the conspiracy charge was made were Trespass and Resisting Arrest. The Seven were prosecuted for planning the demonstration on Tuesday, October 17, 1967 (during Stop the War Week) at the Oakland Induction Center. On that day, there were 2,000 demonstrators and 25 arrests. At 7 A.M., the police code 200 was announced over the public address system, presumably an alert to the undercover agents to clear the area. After the order of dispersal, a police wedge began to march down Clay Street, clubbing and macing indiscriminately. On the following Friday, 10,000 demonstrators shut down the center, putting barricades up and acting more like a spontaneous army than demonstrators. There were no conspiracy charges due to lack of evidence. In the case of the Seven, there was numerous testimony by undercover agents, a typical circumstance in "conspiracy" trials. The language of the police is reminiscent of Pentagon jargon, as Emma Rothschild remarks:

"The language of the police witnesses evoked the rhetorical style of the war in Vietnam . . . In Vietnam the Oakland Police are helped in their pacification endeavors by Revolutionary Development Cadres. At home they have a Tactical Unit . . . "We don't arrest under conditions of Clear the Streets." We don't take prisoners under conditions of Search and Destroy."

In fact, adding to this jargon, the S.F.P.D. had the Tactic Squad, once the Vice Squad, and now the Crime Control Unit!

In the case of the Boston Five, or the Spock trial, the government indictment charged the defendants conspired to (1) counsel, aid, and abet Selective Service registrants to refuse military service, and (2) to interfere with the administration of the Selective Service Act. Due to the rulings of Judge Ford, the government need only show that conspiracy was committed. The fact of the legality or morality of the war or involuntary servitude was ruled inadmissible.<sup>23</sup> In a case of theft the motivation is taken into account, both during the trial and sentencing. But in this case, motivation plays no part. It is obvious that the government's intent was not to prosecute the defendants, but prosecute the movement. It was an attempt to stifle all discussion concerning the war. It was a blind attempt, however, since opposition to the war is raised by the media, the academic instruction, and a generally enlightened public.

There is in America institutionalized violence. It is broader than the police force and internment camps already described. It includes the vicious cycles of poverty and oppression working together glove in hand. We describe the act of one individual knocking out the teeth of another as violent; but in the same breath disavow that poverty,

causing inadequate dental care (and subsequent loss of teeth), is violent. There seems to be a sanction to this form of violence, perhaps caused by the social implications of Darwin's Theory of Evolution. Survival of the fittest applies to the animal kingdom, and thus sanctions the same law in human relations. However, at the same time, we agree that man is a higher form of life than animals because man is guided by reason rather than instinct. So in one instance we use a law governing all animals to sanction our actions, and at another time declare man superior to the animal kingdom, with the logical but disavowed conclusion that he is no longer subject to those laws.

In all societies, there exists polarization, usually figurative but sometimes actual. Erick Hoffer writes in *The True Believer* that "The conservative doubts that the present can be bettered, and he tries to shape the future in the image of the present . . . The liberal sees the present as the legitimate offspring of the past and as growing and developing toward an improved future . . ." The polarization consists in the exponents of the status quo and of those supporting change. The supporters of the status quo brandish their swords in the form of "law and order." However, the implications of a doctrine of law and order are not doled out in equal proportions to the populous. We see in the auto workers strike of 1937 that there would be political ramifications of enforcing such a doctrine. Today, no doubt, the implications remain the same. To find the dissidents to which this phrase is meant we have to look outside the political and economic power structures. Groups without the formal channels of power are naturally striving to gain access to the power structure. Since the supporters of the status quo do not desire change; and at the same time the formal channels of power are denied to the powerless, more informal sometimes illegal, but not necessarily immoral actions of the powerless are required to gain power. The degree of change necessary for the assimilation of the powerless into the folds of the powerful is regulated by the proponents of the status quo. In *The True Believer*, Erick Hoffer reminds us that if the individual or group is satisfied by the ends, the means to the end is inconsequential. But if a group objects to the ends, the means to the end is attacked. It is interesting to note that the same exponents of law and order would place equal weight on emphasizing what was right with America. But while these words are spoken children learn the familiar maxim of judging a chain by its weakest link. If the pages of history are indeed filled with warning, we should take heed to the fact that "the Greco-Roman civilization is said to have fallen because it preferred 'law to justice'."<sup>24</sup>

Myths are created in order to unite two alienated ideas. In most instances the two alienated ideas are as separate as real and ideal. In America some very well bred myths are in occurrence. The myth of pauper to prince serves to reconcile the feelings of individuals that they are not born into classes. Another myth of reconciliation is that of equality.

A Negro child born in the ghetto is not equal to the son of H. L. Hunt, born into prosperity. Of course scientifically they are equal, but socially and culturally they are unequal. A myth prevalent today is that of peaceful change. America's past is full of incidents in which the only possible manner to fulfill grievances was violent action. This will be taken up later in more detail. Myths are created and used in a manner to exploit people. The myth of pragmatism insures hard and steady work, where the only possible manner of advancement lies in chance circumstance. The myth of equality is particularly devious. It is worthwhile noting that

the preponderance of ghetto riots occurred in Northern States. In the South the Negro knows beyond doubt that he is considered inferior, while lip service is payed equality.

In the North, although individuals are treated as equal, the majority are treated as inferior, while lip service is again payed to equality. This lip service creates an atmosphere of rising expectations, while actions serve as frustration. The result of these frustrations still scar American cities. The final myth of exploitation is peaceful change. By creating such an atmosphere the foundation is laid for acceptance of formal channels and formal results; regardless of the outcome, there is no need to result to violence. Americans indeed have short memories. In 1964 President Johnson campaigned as a peace candidate. He was opposed to "supply American boys to do a job that Asian boys should do."<sup>25</sup> But by 1965 we were deeply involved in the longest war in our history.

It is important to realize as we study civil disobedience what Michels has termed the Iron Rule of Oligarchy: "He who speaks of power, speaks of domination, and all dominations presumes the existence of a dominated mass."<sup>26</sup> Once access is given to the power structure, and effort is made to strengthen and solidify the power gained. Democratic institutions have an inherent weakness in organization. Democracy is the delegation of power from the many to the few. As the delegation of power increases, from the elected officials to the committee to the commission, control by the masses becomes less feasible. All organizations must develop leadership. Once an individual assumes the role of leadership due to his superior knowledge of rules and regulations, and the ability to manipulate them, he dominates the channels of communication. Once in power, a myth is fabricated to his indispensability. The leader develops a moral obligation to lead the masses. All of these tendencies are increased due to the nature of the masses, incompetence:

"But the subordination of people to governments will always exist as long as patriotism exists, because all government authority is founded upon patriotism, that is, upon the readiness of people to subordinate themselves to authority in order to defend their nation, country, or state from dangers supposed to threaten."<sup>27</sup>

Society has always tried to rewrite its history in view of idealistic rather than realistic events. America has always tried to suppress from public view the incidents in our history which were unfavorable. Not until the 1950's was anything taught in public schools as to the tragic fate of the Donner Party in their attempt to enter California. Again the same is true concerning civil disobedience. The pages of history are filled with events usually eluded to briefly. The American Revolution is characterized as a revolution, not an act of civil disobedience. But the truth is that only a minority of settlers approved of separation. The characterization of the Indian wars gives support to the actions of the federal government. Books and movies pitted "cowboy" against "Indian" with justice riding in the saddle next to the cowboy. No movie was ever written however, about the diverse manner of wars. In dealing with the Apaches, the government traded blankets infected with small pox for Indian crafts, with the obvious results. In fact however, Indian wars were nothing more than "armed insurrections by domestic groups to which the United States had determined to deny with privileges of citizenship as well as the prerequisites of nationhood."<sup>28</sup>

The Civil War perhaps could have been averted if acts of civil disobedience were allowed. John Brown, acting independently, attempted to begin a slave insurrection.

Footnotes at end of article.



But the federal government prosecuted and hanged John Brown for defying the law. "Having suppressed all acts of civil disobedience involving violations of law and relatively small acts of violence, the national government then found itself engaged in frightfully large acts of violence in order to both unify the country and end the slave system."<sup>31</sup> Perhaps if small acts of disobedience were allowed, slavery could have been ended at a cost far less than 6,000,000 men. The history of violence in America is best paraphrased by Jerome Skolnick, writing in *The Politics of Protest*:

"The Appalachian farmer revolts, as well as tumultuous urban demonstrations in sympathy with the French Revolution, were used by Jeffersonians to create a new two-party system over the horrified protests of the Federalists. Northern violence ended Southern slavery, and Southern terrorism ended radical Reconstruction. The transformation of labor-management relations achieved during a wave of bloody strikes, in the midst of a depression and widespread fear of revolution. And black people made their greatest political gains, both in Congress and in the cities, during the racial strife of the 1960's."<sup>32</sup>

Civil disobedience is a defensive, not offensive, movement. The state mounts the offensive by intruding on the liberty of the individual, or by participating in a situation that raises serious questions as to legality and morality, without adequately answers.<sup>33</sup> The citizenry needs the power to check the power of the state. The history of the United States, or of any state, is a history of violence, cruelty, and intrusion. The people are the most dependable defendants of their individual liberty.<sup>34</sup> Civil disobedience must be tolerated in a democratic society:

"That is exactly the point of civil disobedience . . . that it is an attempt to bring about revolutionary social changes without the enormous human toll of suicidal violence or total war which often fall on a society unwilling to go outside accustomed channels."<sup>35</sup>

Perhaps it is best to end this dissertation with an appropriate warning from John Stuart Mill:

"The worth of a State, in the long run, is the worth of the individuals composing it; and a State which postpones the interests of their mental expansion and elevation, to a little more of administrative skill, or of that semblance of it which practice gives, in the details of business; a State which dwarfs its men in order that they may be more docile instruments in its hands even for beneficiary purposes—will find that with small men no great thing can really be accomplished . . ."<sup>36</sup>

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<sup>1</sup> Francis Bacon, "The Four Idols," *Readings in Philosophy* (New York: Barnes and Noble Inc., 1950), p. 101.  
<sup>2</sup> Jerome Skolnick, *The Politics of Protest* (New York: Simon and Schuster), p. 14.  
<sup>3</sup> Paul Jacobs, "The Varieties of Violence," *The Center Magazine*, II (Jan., 1969), p. 17.  
<sup>4</sup> Henry David Thoreau, *Walden and Civil Disobedience* (Boston: Houghton Mifflin Co., 1957), p. 236.  
<sup>5</sup> William O. Douglas, *Points of Rebellion* (New York: Vintage Books, 1968), p. 72.  
<sup>6</sup> Leo Tolstoy, *On Civil Disobedience and Non-Violence* (New York: Bergman Publishers, 1967), pp. 15-16.  
<sup>7</sup> Mahatma Gandhi, *Gandhi on Non-Violence* (New York: New Directions Publishing Co., 1965), p. 24.  
<sup>8</sup> Skolnick, *op. cit.*, p. 68.  
<sup>9</sup> Gandhi, *op. cit.*, p. 28.  
<sup>10</sup> *Ibid.*, p. 39.  
<sup>11</sup> Martin Luther King, *Stride Toward Freedom* (New York: Harper and Row, 1958), p. 84.  
<sup>12</sup> *Ibid.*, p. 86.  
<sup>13</sup> *Ibid.*, p. 88.  
<sup>14</sup> Milton Mayer, *Man v. The State* (Phoenix, Arizona: Valley Paperback Manufacturers, Inc., 1969), p. 59.  
<sup>15</sup> *Ibid.*, p. 57.  
<sup>16</sup> *Ibid.*, p. 58.  
<sup>17</sup> John Stuart Mill, *On Liberty* (New York: Appleton-Century-Croft, 1947), p. 12.  
<sup>18</sup> *Ibid.*, p. 56.  
<sup>19</sup> Howard Zinn, *Disobedience and Democracy* (New York: Vintage Books, 1968), p. 25.  
<sup>20</sup> Jon Van Dyke, "The Case for a General Amnesty," *The Center Magazine*, IV (Jan./Feb., 1971), pp. 64-65.  
<sup>21</sup> *Ibid.*, p. 66.  
<sup>22</sup> *Ibid.*, p. 64.  
<sup>23</sup> New York Review, *Trials of the Resistance* (New York: Vintage Books, 1970), p. 118.  
<sup>24</sup> *Ibid.*, p. 84.  
<sup>25</sup> Erick Hoffer, *The True Believer* (New York: Harper and Row, 1951), pp. 70-71.  
<sup>26</sup> "Limits of Dissent," *The Center Magazine*, I (Nov., 1968), p. 5.  
<sup>27</sup> Skolnick, *op. cit.*, p. 37.  
<sup>28</sup> Robert Michels, *Political Parties* (New York: The Free Press, 1962), p. 346.  
<sup>29</sup> Tolstoy, *op. cit.*, p. 80.  
<sup>30</sup> Skolnick, *op. cit.*, p. 11.  
<sup>31</sup> Zinn, *op. cit.*, p. 103.  
<sup>32</sup> Skolnick, *op. cit.*, p. 16.  
<sup>33</sup> Raghavan Iyer, "Second Edition/Civil Disobedience," *The Center Magazine*, III (May, 1970), p. 58.  
<sup>34</sup> Zinn, *op. cit.*, p. 119.  
<sup>35</sup> *Ibid.*, p. 119.  
<sup>36</sup> Mill, *op. cit.*, pp. 117-118.

ICAO AND AIRCRAFT HIJACKING: A SUCCESS STORY

HON. TOM RAILSBACK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 16, 1971

Mr. RAILSBACK. Mr. Speaker, one of the major success stories in our quiet international diplomacy is the work of the U.S. representative to the International Civil Aviation Organization (ICAO). ICAO is headquartered in Montreal and was formed in 1944 to provide a forum for nations to work out their common aviation problems. It is no easy task to forge agreement among the 119 member states of that organization. But the work and leadership exemplified in the outstanding efforts of Charles F. Butler, U.S. representative to ICAO, in helping to make possible a convention for the suppression of unlawful seizure of aircraft is such as to make President Nixon justifiably proud. As a Presidential appointee, Mr. Butler, with the personal rank of Minister, has distinguished himself and his country by his great service in this arena of international diplomacy.

The March 1971 issue of *Air Line Pilot—the Magazine of Professional Flight Crews*, published by the Air Line Pilots Association, contains an interesting article on Charles F. Butler, ICAO, and the hijacking convention. Edited by Lou Davis and written by Ginny Earnshaw, the article is both interesting and informative.

I include it at this point in the RECORD:

OUR MAN AT ICAO LOOKS AT HIJACKING  
 CHARLES F. BUTLER ASSESSES THE U.S. ROLE IN INTERNATIONAL CIVIL AVIATION  
 (By Ginny Earnshaw)

Our man at ICAO is presidential appointee Charles F. Butler, U.S. representative to the International Civil Aviation Organization in Montreal.

He is 37, younger than might be expected since his job is only one rung below a foreign minister on the Foreign Service ladder. He is a graduate of Boston University and has a law degree with honors from George Washington University Law School in Washington. He also has considerable knowledge of international law, acquired from service with CAB's Bureau of International Affairs and with Eastern Air Lines as Washington representative for international proceedings. In 1969, he served at the White House on the staff of Harry S. Fleming, presidential assistant. He was appointed to his ICAO post in May 1969.

In Montreal, he lives with his wife and four young children in a quiet suburban section. But, even so, possible kidnapping by French-language-separatist terrorists is an ever-present fear. To protect the Butlers, the Canadian government details a soldier to guard his home and he is driven to work in a police car to his office in the ICAO building in downtown Montreal.

With a staff of one deputy, who is also a member of the Air Navigation Commission of the U.S., and three secretaries, Butler relies frequently on staff support from Washington. Direct Teletype lines are maintained to FAA and the State Department in Washington.

It is Butler's job to represent the U.S. at the 120-member ICAO General Assembly and on the 27-member rulemaking ICAO Council.

cil, which is permanently in session in Montreal. ICAO is a specialized agency of the United Nations with all the problems inherent to global rule. On Butler rests the burden of using the weight of the U.S. aviation structure to protect U.S. interests to make sure that whatever is approved for worldwide application is consistent with what the U.S. would like to do and with what it feels the state of the art will permit being done.

Butler emphasizes that when you are on the ICAO Council and dealing with 26 other countries, you don't have total control over the final results. To put it in the pilot's language: It is a negotiated settlement he is trying to reach. He hopes it is one that, because of U.S. expertise in aviation, he can direct along acceptable lines.

He was glad, he said, to answer questions about ICAO and hijacking for the airline pilot. He visited the ALPA Home Office during the January International Air Transportation Security Meeting at the State Department in Washington (*Air Line Pilot*, February).

*Mr. Butler, what do you see as the solution to the international problem of hijacking?*

"When you finally convince countries it is in their best interest to stop hijacking, then that's when you are finally going to stop it. Until there is no safe haven for political reasons, it will continue. For the past year and a half we have been trying to make inroads on this in the legal area."

*Why has it taken ICAO so long to act?*

"Actually it has not taken ICAO long to act. You have to realize that ICAO is not supposed to be an emergency body, it is more of a deliberative body. It is just not noted for rapid action. We have been really very successful in building up a head of steam in this international organization with all of its disabilities for lack of action. We have made some good movements in the last 12 to 18 months. . . . Next month the subcommittee will meet in Montreal to consider a resolution adopted by the ICAO Council last October, to prepare a convention on sanctions. This may take a little time because it is a more contentious issue. Sanctions of any kind is a very touchy political issue of great importance to nations. We are going ahead, and we have applied a great deal of pressure in ICAO to try to get this going. This is the legal side of what we are trying to do. It has been keeping us pretty busy."

*When you use the word "convention," what exactly do you mean?*

"By convention I mean an international agreement. A multilateral treaty is generally called a convention. An assembly, which we have every three years and which meets in June in Vienna, is a meeting at which the whole membership gets together. I belong on the Council, which is like the ALPA Executive Committee. In ICAO it is composed of 27 countries. The Russians, by the way, joined ICAO in December, and they will probably be elected to the Council in June in Vienna."

*What happened at the June, 1970, extraordinary session of the General Assembly in Montreal?*

"Ninety-one countries showed up out of 119 as well as the USSR and 12 international organizations. That was pretty good representation. They came solely to deal with problems of hijacking, sabotage, and armed attack against aircraft. The Assembly called for early ratification of the treaty on unlawful seizure and preparation of a treaty on sabotage. It also came up with a series of recommendations for improvements in security procedures, on the ground and in the air. The members found loopholes in today's normal security procedures at airports. They made 30 recommendations for use under normal circumstances. For instance: fencing the perimeter of airports, isolation of the air side of the airport, making cargo and pas-

senger areas inaccessible after they have been security processed, and allowing only authorized people on the ramp near the aircraft. The sessions brought out a number of areas where procedures need tightening. ICAO also made an additional 36 recommendations for use during times of high risk, when it is known a route or area has been or is about to be a target. These are costly, but generally regarded as worthwhile if the risk is real."

*What has been done with these recommendations?*

"ICAO is preparing a manual on security to present to the June General Assembly in Vienna. It will provide a set of rules on how to set up and secure a system in flight and how to handle aircraft, passengers, cargo and mail at airports. It will outline suggestions for preventative measures in flight. It includes a program for small airports as well as large ones. It emphasizes the fact that security has to be considered in the design of an airport. Today, passengers can wander anywhere they want. We can't prevent access to the ramp. There is no real restriction. I repeat, and this will be emphasized in the manual, security must be designed in the airport. After approval, the security manual will be distributed to the member countries of ICAO for adoption."

*Have any of the recommendations made last June been implemented?*

"The FAA called the Jan. 11-13 International Air Transportation Security Meeting at the State Department in Washington precisely so that the aviation and diplomatic representatives of the member nations could exchange information with each other on how they are implementing what ICAO has recommended, to tell what difficulties they have run into and exchange information on the state of the art of various protection devices. They found, for instance, the magnetometer is no good for explosives in cargo, air freight or baggage when the passenger is not boarding. Dogs do much better. They exchanged information on technical devices being tested now, on medical hazards from radiation and X-ray for instance, on research and development in the detection field and on ways to exchange information. It is most important to open channels, so if one country or company gets information about a potential hijacking he won't keep it to himself. He'll turn to the guy next to him and say, 'We just turned a fellow down who looked suspicious.' That will prevent the suspect from going to the other end of the ticket counter and buying passage on an aircraft of another, less careful airline."

"The conference was outstandingly successful with 83 countries attending, including the USSR, Czechoslovakia, Hungary, Poland and Yugoslavia. They came to talk about hijacking and see what is being done to improve matters and where difficulties have been encountered. Obviously some countries have difficulties with the U.S. sky marshal program that was started in September. Some countries have not been faced with the same problems as the U.S.: the loss of aircraft, frequency of hijackings, the intensity of threat. Many are keeping an open mind. I don't think any exclude it. Most have been extremely cooperative so far as the U.S. program is concerned, and understanding about why the U.S. had to go ahead until there was some acceptable substitute that would provide protection before the hijacker gets on the airplane."

*As you see it, what has been the most significant move so far?*

"The diplomatic conference at The Hague in December at which 77 countries showed up to negotiate this Convention and 50 signed it before they left. Finland has signed since it was opened for signature in Washington, London and Moscow on Jan. 1. It's a good strong convention. It doesn't have everything the U.S. wants in it, however, not by a long shot."

"The Convention is important because it sets the tone for severe treatment of anyone who commits a hijacking. It calls for the countries to enact legislation 'making it an offense carrying severe penalties.' That is almost the exact wording. It emphasizes extradition, but does leave the possibility of prosecution if the country does not extradite. In that event, the hijacker is turned over for prosecution within the country."

"There is nothing to ensure every country will interpret 'severe penalties' the same way. There is nothing to say every country is going to prosecute the same way. If the country is politically favorable to the individual who committed the hijacking, the penalty meted out will probably not be the same as that meted out to one who has committed an offense against one of its own registered aircraft."

*The tone is set, however. That is important. One has to get off on the right foot. We have, we hope.*

*What is the next step?*

"The Hague Convention must be ratified. After the member nations sign the agreement, they still have to follow through with a ratification procedure. It will require ratification by 10 countries to put the agreement into effect. You have to remember in world government that even if 10 ratifications are set as a minimum to make a treaty law, it is still necessary to get ratifications from the other countries to make it truly effective. In this country we are already drafting legislation making necessary alterations in our laws to submit to the Senate when the President sends The Hague Convention to the Senate for ratification. The Senate is just back in session, and they are ready to go."

*And then, after it is ratified?*

"The third area in the legal field is the most difficult for ICAO. The U.S. has been putting a great deal of pressure on the international community for joint action on a sanctions convention, calling for suspension of air service to or from a country that protects hijackers for purpose of blackmail. We did get through the Council of ICAO last September a resolution that endorsed the idea of countries getting together for joint action, namely a convention, to agree to suspend service under these circumstances. We were also able to get the Council to agree that the Legal Committee would begin work on drafting a convention to embody the principle of suspending service."

*Since it was formed at the Chicago Convention in 1944, ICAO has been busy on a great many projects concerned with the development of international civil aviation. Can you tell the pilots about some of them?*

"Promoting the safe and orderly development of civil aviation, as outlined in article 44 of the Chicago Convention, is an admirable objective; but how you go about it is not always agreed upon. The U.S. has the responsibility in ICAO to make sure its civil aviation procedures and standards are well protected in the international forum."

"I would say ICAO's principal responsibility in the technical area is the standardization and uniformity of procedures and equipment internationally. This means a pilot can leave New York and continue to his trip halfway around the world, stopping in a dozen places, and each place he stops he will find the procedures used at the airport and in the air traffic control services, the airport markings, taxiways and lighting so standardized he will not feel he is coming into a strange place."

*Is this true today?*

"Roughly, yes. For example, ICAO has standardized communication procedures, weather reporting, air traffic control procedures, the language used [it is English], and the use of nautical miles. No matter where the pilot flies among the ICAO nations he finds similar rules accepted for the opera-



tion of the airplane. This is not true for instance, of Red China, which is not a member of ICAO."

Where else has ICAO standardized procedures?

"It has attempted to standardize as much as possible the world requirements for training and licensing of airmen. There was an ICAO meeting last fall on the number of hours required for a commercial pilot's license. Nothing significant was changed, however. Not every country lives up to the ICAO standard. Some have difficulty implementing part of the requirements because they don't have the technical wherewithal. We are in the process of providing technical assistance to these people so they will be brought up to the world's standard, and insure that safety and uniformity of requirements for airmen will be the same no matter where you go."

Can a nation require stricter standards than those ICAO proposes?

"It is possible a country could have more stringent requirements than ICAO's. The main point is that ICAO's should be the minimum required. At least ICAO is providing a floor, a minimum, that is reasonable and is accepted worldwide."

Is the viewpoint of pilots represented in the ICAO meetings?

"Definitely. The International Federation of Air Line Pilots Associations represents pilots on many panels or groups of experts and at many meetings, too. The pilots provide input at air navigation meetings all the time. They also participate in the all-weather operations panel, the obstacle clearance panel and the air worthiness panel, to mention a few."

The ASTRA panel, that is the Aeronautical Satellite and Telecommunications group. What is it doing?

"It met in Montreal in January and in Washington in February. It is working now on what use civil aviation will make of a satellite to be put up in 1975. ICAO is hoping to find answers to questions like how many UHF channels will be provided, and what kind of performance can be expected. The preoperational satellite will be up over the Pacific next year. It will be expensive and efficient. That means more use and less cost per unit. Whether it will be used exclusively for aircraft depends on demand. The airlines make so many demands now on commercial channels of VHF over the Atlantic, I would expect the satellite UHF channels would be used mostly for aviation in both the Pacific and the Atlantic. We don't expect to have an operational system until 1980, when all the economic and technical bugs have been ironed out. We have to find out who is to pay for use of commercial channels, how it works with ATC surveillance and many other questions that will be answered, hopefully, between 1973 and 1980."

"Airport noise and sonic boom are two other ICAO research efforts. We have been working on the sonic boom for two years trying to find what it is, how you measure it, and what implications it has for human activities. It is being studied by an international group of experts on sonic boom."

Certification standards for new aircraft are being studied by ICAO experts, as well as operational requirements for the SST with a view toward international standardization of operating procedures for these planes of the future, even though they are not yet in commercial service."

WHAT IS ICAO?

ICAO is the International Civil Aviation Organization. This international governmental organization is one of the specialized agencies associated with the United Nations. ICAO was formed in 1944 under U.S. leadership to provide a way for nations to work out their common aviation problems. These problems range from the collection of reliable statistics to adoption of

international standards to be used in licensing pilots and other airmen. The most recent problem to go before ICAO is that of hijacking. To deal with the rising wave of aircraft piracy, ICAO called an "Extraordinary Assembly" of its members last June in Montreal. Delegates from 91 of its 119 member states attended. In addition, Russia attended as an observer (the USSR has since joined ICAO). By general agreement, ICAO has been the focal point for the various antihijacking plans now being tried by different governments, including the "Sky Marshal" program now being tested by the U.S. Pilot participation takes the form of regular observers provided through the International Federation of Air Line Pilots Associations.

THE BIG FOUR

Two ICAO conventions on hijacking have been signed. Another, on sabotage, is now being drafted for consideration by ICAO delegates. Efforts are under way to begin drafting a fourth convention on sanctions.

TOKYO CONVENTION—1963

Punishment of Offenses Committed on Board Aircraft

The Tokyo Convention provides that the state of registration of the aircraft is competent to exercise jurisdiction of offenses committed on board. It empowers the aircraft commander to prevent the commission of such acts and disembark the person committing them. In event of unlawful and forcible seizure of an aircraft by a person on board it obliges the states that are parties to it to take all steps to restore control of the aircraft to the lawful commander or preserve his control.

Over 38 countries have ratified the Tokyo Convention. Twelve were required to bring it into force. It became effective Dec. 4, 1969.

THE HAGUE CONVENTION—DECEMBER 1970  
Suppression of Unlawful Seizure of Aircraft

The Hague Convention calls for the return of the aircraft to control of its commander, assistance to passengers and crew for continuation of their journey, and apprehension and prosecution or extradition of the hijacker. Each contracting state agrees to make the offense punishable by severe penalties. (See text, page 18).

The Hague Convention was adopted 74-0, with two abstentions, and was signed by 50 of the 77 states attending the diplomatic conference. Finland signed after the treaty was open for additional signatures on Jan. 1, 1971. The treaty will enter into force after ratification by at least 10 states. The treaty will be sent by the President to the U.S. Senate for ratification. Legislation is being drafted to insure speedy ratification.

DIPLOMATIC CONFERENCE SCHEDULED FOR  
SEPTEMBER 1971

Place undesignated

Convention on Suppression of Acts of Unlawful Interference against Civil Aviation (Other Than Hijacking)—i.e. sabotage, bombings, or armed attacks.

This Convention will define various actions (sabotage, bombings or armed attacks) and declare each to be a severely punishable offense—such as armed attacks against the lives of persons on board an aircraft in flight and intentional acts that seriously damage aircraft or endanger safety of flight.

A draft of this Convention was prepared in September 1970 in London by the ICAO Legal Committee. It will be considered at the September diplomatic conference.

CONVENTION ON SANCTIONS

The United States at the September 1970 meeting of the ICAO Legal Committee in London proposed that a convention on sanctions be prepared.

It is expected to provide that states agree to suspend air services to a country harboring a person who hijacks a civil aircraft or kid-

naps passengers on a civil aircraft. Canada has proposed that sanctions be provided by bilateral air transport agreements.

The subcommittee of the ICAO Legal Committee will meet in Montreal in April to consider a proposal to draft this convention.

CONVENTION FOR THE SUPPRESSION OF UNLAWFUL SEIZURE OF AIRCRAFT

PREAMBLE

The States parties to this convention Considering that unlawful acts of seizure or exercise of control of aircraft in flight jeopardize the safety of persons and property, seriously affect the operation of air services, and undermine the confidence of the peoples of the world in the safety of civil aviation;

Considering that the occurrence of such acts is a matter of grave concern;

Considering that, for the purpose of deterring such acts, there is an urgent need to provide appropriate measures for punishment of offenders;

Have agreed as follows:

ARTICLE 1

Any person who on board an aircraft in flight:

(a) unlawfully, by force or threat thereof, or by any other form of intimidation, seizes, or exercises control of, that aircraft, or attempts to perform any such act, or

(b) is an accomplice of a person who performs or attempts to perform any such act commits an offence (hereinafter referred to as "the offence").

ARTICLE 2

Each Contracting State undertakes to make the offence punishable by severe penalties.

ARTICLE 3

1. For the purposes of this Convention, an aircraft is considered to be in flight at any time from the moment when all its external doors are closed following embarkation until the moment when any such door is opened for disembarkation. In the case of a forced landing, the flight shall be deemed to continue until the competent authorities take over the responsibility for the aircraft and for persons and property on board.

2. This Convention shall not apply to aircraft used in military, customs or police services.

3. This Convention shall apply only if the place of takeoff or the place of actual landing of the aircraft on board which the offence is committed is situated outside the territory of the State of registration of that aircraft; it shall be immaterial whether the aircraft is engaged in an international or domestic flight.

4. In the cases mentioned in Article 5, this Convention shall not apply if the place of takeoff and the place of actual landing of the aircraft on board which the offence is committed is situated within the territory of the same State where that State is one of those referred to in that Article.

5. Notwithstanding paragraphs 3 and 4 of this Article, Articles 6, 7, 8 and 10 shall apply whatever the place of takeoff or the place of actual landing of the aircraft, if the offender or the alleged offender is found in the territory of a State other than the State of registration of that aircraft.

ARTICLE 4

1. Each Contracting State shall take such measures as may be necessary to establish its jurisdiction over the offence and any other act of violence against passengers or crew committed by the alleged offender in connection with the offence, in the following cases:

(a) when the offence is committed on board an aircraft registered in that State;

(b) when the aircraft on board which the offence is committed lands in its territory with the alleged offender still on board;

(c) when the offence is committed on board an aircraft leased without crew to a lessee who has his principal place of business or, if the lessee has no such place of business, his permanent residence, in that State.

2. Each Contracting State shall likewise take such measures as may be necessary to establish its jurisdiction over the offence in the case where the alleged offender is present in its territory and it does not extradite him pursuant to Article 8 to any of the States mentioned in paragraph 1 of this Article.

3. This Convention does not exclude any criminal jurisdiction exercised in accordance with national law.

#### ARTICLE 5

The Contracting States which establish joint air transport operating organizations or international operating agencies, which operate aircraft which are subject to joint or international registration shall, by appropriate means, designate for each aircraft the State among them which shall exercise the jurisdiction and have the attributes of the State of registration for the purpose of this Convention and shall give notice thereof to the International Civil Aviation Organization which shall communicate the notice to all States Parties to this Convention.

#### ARTICLE 6

1. Upon being satisfied that the circumstances so warrant, any Contracting State in the territory of which the offender or the alleged offender is present, shall take him into custody or take other measures to ensure his presence. The custody and other measures shall be as provided in the law of that State but may only be continued for such time as is necessary to enable any criminal or extradition proceedings to be instituted.

2. Such State shall immediately make a preliminary enquiry into the facts.

3. Any person in custody pursuant to paragraph 1 of this Article shall be assisted in communicating immediately with the nearest appropriate representative of the State of which he is a national.

4. When a State, pursuant to this Article, has taken a person into custody, it shall immediately notify the State of registration of the aircraft, the State mentioned in Article 4, paragraph 1(c), the State of nationality of the detained person and, if it considers it advisable, any other interested States of the fact that such person is in custody and of the circumstances which warrant his detention. The State which makes the preliminary enquiry contemplated in paragraph 2 of this Article shall promptly report its findings to the said States and shall indicate whether it intends to exercise jurisdiction.

#### ARTICLE 7

The Contracting State in the territory of which the alleged offender is found shall, if it does not extradite him, be obliged, without exception whatsoever and whether or not the offence was committed in its territory, to submit the case to its competent authorities for the purpose of prosecution.

Those authorities shall take their decision in the same manner as in the case of any ordinary offence of a serious nature under the law of that State.

#### ARTICLE 8

1. The offence shall be deemed to be included as an extraditable offence in any extradition treaty existing between Contracting States. Contracting States undertake to include the offence as an extraditable offence in every extradition treaty to be concluded between them.

2. If a Contracting State which makes extradition conditional on the existence of a treaty receives a request for extradition from another Contracting State with which it has no extradition treaty, it may at its option

consider this Convention as the legal basis for extradition in respect of the offence. Extradition shall be subject to the other conditions provided by the law of the requested State.

3. Contracting States which do not make extradition conditional on the existence of a treaty shall recognize the offence as an extraditable offence between themselves subject to the conditions provided by the law of the requested State.

4. The offence shall be treated, for the purpose of extradition between Contracting States, as if it had been committed not only in the place in which it occurred but also in the territories of the States required to establish their jurisdiction in accordance with Article 4, paragraph 1.

#### ARTICLE 9

1. When any of the acts mentioned in Article 1(a) has occurred or is about to occur, Contracting States shall take all appropriate measures to restore control of the aircraft to its lawful commander or to preserve his control of the aircraft.

2. In the cases contemplated by the preceding paragraph, any Contracting State in which the aircraft or its passengers or crew are present shall facilitate the continuation of the journey of the passengers and crew as soon as practicable, and shall without delay return the aircraft and its cargo to the persons lawfully entitled to possession.

#### ARTICLE 10

1. Contracting States shall afford one another the greatest measure of assistance in connection with criminal proceedings brought in respect of the offence and other acts mentioned in Article 4. The law of the State requested shall apply in all cases.

2. The provisions of paragraph 1 of this Article shall not affect obligations under any other treaty, bilateral or multilateral, which governs or will govern, in whole or in part, mutual assistance in criminal matters.

#### ARTICLE 11

Each Contracting State shall in accordance with its national law report to the Council of the International Civil Aviation Organization as promptly as possible any relevant information in its possession concerning:

- the circumstances of the offence;
- the action taken pursuant to Article 9;
- the measures taken in relation to the offender or the alleged offender, and, in particular, the results of any extradition proceedings or other legal proceedings.

#### ARTICLE 12

1. Any dispute between two or more Contracting States concerning the interpretation or application of this Convention which cannot be settled through negotiation, shall, at the request of one of them, be submitted to arbitration. If within six months from the date of the request for arbitration the Parties are unable to agree on the organization of the arbitration, any one of those Parties may refer the dispute to the International Court of Justice by request in conformity with the Statute of the Court.

2. Each State may at the time of signature or ratification of this Convention or accession thereto, declare that it does not consider itself bound by the preceding paragraph. The other Contracting States shall not be bound by the preceding paragraph with respect to any Contracting State having made such a reservation.

3. Any Contracting State having made a reservation in accordance with the preceding paragraph may at any time withdraw this reservation by notification to the Depositary Governments.

#### ARTICLE 13

1. This Convention shall be open for signature at The Hague on 16 December 1970, by States participating in the International Conference on Air Law held at The Hague from 1 to 16 December 1970 (hereinafter re-

ferred to as The Hague Conference). After 31 December 1970, the Convention shall be open to all States for signature in Moscow, London and Washington. Any State which does not sign this Convention before its entry into force in accordance with paragraph 3 of this Article may accede to it at any time.

2. This Convention shall be subject to ratification by the signatory States. Instruments of ratification and instruments of accession shall be deposited with the Governments of the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, and the United States of America, which are hereby designated the Depositary Governments.

3. This Convention shall enter into force thirty days following the date of the deposit of instruments of ratification by ten States signatory to this Convention which participated in The Hague Conference.

4. For other States, this Convention shall enter into force on the date of entry into force of this Convention in accordance with paragraph 3 of this Article, or thirty days following the date of deposit of their instruments of ratification or accession, whichever is later.

5. The Depositary Governments shall promptly inform all signatory and acceding States of the date of each signature, the date of deposit of each instrument of ratification or accession, the date of entry into force of this Convention, and other notices.

6. As soon as this Convention comes into force, it shall be registered by the Depositary Governments pursuant to Article 102 of the Charter of the United Nations and pursuant to Article 83 of the Convention on International Civil Aviation (Chicago, 1944).

#### ARTICLE 14

1. Any Contracting State may denounce this Convention by written notification to the Depositary Governments.

2. Denunciation shall take effect six months following the date on which notification is received by the Depositary Governments.

In witness whereof the undersigned Plenipotentiaries, being duly authorized by their Governments, have signed this Convention.

Done at The Hague, this sixteenth day of December, one thousand nine hundred and seventy, in three originals, each being drawn up in four authentic texts in the English, French, Russian and Spanish languages.

### TRIBUTE TO THE LATE WHITNEY YOUNG, JR.

#### HON. RALPH METCALFE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 16, 1971

Mr. METCALFE. Mr. Speaker, the struggle for equality by black Americans has been going on for many years. Many methods have been employed and many leaders have come and gone.

On Thursday, March 11, 1971, black Americans and America as a nation lost a dynamic person in the untimely death of Whitney Young, Jr.

Whitney Young represented a leadership for black people that lacked pomp and flamboyancy. His was one of direct action. He had the ability to sway all people—black and white, rich and poor, businessman and unemployed. He dealt with the reality of the present, not with demagogic promises for the future.

Mr. Speaker, soon after the death of this great American, I received a call



from the news media, as did many of my distinguished colleagues, and was asked to make a statement. In tribute to this man of action, Mr. Speaker, I would like my remarks at that time to be inserted now in the CONGRESSIONAL RECORD:

I was deeply saddened when I received the news of the death of Whitney Young—a man whose life was dedicated to correcting the ills of our Nation.

He was a man among men—a distinguished scholar, author, columnist, leader . . . I can go on.

When we lose a man like this, it is time for us to stop and take a good look at where we are headed. We must rededicate ourselves to the fulfillment of his dreams.

His death was a great personal loss to me because I am a strong believer in the programs and principles which he advocated and fought for.

Today, black people lost a great leader, America lost a good friend, and the world lost a dynamic person.

THE SST DESERVES A CHANCE

HON. FRANK T. BOW

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 16, 1971

Mr. BOW. Mr. Speaker, "The SST Deserves a Chance" is the title of an excellent editorial in the Canton Repository which I include as part of my remarks:

THE SST DESERVES A CHANCE

The time when Congress will decide the fate of the supersonic transport (SST) is close at hand, probably within the next month.

A billion dollars reportedly already has been invested in its development and approximately 18 years of research will have gone into it by the time its first commercial flight is made—provided it gets the green light from Congress.

Most of the publicity about the SST has been created by its critics but proponents are making a determined last-minute effort to convince congressmen and the American public that their impressive list of facts is just that.

Spokesmen for the aerospace industries contend that, having invested a billion dollars already, it simply would not make sense to abandon the SST program now when only an estimated \$300 million more is needed to complete development—especially when about that much would be required to cancel it.

Although we are not in favor of throwing good money after bad, it has not been established that the money invested in the SST program falls in the "bad" category. It will take that additional \$300 million to determine that conclusively.

Proponents contend that charges to the effect that sonic booms created by the SST will be intolerable are pure fiction as are the claims that SST passengers will suffer from exposure to ultraviolet radiation while flying through the stratosphere.

They also list a number of "facts" of their own to disprove the contention that the upper atmosphere will be polluted by SST operations, causing adverse changes in the climate.

These are the charges which seem to have

concerned the American public most and if they can be laid to rest much of the opposition to the SST probably would evaporate.

There is, of course, the financial consideration. Opponents believe the government will not recover its investment in the SST and that it actually is subsidizing the aircraft industry.

SST boosters say this is not true. They contend there is a need for the SST and that its productivity will meet the demands created by the tremendous growth in air travel anticipated in the years ahead. They contend it will operate profitably and generate additional tax revenues.

Having come so far—a billion dollars worth—and with the "pro" arguments at least as strong as the "con," it seems only wise to invest the additional \$300 million for final development of the SST. We believe it will pay off.

DEATH OF PHILO T. FARNSWORTH, "THE FATHER OF TELEVISION"

HON. SHERMAN P. LLOYD

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 16, 1971

Mr. LLOYD. Mr. Speaker, one of Utah's most distinguished native sons, Philo T. Farnsworth, died in a Salt Lake City hospital Thursday, March 11, at the age of 64. Mr. Farnsworth was known as the father of television, and held approximately 100 patents on television receivers being produced today.

Mr. Farnsworth began his work on an electronic television system as a high school student in Rigby, Idaho. By the time he was 18, he had already completed 2 years at Brigham Young University in Provo, Utah, and had applied for a patent covering plans for an all-electronic television system.

Mr. Speaker, the obituary of Mr. Farnsworth in the Deseret News of March 12 recounts his career and contribution to our society, and I include it to be in the RECORD for wider dissemination:

PHILO T. FARNSWORTH DIES AT 64, KNOWN AS FATHER OF TELEVISION

Philo T. Farnsworth, 64, "the father of television," died Thursday at 7:51 p.m. in Latter-day Saints Hospital after a short illness.

Doctors indicated he suffered a cardiac arrest minutes after arrival at the hospital Thursday evening, the result of a choking spell brought on by his illness. An autopsy was being performed today to determine exact cause of death.

Farnsworth had been under his family doctor's care at his residence, 5166 Cottonwood Ln., for several months.

The inventor of the dissector tube as a freshman at Rigby High School in Rigby, Idaho, Farnsworth had projected the entire electronics system of television by his sophomore year.

TV receivers produced today carry approximately 100 Farnsworth patents.

At the time of his death, Farnsworth was a member of the Holladay 8th Ward, Church of Jesus Christ of Latter-day Saints.

When Farnsworth was 18 he had already completed two years at Brigham Young University and applied for a patent covering the plans for an all-electronic television system.

In San Francisco a year later, financial backers established Farnsworth in his own TV research company which became the pred-

ecessor of the Farnsworth Television and Radio Corp.

After joining the Philco Corporation and moving his work to Philadelphia, Farnsworth and Philco were involved in a suit with RCA, which claimed to have developed the original plans for electronic television.

The case was finally settled on the testimony of Farnsworth's high school chemistry teacher, Justin Tolman, and on the evidence of drawings and notations Farnsworth made in a notebook Feb. 21, 1922.

Farnsworth received his patent and that date went down in history as the birthday of electronic television.

Speaking of electrons whirling with the speed of light around a solid atomic core, Farnsworth told Tolman while still a freshman in high school.

"Control their speed, control their direction, change light—or pictures—into electricity and electricity into pictures at the other end and you'll have television."

Farnsworth was born Aug. 19, 1906, on Indian Creek, near Beaver, Beaver County, a son of Lewis and Serena Bastian Farnsworth. His parents moved to Vernal during his childhood and expected him to take up a career as a concert violinist.

While he played the violin competently during his boyhood, his interests were turning in other directions. At 12, his friends watched while he wound an armature and built an electric motor and attached it to his mother's washing machine. It was the first electric washer his mother had ever owned.

Farnsworth married Elma Gardner May 27, 1926, in Provo, Utah.

The young inventor's Farnsworth Radio and Television Corporation was in operation for 12 years, from 1926 through 1938 under various names.

After his work with Philco in Philadelphia, Farnsworth spent the war years in his own laboratory in Fryeburg, Maine. In 1947, Farnsworth became president of his own subsidiary of International Telephone and Telegraph (ITT), in Fort Wayne, Ind., and continued in that position until recent years.

He returned to Fryeburg, Maine in the 1960s and spent the past three years in Salt Lake City.

Survivors include his widow, Elma Gardner Farnsworth, Salt Lake City; three sons, Philo Taylor Farnsworth, Jr., Bolinas, Calif.; Russell S., Brooklyn, N.Y.; Kent M. Salt Lake City; two sisters and one brother, Mrs. Claude T. (Agnes) Lindsay, Hemet, Calif.; Mrs. L. Lynden (Laura) Payer, San Mateo, Calif.; Lincoln B., California; one half-sister, Mrs. John (Vernessa) Cornell, California.

Funeral arrangements will be announced from 260 E. South Temple.

MAN'S INHUMANITY TO MAN—HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 16, 1971

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

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

How long?

HANDGUNS NEEDED BY AVERAGE  
CITIZEN

## HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 16, 1971

Mr. ASHBROOK. Mr. Speaker, the March 6 issue of the Newark (Ohio) Advocate carried some commonsense observations on the restriction of handguns in Ken Gookins' column, "Outdoor Notes," which merit consideration. Citing current trends to limit the law-abiding citizen in his efforts to defend himself and his home, Mr. Gookins suggests that attention be properly directed to those who misuse firearms to help reduce the rising crime rate. He further argues that permissive thinking in effect places the onus of crime on the weapon and not the criminal:

"No gun has ever gone out on a shooting spree by itself."

A further illustration of the ridiculous lengths to which some have gone in this area is cited by the columnist in referring to a cartoon in which a housebreaker is confronted by a homeowner pointing a pistol at the intruder. Says the burglar:

"Buddy, if that gun is not registered, you are in a lot of trouble."

To most Americans the observations of Mr. Gookins make a lot of sense, and for the purpose of further dissemination, the above-cited column, "Hand Guns Needed by Average Citizen," is inserted in the RECORD at this point.

[From the Newark (Ohio) Advocate, March 6, 1971]

HAND GUNS NEEDED BY AVERAGE CITIZEN  
(By Ken Gookins)

If someone were to ask me what would be the best way to weaken America, lay it open to a new wave of terror, unprecedented in the annals of crime, and set the stage for a new round of absurdities against our courts, I would suggest they:

Legalize marijuana, confiscate all hand guns except those in the hands of law enforcement officials and abolish capital punishment.

By legalizing marijuana we lay the groundwork for sending thousands of fine people down the path to depravity through the use of even worse drugs.

By confiscating the handguns of American citizens, all homes will be laid wide open to criminals (who most certainly will not turn in their hand guns and will even manufacture their own if need be). This will make it possible for a sadistic housebreaker with his weapons to terrorize respectable citizens at will.

This already has been done in households which did not believe in having firearms on the premise and the horrible details of the long night of captivity and depravity are sickening.

Then by outlawing capital punishment, the armed housebreaker will not hesitate to use his weapon when confronted by the owner and the fatal trigger will be pulled, the dagger plunged, the skull bashed in with a club. After all, a life sentence (and parole after seven years in jail) mean nothing to someone who has nothing to begin with.

All of the above "ways of lessening the crime problem in America" have been suggested by a hand-picked committee. Be lenient with those possessing marijuana, confiscate hand guns and abolish capital punishment.

Let's hope—and pray—that our lawmakers have better sense than to swallow the recommendations of the committee. Had the "Manson Family" not been permitted to use marijuana and other drugs, had the innocent victims been armed with a handgun when their homes were invaded; had the threat of a certain death penalty been provided by law, the horrible Manson story may never have been.

But it was. And the courts have spent eight months, hundreds of thousands of dollars, hundreds of valuable hours of time and offended the sensibilities of citizens all over the United States.

Such travesties of justice goad those who believe in swift justice and upholding the laws of the land. A committee which advocates disarming American households, being lenient with marijuana users and refusing to extract the extreme penalty for vicious murderers further goad the public.

Murderers know the penalties before they commit the crime, but choose to do it anyway. They should pay the piper and thus deter the next person who is murder-bent. Even J. Edgar Hoover, chief of the FBI, holds to this credo, but who listens to law enforcement officials these days?

I urge every person who reads this column to take five minutes to write President Nixon, urging him to veto any measure submitted to Congress that would take away America's handguns. We cannot lay our homes open to the whims of the criminal and we should not deprive the millions of handgun-using sportsmen of their rights to plink targets because criminals misuse similar guns.

Sen. Edward Kennedy now advocates a ban on handgun manufacture and registration of all other guns owned by Americans. This would demand a greater complex of buildings and people than the Social Security System and cost billions, providing nothing.

Any lawmaker with a high school education and common sense knows that guns do not kill people, but people do. Those who misuse guns of any kind should pay the prescribed penalty for that misuse and the rest of use should not be penalized for another's crime.

If the would-be assassin had succeeded in fatally stabbing the Pope in Manila recently, would lawmakers have suddenly gone berserk and demanded all knives and daggers in the nation be confiscated? No.

Murders have been committed by people using ash trays, baseball bats, iron bars, blackjacks, nylon or silk stockings, clotheslines, butcher knives, forks, poker, pieces of broken glass, beer bottles, bow and arrows, brickbats, rocks, automobiles, heavy lamps, monkey wrenches, hammers, ice picks, gas jets . . . etc.

You name it and it has been used.

Strict laws governing the sale of guns and ammunition were imposed on Americans in 1968 and although eased recently, the main core remains. Yet, crime (which confiscation of handguns is supposed to curb) has continued to rise.

And don't let anyone sell you on the idea that "we have to try it before we know if it works." It has been tried. New York State's Sullivan Law, in effect since 1913 and revised and tightened many times since, has left New York home owners unprotected through restriction of firearms ownership and because of this fact the crime rate continues to soar.

Second story men are pretty certain their victim has no weapon to use against him.

The cartoon showing a housebreaker confronted by a homeowner pointing a pistol at the crook comes to mind vividly at this moment. The burglar, holding a bag of loot in his left arm, pointed at the gun and said, "Buddy, if that gun is not registered, you are in a lot of trouble."

And judging by some of the foolishness which has been permitted in our courtrooms recently, it is not unlikely that one caught in a similar situation might just go to jail for protecting his own home and even have to pay damages to the housebreaker for armed assault.

Mainly, the argument is that Americans are guaranteed the right to own firearms and criminals have the right to pay for their crimes, whether committed with or without using a firearm. No gun has ever gone out on a shooting spree by itself. It is as simple as that.

Let's soak those who misuse the gun and protect those who use them properly.

## SOCIAL SECURITY

## HON. JOHN ROUSSELOT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 16, 1971

Mr. ROUSSELOT. Mr. Speaker, there is little wonder that the American public is losing confidence in the Congress of the United States, and especially its duly elected Members, when we consider important pieces of legislation in as abortive and irresponsible a way as we are doing here today. It is a matter of keen regret to me that I was unable to participate in the very fleeting consideration of the conference report on H.R. 4690 which includes the basic legislation to raise the debt limit of the U.S. Government by \$35 billion and tacked-on Senate provisions to increase social security benefits. It would be responsible to consider these important matters on a separate basis.

In my opinion, this conference report was scheduled without proper notice. The method used in bringing it to the floor violates the spirit of the Legislative Reorganization Act of 1970. This conference report is being brought to the House for consideration without proper notice to the membership and without the courtesy, I am informed, of appropriate notice to the minority leadership. On the contrary, Members had been officially informed within the last day that final action on this matter would, in all likelihood, not take place until Thursday of this week.

I understand, and am most sensitive to, the plight of those who depend upon social security for their livelihood and their need for a cost-of-living adjustment, and in no way do I wish to delay the consideration of such a matter.

It has not been the House of Representatives that has blatantly played politics with this matter, but the other body, the U.S. Senate. I do not wish to hamper the orderly process of financing our Federal Government, but the fact is, Mr. Speaker, we, as a House of Representatives, have failed to live up to our respon-



sibility to prudently represent the tax-paying and working people of this country by considering this legislation today as one package. How can we show real concern for the elderly people on fixed incomes or the majority of hard-working taxpaying citizens when we continue to allow the Federal Government to live beyond its means by piling more and more debt on the heads of present tax-paying citizens and, even worse, future generations who have no control over what we are doing today.

Many of my colleagues have properly and constantly harped on the subject of establishing priorities. The interest charge that the American taxpayers are already paying on an over-inflated debt is one of the largest single expense items in our Federal budget. In my opinion, we are being totally irresponsible by hastily increasing the existing burden by adding \$35 billion of expanded debt to it. As any responsible American housewife can tell you, when you do not have enough money to meet bills, you cut back on expenses. What we should be doing today, is cutting back on expenses, not adding to them by going further into debt. To allow our fellow colleagues in the Senate to add on this extra enticing carrot of long-overdue increases in social security for those who are on retirement incomes is pure blackmail. I will be no part of this irresponsible action. Had the leadership of this House kept its promise to have this vote on Thursday, and the legislation had come to us in this combined form, I would have been forced to vote present for the above reasons.

THE PRICE OF PERMISSIVENESS

HON. HAROLD R. COLLIER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 16, 1971

Mr. COLLIER. Mr. Speaker, it has become evident in recent years that we live in an "image" society wherein the actions of a comparative few tend to draw the type of attention from the news media that firms public attitudes and opinion.

Higher education in this country has suffered severely in the late sixties because its image has been tarnished because of freedom without discipline which has even led to violence of intolerable proportions.

Recognizing that this is certainly not the fault of the majority of students who attend college for the purpose of getting a better education, we must still reckon with the fact that higher education is no longer as sacrosanct as it was a decade ago when the infusion of federal money sharply outpaced the increase in enrollment. In 1958, Congress enacted the higher education bill as a result of the Soviet Union sending a metal ball whirling around the world in space. We promptly concluded that it was because our technical training in sciences and en-

gineering was falling short of that being offered in the U.S.S.R. Understandably, our national pride was badly shaken.

The original bill passed by the Congress provided funds to encourage students to enter these fields, and we added a massive loan program to combat the shortage of teachers which existed at that time. The incentive was to forgive half of the loan extended to a student who engaged in the teaching profession for 5 years. Certainly I have no criticism of the N.D.E.A. because it did bring us to a point where we now have more teachers entering this profession than can be absorbed by primary and secondary schools.

There was little opposition from the taxpayers to the increasing sums appropriated by the Congress under this original proposal in the years that followed until massive trouble developed on campuses across the country and certain groups of students engaged in the type of activity which flouted the very principles of higher education. Sadly, many of those charged with the responsibility of conducting tax-supported institutions permitted the type of permissiveness which led to grave public concern with the intellectual establishment.

Today higher education is no longer sacrosanct. A combination of disenchantment with certain aspects of higher education on one hand and the pressing problem of the tax burden on the average citizen is taking its toll. In the past 10 years State income taxes have risen by about 160 percent, and local taxes by 108 percent, while Federal income taxes have increased by approximately 25 percent. Against this background and a host of other demands in the fields of ecology and welfare, higher education is having to compete for its share of tax dollars, as well it should.

And when a college president of one of the great universities of the country tells a student audience that Black Panthers cannot get a fair trial in this country, he does a great disservice to higher education.

An interesting article illustrating this point appeared in the Trib of March 5, 1971, published in the Chicago suburban area which I submit for the edification of my colleagues. Bear in mind that it is based upon the comments of a man who is a dedicated educator and presently head of the social science department at one of the fine suburban high schools in the area.

The article follows:

"PEOPLE HAVE HAD IT"—SAYS UNIVERSITY BUDGETS APPROPRIATE  
(By J. O. Schueler)

It was not surprising that Gov. Oglvie received applause from state legislators when in his budget message Wednesday he announced plans to "stick it to the universities."

That was the analysis of a west suburban legislator who was there, State Rep. Gene L. Hoffman (R-37th, Elmhurst).

Hoffman, head of the social science department at Fenton High School, Bensenville, said persons in the academic community—and he includes teachers as well as

students—are getting about what they have been asking for with their unorthodox and sometimes violent behavior.

"Professors with their beards, long hair, and sandals have no idea of their impact on the communities" in which their institutions are located, Hoffman said.

He said legislators, especially those who hail from university and college towns, were reflecting the views of their constituents when they applauded Gov. Oglvie's intention to "fit university budgets into the available resources of \$672 million."

The Board of Higher Education had asked for \$859 million.

Hoffman said the "public has had it" with academic types who "run up in their ivory towers and yell invectives at legislators who are trying to put more bricks and mortar in those towers, but apparently not fast enough" to satisfy the academic community.

"The people in the Legislature, all 235 of them, pretty accurately reflect the state population in general," Hoffman said. "We've got crooks, idealists, brilliant people, and some not so bright, in about the proportions you'd find on the street. When you expect the Legislature not to reflect the public attitude, you expect something that representative government is not," Hoffman said. "Representative government is not, and should not be, an elitist group."

Hoffman, who said he has devoted his life to education, said he is "not so sure that in some cases they (higher education) don't have (budget trimming) coming. It may be beneficial to higher education in the long run," he said, because the governor and the Legislature now are serving notice that higher education must begin to consider its public image and "reflect on whether it has oversold its product."

Hoffman, 38, is a member of the House committees on education and elementary and secondary education; vice chairman of the committee on higher education, and a member of the Illinois School Problems Commission.

STABILITY IN THE ANNUAL FUNDING TO THE CITIES

HON. JOHN J. RHODES

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 16, 1971

Mr. RHODES. Mr. Speaker, categorical grant programs have proven not to be the answer to community development problems. As a matter of fact, it has become a monstrosity, wasting time, effort and the tax dollars. It is wasteful any way you look at it.

Under the urban community development special revenue sharing as proposed by the President, the bureaucratic redtape would be eliminated and there would be a stability in the annual funding to the cities. Local government would gain greater latitude in planning for the use of the money, assume responsibility for establishing its own priorities and regain control of community-wide development strategy.

Visualize the hypothetical situation, under our existing categorical system, where a city has pending an urban renewal and a water-sewer grant applica-

