By Mrs. HECKLER of Massachusetts:

H.R. 13825. A bill to permit State agreements for coverage under the hospital insurance program for the aged; to the Committee on Ways and Means.

By Mr. MONAGAN:

H.R. 13826. A bill to provide for the formulation of a national policy for environmental quality, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. PATMAN (for himself, Mr. BARRETT, Mrs. SULLIVAN, Mr. REUSS, Mr. ASHLEY, Mr. MOORHEAD, Mr. STEPHENS, Mr. ST GERMAIN, Mr. GONZALEZ, Mr. MINISH, Mr. HANNA, Mr. ANNUNZIO, Mr. REES, Mr. HANLEY, Mr. BRASCO, Mr. CHAPPELL, Mr. WIDNALL, Mrs. DWYER, Mr. DEL CLAWSON, Mr. BROWN of Michigan, Mr. HALPERN, Mr. WILLIAMS, and Mr. BEALL of Maryland):

H.R. 13827. A bill to amend and extend laws relating to housing and urban development, and for other purposes; to the Committee on Banking and Currency.

By Mr. ESHLEMAN:

H.J. Res. 903. Joint resolution proposing an amendment to the Constitution of the United States with respect to the offering of prayer in public buildings; to the Committee on the Judiciary.

By Mr. PUCINSKI (for himself, Mr. ADDABBO, Mr. ANDERSON of California, Mr. BIAGGI, Mr. BROWN of California, Mr. BROYHILL of Virginia, Mr. BYRNES of Wisconsin, Mr. CLARK, Mr. DELANEY, Mr. ERLENBORN, Mr. FRIEDEL, Mr. FULTON of Pennsylvania, Mr. GALIFIANAKIS, Mr. HALPERN, Mr. HASTINGS, Mrs. HECKLER of Massachusetts, Mr. HOSMER, Mr. HOWARD, Mr. KEITH, Mr. KOCH, Mr. MANN, Mr. MATSUNAGA, Mr. MIKVA, Mr. O'NEILL of Massachusetts, and Mr. OTTINGER):

H. Con. Res. 340. Concurrent resolution expressing the sense of the Congress with respect to international agreements providing for mandatory extradition of aircraft hijackers; to the Committee on Foreign Affairs.

By Mr. PUCINSKI (for himself, Mr. NIX, Mr. PELLY, Mr. PEPPER, Mr. PODELL, Mr. POLLOCK, Mr. REES, Mr. ROONEY of Pennsylvania, Mr. SANDMAN, Mr. SCHEUER, Mr. TIERNAN, Mr. TUNNEY, Mr. VIGORITO, Mr. WHITEHURST, Mr. WILLIAMS, Mr. WOLD, Mr. WOLFF, Mr. WYDLER, and Mr. WYMAN):

H. Con. Res. 341. Concurrent resolution expressing the sense of the Congress with respect to international agreements providing for mandatory extradition of aircraft hijackers; to the Committee on Foreign Affairs.

By Mr. KUYKENDALL:

H. Con. Res. 342. Concurrent resolution relative to airline hijacking; to the Committee on Foreign Affairs.

By Mr. ABERNETHY:

H. Con. Res. 343. Concurrent resolution expressing the sense of Congress that reduction in certain imports shall be effected through trade agreement negotiations; to the Committee on Ways and Means.

By Mr. LONG of Louisiana:

H. Con. Res. 344. Concurrent resolution condemning the treatment of American prisoners of war by the Government of North Vietnam and urging the President to initiate appropriate action for the purpose of insuring that American prisoners are accorded humane treatment; to the Committee on Foreign Affairs.

By Mr. PERKINS:

H. Con. Res. 345. Concurrent resolution providing for printing as a House document "A Guide to Student Assistance"; to the Committee on House Administration.

By Mr. PICKLE (for himself and Mr. JARMAN):

H. Con. Res. 346. Concurrent resolution condemning the treatment of American prisoners of war by the Government of North Vietnam and urging the President to initiate appropriate action for the purpose of insuring that American prisoners are accorded humane treatment; to the Committee on Foreign Affairs.

By Mr. WOLFF:

H. Con. Res. 347. Concurrent resolution condemning the treatment of American prisoners of war by the Government of North Vietnam and urging the President to initiate appropriate action for the purpose of insuring that American prisoners are accorded humane treatment; to the Committee on Foreign Affairs.

## MEMORIALS

Under clause 4 of rule XXII,

267. By the SPEAKER: A memorial of the Legislature of the State of California, relative to the Intergovernmental Cooperation Act of 1968; to the Committee on Government Operations.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON of California:

H.R. 13828. A bill for the relief of Genisco Technology Corp.; to the Committee on the Judiciary.

By Mr. CAREY:

H.R. 13829. A bill for the relief of Joseph H. Bonduki; to the Committee on the Judiciary.

By Mr. MILLER of California:

H.R. 13830. A bill for the relief of Genisco Technology Corp.; to the Committee on the Judiciary.

By Mr. ANDERSON of California:

H. Res. 546. Resolution to refer the bill, H.R. 13828, entitled "A bill for the relief of Genisco Technology Corp." to the chief commissioner of the Court of Claims in accordance with sections 1492 and 2509 of title 28, United States Code; to the Committee on the Judiciary.

## PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

246. By the SPEAKER: Petition of the Honorable Hector Valenzuela Valderrama, President of the Chamber of Deputies, Santiago, Chile, conveying the congratulations of the Chamber of Deputies of Chile on the successful flight of Apollo 11 and mans' first lunar landing; to the Committee on Science and Astronautics.

247. By the SPEAKER: Petition of the Honorable Achille Peretti, President of the National Assembly, Paris, France, conveying the congratulations of the National Assembly of France on the successful flight of Apollo 11 and mans' first lunar landing; to the Committee on Science and Astronautics.

248. By the SPEAKER: Petition of the Honorable Ha Sjaichu, Speaker of the House of Representatives, Djkarta, Indonesia, conveying the congratulations of the House of Representatives of Indonesia on the successful flight of Apollo 11 and mans' first lunar landing; to the Committee on Science and Astronautics.

249. By the SPEAKER: Petition of the Honorable Takechiyo Matsuda, Speaker of the House of Representatives, Tokyo, Japan, conveying the congratulations of the House of Representatives of Japan on the successful flight of Apollo 11 and man's first lunar landing; to the Committee on Science and Astronautics.

250. By the SPEAKER: Petition of the Honorable Kul Shekhar Sharma, Ambassador of Nepal, Washington, D.C., conveying the congratulations of the Rashtriya Panchayat of the Kingdom of Nepal on the successful flight of Apollo 11 and mans' first lunar landing; to the Committee on Science and Astronautics.

251. By the SPEAKER: Petition of the Honorable Isjp Mazure, President of the First Chamber of the Netherlands States General, and the Honorable F. J. F. M. Van Thiel, President of the Second Chamber of the Netherlands States General, The Hague, conveying the congratulations of the Netherlands States General on the successful flight of Apollo 11 and mans' first lunar landing; to the Committee on Science and Astronautics.

252. By the SPEAKER: Petition of the Honorable J. Augusto Saldivar, President of the Chamber of Deputies, Asuncion, Paraguay, conveying the congratulations of the Chamber of Deputies of Paraguay on the successful flight of Apollo 11 and mans' first lunar landing; to the Committee on Science and Astronautics.

253. By the SPEAKER: Petition of the Honorable Hugo Batalla, President of the Chamber of Representatives, Montevideo, Uruguay, conveying the congratulations of the Chamber of Representatives of Uruguay on the successful flight of Apollo 11 and mans' first lunar landing; to the Committee on Science and Astronautics.

# EXTENSIONS OF REMARKS

## ROGERS SAYS SCHOOL STUDY STOPS RADIATION HAZARD

### HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 16, 1969*

Mr. ROGERS of Florida. Mr. Speaker, I am pleased to note that the Environmental Control Administration has taken steps to halt the manufacturing of three types of electronic tubes now being used in high schools and junior colleges.

These tubes, used primarily as teaching devices in schools, have been found to be a potential radiation hazard. A survey conducted by the Public Health Service in 181 high schools in nine States found 27 of the 175 of these tubes to be emitting X-rays at rates ranging from 100 to more than 5,000 milliroentgens per hour at a distance of 12 inches. This is far above the recommended level of 120 milliroentgens per 5 minutes.

I have been told that there have been about 500 of these tubes produced since the Radiation Control Act, which I introduced, became effective on October 18, 1968. In addition, it is estimated that there are between 15,000 and 35,000 produced before that date. The company making the tubes has said that some of the tubes made in 1910 are still in use.

But through cooperation between the

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

company and the Environmental Control Administration, the company has agreed to contact all those schools which now have them and recall the tubes for correction, and has also agreed to halt sale of any of these tubes.

The survey included inspections in 11 Florida cities, including Jacksonville, Gainesville, St. Petersburg, Clearwater, Dunedin, Fort Lauderdale, Plantation, Pompano Beach, Miami, Miami Beach, and Coral Gables. From these 11 cities, 20 high schools were sampled.

I commend ECA and Electro-Technic Products of Chicago, Ill., for bringing this potential hazard under control.

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## ADDRESS GIVEN BY SENATOR YARBOROUGH TO STATE CONVENTION, TEXAS DEPARTMENT, VETERANS OF WORLD WAR I

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### HON. ALAN CRANSTON

OF CALIFORNIA

IN THE SENATE OF THE UNITED STATES

*Tuesday, September 16, 1969*

Mr. CRANSTON. Mr. President, on July 26 the distinguished chairman of the Committee on Labor and Public Welfare, the Senator from Texas (Mr. YARBOROUGH), delivered an address to the State Convention of the Texas Department, Veterans of World War I, in San Antonio, Tex.

Senator YARBOROUGH's views on veterans' matters are deserving of the most careful consideration. For he has been a consistent and valiant champion of providing equitable and appropriate returns for those who have rendered military service to our country.

As chairman for 7 years of the Labor and Public Welfare Committee's Veterans Affairs Subcommittee, of which I now have the honor to be chairman, Senator YARBOROUGH battled mightily for and eventually in 1966 achieved the enactment of a Vietnam era GI bill providing numerous forms of readjustment allowances and assistance for our most recent group of veterans.

In his San Antonio speech, Senator YARBOROUGH proposes providing all World War I veterans with a service pension—that is, a pension without either a needs test or a requirement of disability—such as is now provided for veterans of the Spanish-American War. Senator YARBOROUGH argues that living veterans of all wars other than World War I have been accorded either extensive readjustment assistance or service pensions both as a clear recognition of the hardships which have been imposed upon their future lives by their fulfillment of their military obligation, and in order to provide them with financial or other means of living and working successfully in a civilian economy.

I believe that Senator YARBOROUGH's proposal should be carefully considered by the Committee on Finance, which has jurisdiction over the veterans' pension program. In view of the great cost of providing such a service pension—as much as $1 billion in the early years—at this time of fiscal austerity and budgetary ceilings, such an expenditure certainly raises serious questions. However, I do not believe that high cost alone should preclude close scrutiny of proposals to correct such inequities.

Mr. President, I ask unanimous consent that excerpts from Senator YARBOROUGH's address be printed in the Extensions of Remarks.

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

"LET US EQUALIZE ASSISTANCE TO VETERANS"

It is an honor for me to address again the convention of the Texas Department of the Veterans of World War I. I welcome this opportunity to meet with the men who sacrificed their time, their health, and their safety in the military service of the United States in the first great foreign war in which our nation engaged.

You men, unlike veterans of any other war before or since, have not received the consideration you deserve from a grateful nation.

Only one million, six hundred and seventy-five thousand of you survive, of the four million who donned the khaki in the war to make the world safe for democracy.

Seven hundred and sixty-five thousand receive some type of a so-called pension, based on a means test, or better named, a dire poverty test. Forty-six percent, in other words, have incomes so low they are eligible for the poverty pension for non-service-connected disability.

I asked the Veterans Administration recently what the total income of these men is, including their pension. I was advised that the median annual income for those qualifying for benefits is $2,500 a year. That is the pension, plus all other income.

At the average age of 74, the surviving veterans of World War I generally lack the wages and salaries of people still in the mainstream of the American economy. Their sources of income are static, their economic condition is deteriorating in the face of steady inflation. Yet by the laws of the land, they continue to be the neglected veterans.

They are unfortunate victims of a common belief that readjustment programs are the best way to compensate veterans, not pensions, and that we ought not return to an "outmoded" system.

This view mistakenly assumes that the GI Bill of World War II was the first veterans program directed toward compensating veterans for time and skills lost, by preparing them immediately for the future instead of pensioning them later for the past.

A little review of history tells us that this is not so new a concept. The idea was first applied by Congress to veterans of the American Revolution, who were awarded free public land on which to settle after mustering out. That was a serviceman's readjustment policy in a class with the home loans and business loans of the GI Bill, and even with the education and training benefits.

For the men who fought in the Spanish-American War, we have the traditional pension, similar to pensions granted veterans of the Civil War. For men and women who served during World War II and the Korean conflict, we have the GI Bill. For the Cold War and Vietnam veterans, we also have GI Bills. I am proud of the part I was able to play in providing that legislation for veterans of the Cold War and the Vietnam War. In fact, I am proud that I served longer than any other man as Chairman of the Veterans Affairs subcommittee of the Senate, and that I led the long campaign that finally restored the GI Bill after it was terminated by Presidential Order in 1955.

But there is no means test in any of these benefits, no poverty requirement. There is no mention of outside sources of income, or income ceilings after which entitlement disappears, and no lengthy tables showing a declining benefit as the veteran's income goes up, such as you veterans of World War I have to submit and submit to. There are no sworn statements of net worth, of spouse's income, of returns from personal savings and investments, such as you veterans of World War I must submit and submit to.

GENERAL PENSION NEEDED

These trappings of a misnamed welfare system in practice apply mainly to the men of World War I. It's really a poverty poor house system rather than a welfare system. The World War I veterans never had a readjustment program; they never had a general pension for their later years. They have fallen between the general pension of the Spanish-American war and the generous readjustment program of World War II. The World War I Veterans are the lost veterans, the lost generation of veterans insofar as the federal veterans laws are concerned.

It is no longer practical to apply the principle of the GI Bill to the World War I veterans. But it *is* practical, reasonable, and timely to apply the principle of the Spanish War pension system to this group. That is what I propose, and that is what my bill, S. 2658 which I introduced last week and which is now pending, would do. It adds men with service during World War I to those eligible for the Spanish-American pension program. It lifts the means test, the poverty label, and the federal inquisitor off the backs of the World War I veterans and adds dignity plus a pension to your declining years.

In introducing it, I strongly urged upon Congress that it drop the obnoxious and degrading welfare standards for pension eligibility. I urged that instead, we carry out in our national policy the recommendation of the U.S. Veterans Advisory Commission on the Veterans Benefits System, when it said:

"The Commission recommends that pension, as a benefit for war veterans and their survivors, should be maintained as a federal program providing financial aid above and beyond the levels of public assistance and that, within reasonably improved limits, increases in other forms of income should not adversely affect veterans pension benefits.

Because existing law restricts pension eligibility to poverty level income ceilings and submits you to a degrading poverty type inquisition, I have also introduced legislation making veterans in these income levels eligible automatically for federal programs operating with a means test. These are the rent supplement and food stamp programs. Those whose financial circumstances are so limited as to qualify them for an insignificant pension certainly should be entitled to these additional programs.

President Johnson once said:

"Our government and our people have no greater obligation than to assure that those who have served their country and the cause of freedom will never be forgotten or neglected."

Let us remember that in enacting reasonable veterans programs it is not just respect and dignity of veterans we honor, but the respect and dignity of the Nation for which they fought.

You are the only veterans in our history who fought a poison gas war. Its after-the-war effects were so bad on the surviving veterans that no nation has dared use it since World War I. There were no sulfa drugs or penicillin when flu and blood poison and pneumonia decimated your ranks. Modern hospitals for veterans were unknown when broken and wounded, you came home. There was no GI education, home loans, farm loans or business loans. Instead there were only apples and pencils to peddle on street corners.

As a 15-year-old high school youth then, I remember your plight, and I want the nation to remember you now.

Of the brave four million who went forth in the springtime of your youth, only two out of five remain with us, averaging more than three score ten years each. In your declining years this government should no longer remain as bleak and cold as the surface of the moon to your plea and your plight. I pledge my continued efforts for justice for the veterans of World War I, our first global war.

## DRIVING IS TOUGH ENOUGH NOW

### HON. FRANK THOMPSON, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 16, 1969*

Mr. THOMPSON of New Jersey. Mr. Speaker, as we know, the House Public Works Committee has before it a bill that would allow bigger and heavier trucks to use the Interstate Highway System. Much to the astonishment of many of us, the bill has been endorsed by Federal Highway Administrator Turner. I have taken issue with Mr. Turner's position. In addition, our State commissioner of transportation, Mr. David Goldberg, has advised the Public Works Committee that this bill is not in the best interests of the people of New Jersey. I am pleased to place before the House an editorial in the September 15 issue of the Trenton Times which concurs with my judgment and that of Commissioner Goldberg. The editorial reads as follows:

DRIVING IS TOUGH ENOUGH NOW

Lately the American Trucking Association has been waging an ingenious national advertising campaign to convince motorists that bigger trucks are good for them.

It has apparently convinced the Nixon administration. Maybe it did that without the ads.

Mr. Nixon's Federal Highway Administrator, F. C. Turner, has told a House subcommittee he supports a bill to allow bigger and heavier trucks to use the Interstate Highway System.

He took issue only with the maximum length permitted under the bill, saying it ought to be 65 feet rather than 70. But he endorsed the proposed increase of single axle weights from 18,000 to 20,000 pounds and of width limits from 8 to 8½ feet.

This would produce "economies" that would outweigh the estimated $300 million cost of modifying highways to handle the monsters, Mr. Turner suggested.

Safety? Well, there isn't much data available, Mr. Turner admitted, but what there is indicates to him that larger trucks wouldn't be involved in any more accidents.

But the trucking industry's own figures show that while heavy trucks comprise only 1.54 percent of total vehicle registrations and drive only 5.33 percent of vehicle miles, they are involved in 11.6 percent of fatal accidents—and the fatalities are usually in the small cars that get in their way. Will larger trucks mean a better record than this?

A double-trailer combination requires 440 feet to stop at 60 m.p.h., compared to 182 feet for a passenger car. The heavier the truck, the greater its inertia. No provision in the bill would repeal that law.

Mr. Turner said he "doubted" that increased truck size could be detected by motorists and cause them additional apprehension when passing or overtaking them. It certainly won't increase their feeling of security.

The administrator suggested that the effective date of the legislation be postponed three years so the Department of Transportation could develop "safety standards" for the bigger trucks. We suggest that the effective date be postponed indefinitely. Despite cute advertisements and promises of economies, bigger trucks would be dangerous, intimidating—and anything but good for us.

## THE CASE FOR MUNICIPAL BONDS

### HON. HARRY F. BYRD, JR.

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

*Tuesday, September 16, 1969*

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent to have printed in the Extensions of Remarks an article entitled "Case for Municipal Bonds," published in the Norfolk Ledger-Star of September 2, 1969.

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

CASE FOR MUNICIPAL BONDS

Norfolk's Mayor Martin quite properly expresses concern with the municipal tax feature of the tax bill that the House has sent over to the Senate.

Mayors, governors and other officials depending upon the present tax-free status of bonds issued by states, cities and counties or their agencies are indignant about the changes called for by the tax reform bill, and it's easy to see why they're firing off letters to their Senators and Congressmen.

Changes that result in taxes on the "municipals," as those bonds are known in investment parlance, will certainly make them more difficult to market. Yet almost every city and county in the country depends upon the sale of these bonds for their progress. They are of all sorts and kinds—bonds for street improvements, schools, sewerage systems, water systems, bridges, tunnels, you name it and generally a bond issue that is tax-free plays a part in the construction.

As it's now written, the tax reform bill retains the tax-free feature of these bonds. But it would authorize a federal subsidy to be paid to cities or states to induce them to issue bonds that are not tax-free; the subsidy would be absolutely necessary, for if the bond to be issued were to be a taxable bond, the interest paid on it would have to be considerably more than the interest municipals ordinarily pay in relation to the rest of the bond market which is taxable. (For example, Duke Power Company marketed some bonds the other day that will yield 7.95 per cent, whereas the Virginia bonds issued last spring yield about 4.5 per cent.)

So it's pretty plain that if municipals are going to be taxed, then the states, cities and counties issuing them are going to have to up their yield. Upping the yield means the taxpayers will pay more for the street improvements, schools, sewerage and water systems and bridges and tunnels. And never mind about the federal government reimbursing states and cities for the difference between the yield on a tax-free bond and a taxed bond; for that comes, too, from the taxpayer.

As we read the bill now, the House hasn't ended the tax-free feature. But it went to work on it and chipped away at it and the more protests, the sooner made, the better off the states and cities will be. Congress ought to realize that the states and cities and counties need to raise money, too, and whittling away at their ability to market bonds is to whittle away at their civic well-being.

## THE 350TH ANNIVERSARY OF THE LANDING OF NEGROES AT JAMESTOWN

### HON. WILLIAM C. WAMPLER

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 16, 1969*

Mr. WAMPLER. Mr. Speaker, as a Member of the Congress from the Commonwealth of Virginia, I would like to mention that the 350th anniversary of the landing of Negroes at Jamestown, Va., will be celebrated in appropriate ceremonies at 3 p.m., Sunday, September 21, in the Jamestown Festival Park.

Many distinguished guests and talented artists will be on the program. Featured speakers will be Dr. Charles H. Wesley and Dr. Samuel Dewitt Proctor, Sr. Dr. Wesley is executive director of the Association for the Study of Negro Life and History, Washington, D.C. Dr. Proctor is dean of the graduate school of education at Rutgers State University, New Brunswick, N.J.

Dr. Wesley is also a former president of Wilberforce University and of Central State College, both in Ohio. Dr. Proctor is also a former president of A. & T. College in Greensboro, N.C., and a former Associate Director of the Peace Corps in Washington, D.C.

I would like to submit for reprinting in the CONGRESSIONAL RECORD the four objectives of the commemoration of the 350th anniversary of the landing of Negroes at Jamestown and the names of the officers and members of the committee in charge of this commemoration:

OBJECTIVES OF THE COMMEMORATION OF THE 350TH ANNIVERSARY OF THE LANDING OF NEGROES AT JAMESTOWN

1. To contribute to the development of a healthy pride and respect among Negroes and Americans generally for our forebears of African descent.

2. To promote historical accuracy as to the struggles of the American Negro to achieve his rights as a person and as a citizen of the United States.

3. To apprise the public of the contributions of Negroes to the life, technology and culture of Virginia and of the United States.

4. To stimulate interest in the erection of a suitable marker in honor of the arrival of these persons of African descent.

STEERING COMMITTEE

W. Lester Banks, P. B. Boone, Oliver W. Hill, Esquire, Mrs. Helen Howard, Dr. Walker Quarles, Rev. Melford Walker, S. W. Tucker, Esquire and Dr. J. Rupert Picott.

COMMITTEE MEMBERS

W. E. Barron, Paul S. Bell, Raymond H. Boone, John M. Brooks, Charles E. Brown, Theodore N. Burton, C. Clayborne Bush, Mrs. Virginia Carrington, Miss Elaine Carthly, John Culver, Mrs. Mary E. Culver, J. H. Dillard, A. G. Edwards, Melvin W. Elliott, Mrs. Willa Elliott, Rev. Egbert J. Figaro, Rev. L. Francis Griffin, Sr., David E. Gunter, Rev. Curtis W. Harris, Sr., Linwood Harris, Dr. John B. Henderson, Dr. Thomas Henderson, Dr. Robert M. Hendrick, Jr., Mrs. Beresenia Hill, Mrs. Bertie Huggard, John Q. Jordan, Joseph A. Jordan, Jr., Rev. Calvin C. Knight, Moses D. Knox, David E. Longley, Henry L. Marsh, III, Esquire, M. C. Martin, William T. Mason, Esquire, Rev. Raymond S. Mitchell, David Muckle, Mrs. Bernetta West Munford, J. Jay Nickens, Jr., Royal A. Patterson, Mrs.

Bessie Pryor, Dr. W. L. Ransome, Dr. Wm. Ferguson Reid, R. L. Scales, H. H. Southall, Mrs. Helena Stools, Rev. J. B. Tabb, Bernard E. Taylor, Dr. J. M. Tinsley, Clarence Townes, Jr., Mrs. Ruth Valentine, Franklin Waller, Mrs. Pauline F. Weeden, J. B. Williams, Dr. Philip Y. Wyatt.

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## COLLEGE FOOTBALL OBSERVES CENTENNIAL—WEST VIRGINIA UNIVERSITY PLAYS FIRST GAME OF SECOND CENTURY

### HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

*Tuesday, September 16, 1969*

Mr. RANDOLPH. Mr. President, anniversaries of events both great and small are regularly observed, but this autumn brings with it an anniversary that surely will be noted by millions of Americans.

This year, Mr. President, marks the 100th anniversary of college football competition in this country, and celebrations will be held throughout the Nation as this very popular sport enters its second century.

It is fitting that on this landmark season the experts are predicting that West Virginia University may have the best football team in the 78 years of intercollegiate competition. This may well be true judging from the performance of the Mountaineer team last Saturday in its opening day victory over the University of Cincinnati by a score of 57 to 11.

And for the record books, West Virginia scheduled the start of this game 5 minues earlier than the usual kickoff time to claim the distinction of playing the first game in college football's second century.

West Virginia football, like that played at other institutions, has had its good years and its bad years. But we remember most the golden years when our university produced such outstanding players as Ira Rodgers, selected as an All-American shortly after World War I, and Sam Huff, a more recent West Virginia star athlete who went on to fame as a professional football player.

The prospects are indeed good for college football at West Virginia University. Interest is high throughout the State, and there are strong hopes that the Mountaineers may be on the threshold of another golden era of football.

The Morgantown Dominion-News, the hometown newspaper of West Virginia University, has provided thorough coverage of both the university's new season and college football's centennial. On September 13 several articles took note of the occasion. I ask unanimous consent that excerpts from a Dominion-News editorial, from a column written by Ray Martin, associate editor, and from another written by Bill Hart, former sports editor and editor, be printed in the RECORD.

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

EDITORIAL FROM THE DOMINION-NEWS

The Mountaineers of West Virginia will make history today when they meet the University of Cincinnati Bearcats on the gridiron at Mountaineer Field. The 1969 season marks the centennial of college football and the kickoff here at 1:25 p.m., will signal the start of the second century of collegiate pigskin classics. Since all other games today begin at 1:30 or later, the Mountaineer-Bearcat confrontation will be in the record books for all to see at the time of the second centennial.

With excusable prejudice, we hope, of course, that the Mountaineers wind up in the win column at the end of today's memorable event.

Over the last 100 years, millions of Americans have played, coached, watched or worked in college football, strengthening the foundation on which the sport is built, enriching its traditions and continuously reshaping and polishing the game to make it a mirror of "modern" society.

It was on a windy afternoon of Nov. 6, 1869, that Princeton played at Rutgers in New Brunswick, N.J., and that first intercollegiate football game reflected the era's uncomplicated society. There were few rules, no uniforms and almost as many players on the field as spectators watching. While the couple hundred onlookers sat on their buckboards or on a wooden fence, the 25 players on each team simply peeled off their coats and waistcoats and began kicking and butting the round ball (throwing or running with it was forbidden) toward the goal posts set 25 feet apart at each end of the 120-yard-long field. Rutgers won the soccer-style game, 6 goals to 4.

Today, a century after the first game, college football continues to keep pace with modern wonders. There are things like artificial turf, Gatorade, shockproof helmets and sophisticated computers plotting play probabilities.

Yet, despite all the increased skills of the players and all the advances of modern science and technology, every game between two college football teams comes down to solving one simple mathematical problem: Who's No. 1?

It's a question that's been asked millions of times during college football's first century, and one that hopefully will be asked for many centuries to come.

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(By Ray Martin)

A tip of the pipe to Jim Carlen and West Virginia University's Mountaineers for the feat they are about to etch into the record books later today; the distinction of inaugurating the second century of intercollegiate football—with an assist from the Cincinnati Bearcats.

In some ways, the century separating 1869 and 1969 seems more like a thousand years. Yet in other ways, the more the nation has changed, the more it seems to have stayed the same. For example, in 1869:

A Republican President (Ulysses Grant) replaced a Democratic President named Johnson (Andrew), a Southerner who had been a U.S. senator and a vice president who moved up when a President (Lincoln) was assassinated.

A story in "The Nation" magazine described the Russian student type as "much the same as in our Western and smaller colleges; he wears long hair . . . and lets his beard grow, when he has any; moreover, he is generally dirty and careless in his dress."

Political unrest and revolution were prevalent throughout the world, particularly in South America.

The New York Stock Exchange panicked about gold prices.

The Union Pacific Railroad began advertising a 12-day tour (by rail and Wells Fargo) from New York to San Francisco.

By 1969, another group of American transportation pioneers had really raised their sights and bodies—all the way to the moon.

So much for comparative events across the span of a century. Now let's take a look at some of the people who have played football.

Grantland Rice was only partly right. It certainly matters not whether you win or lose. But how you play the game really doesn't seem to matter either—at least in later life.

For example, Richard Nixon was only a substitute on the Whittier College football team and John Kennedy merely a junior-varsity player at Harvard.

The greatest presidential player was Dwight Eisenhower. As a sophomore at West Point, he starred at halfback and linebacker before his football career was ended by a knee injury a week after playing against Jim Thorpe and the mighty Carlisle team of 1912. Other presidents close to college football were Woodrow Wilson (Wesleyan coach), Calvin Coolidge (Amherst coach) and Herbert Hoover (Stanford manager).

A list of 428 current and former college football players who reached a high level of national distinction in non-athletic fields includes 28 U.S. senators, 45 congressmen, 13 ambassadors, 17 top government officials, 20 governors, 76 college presidents, 18 full generals and admirals, 17 actors, 18 authors, newsmen and publishers, and 36 board chairmen or presidents of giant corporations.

The finest former player currently in public life is Supreme Court Justice Byron (Whizzer) White, a consensus All-America halfback at Colorado who in 1937 won four national statistical championships—total offense, rushing, scoring and kick-scoring—a feat never equaled.

The current secretary of labor, George Shultz (Princeton) and his predecessor, Willard Wirtz (Northern Illinois), are two of 11 cabinet members who played college football. Others include Robert Kennedy, former attorney general, and Gen. George Marshall, former secretary of state and defense.

Among 16 current corporation leaders, two were all-America football players—Ed Bock (Iowa State), president of Monsanto Chemicals, and Ellmore Patterson (Chicago), president of Morgan Guaranty Trust.

Not everyone makes it in college football. Among those who tried and failed were Bing Crosby, F. Scott Fitzgerald, Herbert H. Lehman and Franklin D. Roosevelt. Crosby and Fitzgerald played in high school but failed to make their college teams, Gonzaga U. and Princeton, respectively. President Roosevelt failed to make the grade at Harvard and the late Senator Lehman was rejected by Yale. At the Yale-Harvard game in 1893 Lehman was so excited that, leaping to his feet in the bleachers, he fell through to the ground below.

The name of this writer must be added to the list of those who didn't make it. It seems that I was swift enough for the neighborhood sandlot team, but not heavy enough or tall enough, or something like that, to warrant a berth on the more prestigious high school and college teams. I have lots of excellent company in this regard and I think the whole lot of us are pretty good sports, too.

It would get pretty lonesome on those gridirons if there weren't a few people around to do some cheering and some others to chronicle the exploits of the weekly challenges during the fall months each year. One might say there are active heroes in the sports world and the passive heroes who furnish the spotlight for the former.

I can't begin to list everybody who ever played college football. These names, however, should go into any potpourri listing: Astronauts John Glenn and Alan Shepard, Explorer Richard Byrd, Sen. Edward Kennedy, Sen. J. W. Fulbright and the late Sen. Estes Kefauver. The present House minority leader, Gerald Ford, played at Michigan. Former Vice President Hubert Humphrey played for Doland High School as a guard.

Other categories of personalities:

Governors—Endicott Peabody, Joe Foss and Ronald Reagan.

Top Government Officials—Federal Trade Commission Chairman Paul Dixon; OEO Director Donald Rumsfeld, Atomic Energy Commission Chairman David Lilienthal, and Bud Wilkinson, consultant to the President.

(By Bill Hart)

Just as football has changed over the years, so have the habits of the crowds who attended them . . . before good roads, of course, those who came had to come by train and there were few people, relatively speaking, who did not usually stay for the weekend . . . then, with good roads and the airplane the crowds became larger and the fans came a few hours before the game and departed immediately thereafter—that is most of them do just that . . . we do not know if this is good or bad for Morgantown business—we presume it is bad but that is the way it is and we assume today will be no exception . . . in other words, there will be, relatively speaking no one here two hours before the kickoff and then bing, bang everybody will try to get into Morgantown, park the car and run for the stadium.

Whatever the method or how large the crowd there is nothing quite like an opening football game for any college town and we certainly hope we qualify as an average American college town . . . we hope those coming here will enjoy themselves, see a victory and get out of our village as quickly as they desire or stay as long as their money holds out or their friends will allow them to visit with them . . . in other words. on the opening day of a football season, doesn't everybody love everybody?

## ESCHATOLOGY AND HISTORY VIA THE NEW YORK WAGNERS

## HON. GEORGE E. SHIPLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 16, 1969*

Mr. SHIPLEY. Mr. Speaker, Dr. George S. Reuter, Jr., was in Albany, N.Y., recently for a conference. He presented the paper "Eschatology and History Via the New York Wagners." Because I wish to share Dr. Reuter's thoughts with my colleagues, I include with my remarks in the RECORD this paper:

ESCHATOLOGY AND HISTORY VIA THE NEW YORK WAGNERS

(By Dr. George S. Reuter, Jr.)

INTRODUCTION

Dean Merrill C. Tenney of Wheaton College, Weaton, Illinois, has defined eschatology as "a division of systematic theology dealing with the doctrine of last things such as death, resurrection, the second coming of Christ, the end of the age, divine judgment, and the future state. It properly includes all that was prophetic of future events when recorded in Scripture." The term eschatological is familiar to theologians, but it is not to the general public. The writer is concerned with a secondary contribution that laymen follow in enriching the world by thoughts and deeds that improve society and work toward a better tomorrow. In no way, however, is the primary contribution of the theologian de-emphasized. Certainly American religion has been marked by a somber eschatological depth.

Late in the nineteenth century, Frederick Jackson Turner published his essay, *The Frontier in American History*. He inaugurated an epoch in American historiography and he called attention to all the previous perspectives from which the events and the patterns of American life has been presented. These perspectives were generally oriented to the European continent. Classical Christian eschatology has been Americanized. The journals of the Mathers, the Cottons, the Endicotts in New England, the travel diaries of Crevecoeur, the novels of James Fenimore Cooper and Herman Melville, the essays and public addresses of Ralph Waldo Emerson, etc. thus help to explain the reflections of the open frontier.

Several decades later Walt Whitman shattered the reigning forms of poetical expression. He brought forth a deep and powerful feeling for America's national character and promise. Finally, in the 1930's, Thomas Wolfe was concerned about the vastness of the American land under the enormous sky at night and the great trains plunging through the scattered villages—the very realization of the difference between the yearning of life for satisfying order and the frightening boundlessness of open space.

THE CHARACTERS

It is easy to cite many outstanding characters as leaders of mankind in America. A few of these are Franklin D. Roosevelt, his charming wife, Eleanor, his son, Franklin D., Jr.; Herbert H. Lehman; Fiorello H. LaGuardia; George W. Norris; Robert M. LaFollette, his outstanding sons, Robert M., Jr., and Phillip F.; and William J. Bulow. Mayor LaGuardia, who was born in New York City on December 11, 1882, and who died on September 20, 1947, aided mankind as a Congressman, as New York City's Mayor, and as Director-General of UNRRA. Senator Norris of Nebraska, who was born on a farm in Sandusky County, Ohio, on July 11, 1861, and who died on September 2, 1944, aided mankind as a Congressman and U.S. Senator from 1903 to 1943, as co-author of the Norris-LaGuardia Anti-Injunction Act and the Muscle Shoals Act, as "father" of the Twentieth Amendment and the unicameral legislature in Nebraska, and the leader who overthrew "Cannonism" in Congress. Senator LaFollette, Sr., who was born in Primrose, Wisconsin, on June 11, 1855, and who died on June 18, 1925, aided mankind as a Congressman, U.S. Senator, and Governor of Wisconsin. Senator LaFollette, Jr., who was born on Feburary 6, 1895, and who died on February 24, 1953, succeeded his father in the U.S. Senate and served mankind greatly. Senator Bulow, who was born in Moscow, Ohio, on January 13, 1869, and who died on February 26, 1960, was a great U.S. Senator and Governor of South Dakota.

The American epic came to a turning point in the spirit of the leadership of these great lay leaders. These statesmen led in solving many of the major problems. They led in fashioning a society and an industrial order that was near perfect. The magnificence of our endowment has been cleverely established. The character of a people's life-experience in a particular place profoundly influences their permeability to the eschatological reality proclaimed by biblical faith—that life in historical time has problems that cannot always be fulfilled by sheer movement in space. Ambassador Chester Bowles thinks of American history built around three periods—the bitterly contested victory of Thomas Jefferson in 1800, the election of Abraham Lincoln in 1860, and the time when there developed substantial public acceptance of governmental responsibility for minimum standards of living and opportunity.

THE WAGNERS

Robert Ferdinand Wagner was born in Nastatten, Hesse-Nassau, Germany, on June 8, 1877. He was brought to the U.S. as a child. He was American educated—B.S. from the College, City of New York, 1898 and LL. B., New York Law School, 1900. He served in the N.Y. Assembly from 1905 to 1908 and the N.Y. Senate from 1909 to 1918. While in the Senate, he was Lt. Gov. of N.Y. in 1914. He was N.Y. Supreme Court Justice from 1919 to 1926. It was in the U.S. Senate, where he served from 1927 to 1949, that he became famous. He was author of the Wagner Labor Relations Act, Chairman of the Committee on Banking and Currency, Democratic leader of the 1938 N.Y. Constitutional Convention, and sponsor of the National Industrial Recovery Act, the National Labor Relations Act, the Railway Pension Law, and the U.S. Housing Act of 1937. When he died on May 5, 1953, the nation mourned.

Robert F. Wagner, Jr., who was born in New York City on April 20, 1910, was reared by his father because his mother died early in his life. He was educated at Yale (A.B., 1933, LL.B., 1937) and Harvard School of Business Administration. Young Bob served in the assembly, on the city tax commission, on the commission on housing and buildings, as chairman of the city planning commission, and as President, Borough of Manhattan, 1949–1953. Also, he had an outstanding record in the Eighth Air Force from 1942 to 1945. His outstanding service was, however, as Mayor of New York City for twelve years starting in 1954. He would have sought another term as Mayor and been elected but his charming wife, Susan Edwards, was dying and he promised her he would not seek another term. His marriage was an ideal one in every way, but, by honoring her wish, this brought about the election of Congressman John Lindsay who has destroyed the unity of the people of New York. Later, Mayor Wagner married Barbara Joan Cavanaugh and he served as Ambassador to Spain.

EXTENDING PROGRESS

If any of the statesmen mentioned in this paper were President of the U.S. today, progress would be extended. All of them would address themselves to a series of critical national problems that are now being largely ignored. Among these suggestions are:

1. We should review our national priorities. The division of our gross national income should be more closely related to the urgent needs for modernization and change.

2. We should review our tax system. Loopholes should be closed. For example, the oil depletion allowance should be reduced.

3. We should review our national security policies. When peace comes, we should reduce our military expenditures.

4. We should extend our medical care program. The program should be broadened to help all citizens.

5. We should revise the relationship of federal, state, and local goverments. This will better serve the people wherever they are.

6. We should revise our seniority legislative system. It is just as proper to limit the terms of Congress as it is the U.S. President.

7. We must plan our nation so as to live effectively in an increasingly integrated world.

CONCLUSIONS

The eschatological reality of grace given within the bounded possibilities of earth and time and history is a reality that has not been evaded by our leaders. There are evidences that the facts and events of the moment are leading some of our nation's thinkers into new and real encounter with the deep moral issues. The realities of limit and boundary, the spirit-educating forces that operate when one cannot move on or start afresh but must come to terms with life where it is and where it is bound to remain, give us hope that reconstructing blessedness may prevail. The simple way to achieve this progress would be to elect Robert F. Wagner, Jr., or Franklin D. Roosevelt, Jr., President in 1972.

## JAPAN'S MYOPIC VIEW OF OKINAWA

### HON. HARRY F. BYRD, JR.

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

*Tuesday, September 16, 1969*

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent to have printed in the Extensions of Remarks an article entitled "Japan's Myopic View of Okinawa," published in the Chicago Tribune of September 10, 1969.

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

JAPAN'S MYOPIC VIEW OF OKINAWA

Japan's foreign minister, Kiichi Aichi, will arrive in Washington Friday for discussions on the future of Okinawa, the most difficult problem in United States relations with Japan. Continued use of a 2-billion-dollar military-naval complex by the United States and the security of the whole western Pacific area are at stake in these critical talks.

The United States has governed Okinawa since its capture in one of the costliest battles of World War II, and the 1951 peace treaty formally recognized our position as the "sole administering authority." Altho all Presidents since 1951 have recognized Japan's ultimate sovereignty, no firm date for reversion can be set until the two countries agree on the future use of our military bases on the island.

In the 1951 treaty, the United States undertook primary responsibility for the defense of Japan, but a new treaty of mutual cooperation, concluded in 1960, restored full sovereignty in defense matters to Japan and obligated each country to come to the defense of the other in case of attack on any territory under Japan's administration. The United States retained bases in Japan, but agreed that any change in their use, such as the introduction of nuclear weapons or the launching of combat operations, would require prior consultation with Japan.

Both the United States and Japan are committed to the 1960 treaty, which will be extended automatically, subject to one year's notice of abrogation, after June 23, 1970. The two countries differ, however, on the application of the treaty to Okinawa. If Okinawa should be returned to Japan, without a separate agreement on the bases, the 1960 treaty would apply and the United States would be severely restricted in its uses of the bases. The United States wants a guarantee of continued "free use" of the bases. Japan has indicated that it might permit "free use" in "serious emergencies," but the United States objects to any such ambiguous formulation.

Altho Japan depends upon the United States nuclear umbrella for its defense, it insists that all nuclear weapons must be removed from Okinawa after its reversion to Japanese administration. This position seems irrational, now that communist China has nuclear weapons, as well as unlimited plans for imperialist expansion. Premier Eisaku Sato's Liberal-Democratic government is under tremendous pressure from communist, socialist, and ultra-nationalist elements, however, and his political future would be uncertain if he granted unrestricted base rights on Okinawa to the United States. This puts the Nixon administration in a delicate position, for the Sato government undoubtedly is more favorably disposed toward the United States than its successor would be if it should fall.

The United States has 120 bases on Okinawa. It is the only Asian strategic position in which the United States has a totally free hand. Our B-52 bombers operate from the island on missions to Viet Nam, and it is a major supply and staging center for other operations in the war. South Korea and Nationalist China regard its unrestricted use by the United States as essential to their security. Limitations demanded by Japan on the use of the bases would encourage other Asian nations to demand further concessions from the United States for continued use of their territories.

It may be, however, that "it is on the sea, and on the sea alone, that we are assured of the right to operate," as Sen. John Stennis (D., Miss.), chairman of the armed services committee, has said.

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## THE LIBERTY BELL'S FLIGHT FOR SAFEKEEPING

### HON. FRED B. ROONEY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 16, 1969*

Mr. ROONEY of Pennsylvania. Mr. Speaker, 192 years ago this month our Nation's foremost symbol of liberty was transported on a secret journey to save it from seizure by advancing British troops. A group of Pennsylvania farmers organized a wagon train to transport the precious cargo north from Philadelphia through Bucks County to Bethlehem and on to its ultimate destination, Allentown.

History records that a convoy of 700 wagons, escorted by 200 soldiers, made the trip which carried the "State House Bell," better known to all Americans as the Liberty Bell, from Philadelphia.

The Liberty Bell was but one of many bells removed from churches and public buildings and carried aboard the wagon train to keep them from the hands of the British who were desperately in need of the metal to produce shot for their weapons.

The trip lasted 8 days. En route the wagon carrying the Liberty Bell broke down in Bethlehem in front of the Moravian Church, known today as the Old Chapel. From there the bell was transported to Zion's Reformed Church in Allentown where it was concealed beneath the church floor on September 25, 1777, 1 day before the advancing British Army occupied Philadelphia.

Today, the spot in Zion's Church, Allentown, where the Liberty Bell was safeguarded from September of 1777 to June of 1778 has been set aside as the "Liberty Bell Shrine." A full-size replica of the bell reminds visitors of the daring journey which preserved the original bell, the foremost symbol of a new nation's liberty.

Support and maintenance is provided through the organization, Liberty Bell Shrine of Allentown, Inc., which, on September 24, will commemorate the bell's historic concealment in Allentown. The occasion will be a dinner in Fellowship Hall of Zion's Church with Mr. Chester Brooks, superintendent of Independence Hall, the former Pennsylvania State House in Philadelphia, as a guest.

It is particularly noteworthy that a voluntary citizen effort proposed, planned, and developed Liberty Bell Shrine in tribute to a moment in American history when another voluntary citizen effort had preserved for future generations a bell which symbolizes the basic element of our American heritage—liberty.

## THE NIXON ADMINISTRATION—AN INTERIM APPRAISAL

### HON. JOHN E. MOSS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 16, 1969*

Mr. MOSS. Mr. Speaker, almost 8 months have passed since a new administration assumed the responsibility for governing this Nation.

One-sixth of a Presidential term has become history—a history of delayed appointments, deferred policy decisions, prolonged travels—one might say an administration on a road show tour.

I take no solace from the absence of timely recommendations on ways and means of solving our complex problems.

I find no comfort in the failure to submit definitive proposals to the Congress.

I am alarmed at the continuing evidence of serious domestic inflation and the acceleration of deterioration in our cities and urban areas.

I am distressed over the failure to recognize the high priority which should be assigned the education of our youth.

I am concerned over the accelerated growth of rate of serious crime throughout our Nation.

I am concerned over the confusing picture emerging from the Nixon administration's actions—a concern I find well expressed in the following editorial from Life magazine of September 19, 1969, entitled "The Coherence Gap":

THE COHERENCE GAP

For a bigtime Wall Street lawyer who prides himself on clarity of presentation and orderliness with facts, Richard Milhouse Nixon has done a rather deplorable job of imparting those qualities to his Administration. On key issues, high-level Nixon appointees have been talking out of so many sides of so many mouths that the Administration seems to be replacing the Credibility Gap of the L.B.J. era with a Coherence Gap of its own.

The Administration's major intramural match (though hardly the only game in town) is the traditional clash over national security. As the 1969 season began, a small disagreement arose over whether the U.S. is seeking "superiority" or only "sufficiency" in the nuclear arms race with Russia. Reassuringly, Defense Secretary Mel Laird eventually accepted the President's word that sufficiency would suffice—and went on from there to the ABM debate. While Laird flatly insisted "there is no question" that Russia was building a nuclear first-strike capability against America, Secretary of State William Rogers maintained that "I have difficult in believing" it. The next time Laird and Rogers dined out on intelligence reports, the subject was a decrease in Communist troop infiltration into South Vietnam, which struck the State Department as "significant" and the Pentagon as "not significant." Finally, Laird and Rogers managed to mesh on White House plans for an August announcement of a 35,000-man Vietnam U.S. troop withdrawal. Only President Nixon unexpectedly decided not to have any announcement at all, until after his return to Washington.

Domestic pronouncements have been equally perplexing. Attorney General John Mitchell and HEW Secretary Robert Finch, of course, have aired their differences over the Administration's now-you-see-it-now-you-don't civil right program. When White House Urbanologist Pat Moynihan wrote off

prospects for a domestic budgetary "peace dividend" at the end of the Vietnam war as "evanescent like the morning clouds," White House Counsel Arthur Burns countered that there would indeed be a peace dividend amounting to no less than $8 billion.

And so it goes. Chief Economic Adviser Paul McCracken says Administration measures are beginning to lick inflation; Assistant Commerce Secretary William Chartener proclaims that inflation is still licking the Administration. A White House spokesman says the anti-hunger Food Stamp program will be retired as part of welfare reform; the President's adviser on nutrition says it won't. President Nixon proposes a tax-reform measure that would affect tax-exempt bonds; Vice President Agnew feels it will adversely affect municipal bond sales and privately urges state and local officials to oppose it.

There was great merit in Nixon's campaign pledge that his Administration would maintain "a candid dialogue with the people"—but this is hardly it. The Administration seems to be not only mixing its signals but changing them. Now that President Nixon has returned to White House East, we trust he will insist on clearer signals all around.

## PROTECTING OUR ENVIRONMENT

### HON. GILBERT GUDE

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 16, 1969*

Mr. GUDE. Mr. Speaker, Secretary Hickel has again demonstrated the administration's concern for the preservation of the precious physical environment when progress in our transportation technology has threatened the wildlife of a national park. The Interior Secretary's commitment to protect the Everglades National Park and Transportation Secretary Volpe's indicated cooperation are evidence of the governmental and public interest in maintaining a high quality of the physical environment. I commend to my colleagues today's Washington Post editorial which follows:

A CHEER FOR HICKEL AND VOLPE

The Dade County Port Authority argument for locating Miami's planned jetport on the edge of the Everglades National Park was sound in all respects except one. It decided to ignore the fact that locating the world's largest commercial airfield there would lead directly to the destruction of the very things the park was established to protect. Now, after having spent $13 million on one runway and having indicated to the entire country that it has no interest in conserving natural resources, the authority is busy seeking another site. Secretary of Interior Hickel has promised to do everything in his power to block construction of the 39-square-mile airport (with runways 6 miles long) and Secretary of Transportation Volpe has strongly indicated that he will do likewise.

Unfortunately, the federal government has been slow in taking a stand on this situation. Since one runway is already under construction, the two secretaries agreed to permit the use of it as a training strip for jet pilots. While they indicated their consent was predicated on actions by the port authority to protect the water supply of the Everglades from pollution, it is difficult to believe that the wildlife in the Everglades will not suffer from 500 or so daily landings and takeoffs.

The lesson in this unfortunate situation for airport (and other) planners everywhere, not just in Dade County, is that people are getting fed up with "progress" that impinges on the quality of daily life by introducing noise where there has been quiet, pollution where there has been clean air and water. The world is difficult enough to live in now without eliminating any more of its redeeming virtues.

## THE MACHIASPORT PROJECT

### HON. WILLIAM D. HATHAWAY

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 16, 1969*

Mr. HATHAWAY. Mr. Speaker, on Saturday, September 13, the Machiasport oil refinery project was the subject of discussion at the meeting of the New England Governors Conference in Springfield, Mass., and at the annual Maine Sugar Beet Growers Association meeting in Easton, Maine. At each of these meetings, the president of Occidental Petroleum, Dr. Armand Hammer, spoke on Occidental's plans to build a refinery. Mr. Hammer paid particular attention to the conservation aspects of the proposed refinery and outlined the commitment Occidental Petroleum has made to the Governor of Maine and the other five New England Governors, to preserve the beauty of Maine and New England.

Since conservation has been an issue in regard to the Machiasport refinery, I commend Dr. Hammer's statement to the attention of my colleagues together with a statement issued by the Governor stating some of the problems Maine has encountered with its application for a foreign trade zone which is a prerequisite to the construction of an oil refinery at Machiasport, Maine:

RELEASE FROM OFFICE OF GOV. KENNETH M. CURTIS, SEPTEMBER, 14, 1969

EASTON, MAINE.—"The Machiasport project is very much alive and the New England Governors have never been more determined to win this long struggle to bring a refinery to New England" Governor Curtis said following the meeting of New England Governors at Eastern States Exposition, Springfield, Massachusetts. Speaking for the New England Governors and as Chairman of the Conference, Curtis said, "We wish to reconfirm our strong support for a foreign trade zone and an oil refinery at Machiasport, Maine. The valid application of the State of Maine for a foreign trade zone has been delayed long enough. We still have no refinery in New England and as a result, we repeat our protest that we pay unnecessarily high prices for oil to heat our homes and fuel our industries. New England consumers need and demand fairer consideration from the Federal Government's oil policy.

"President Nixon's Cabinet-level Task Force studying our nation's oil import control policies is nearing the completion of its work We have made our views known to that group. We have urged many changes in oil policy to give consumers in New England and elsewhere more equitable prices. We shall continue to urge these changes, but as a minimum step, we call upon President Nixon to approve the Machiasport proposal. Such approval would terminate the cycle of near run-outs, inadequate stopgap relief, and raising prices which currently characterize the New England fuel oil situation."

Dr. Armand Hammer, Chairman of Occidental Petroleum Corp., who was presented to the New England Governors by Governor Curtis, made the following statement:

"Eighteen months ago, at the invitation of the State of Maine, Occidental committed itself to building a refinery in a foreign trade zone at Machiasport. The project has been opposed by most of the large oil companies, and the most powerful lobby in Washington.

"Every argument made by and on behalf of the opponents to this project was made at full hearings of the Examiners Committee of the Foreign Trade Zones Board, held in Portland, Maine, and Washington, D.C. in October, 1968. The arguments were fully presented in written briefs and testimony before representatives of the Department of Commerce, Department of Treasury, Department of the Army, and their counsels. The published record of these hearings numbers approximately 1400 pages. Among those who testified, or who submitted written material in opposition to the project were Esso, Shell, Gulf, Sinclair, Standard of Indiana, Tidewater and Continental.

"In January, 1969, under the Johnson Administration, the Examiners Committee unanimously recommended approval of the application of the State of Maine for a Foreign Trade Zone in Portland and a subzone at Machiasport. In February, 1969, under the Nixon Administration, the Committee of Alternates of the Foreign Trade Zones Board, consisting of the Assistant Secretaries of Commerce, and Treasury, and a Representative of the Army, reviewed this recommendation and unanimously approved it, leaving only the final stamp of approval by the Foreign Trade Zones Board, made up of the Secretary of Commerce, Secretary of Treasury, and Secretary of the Army. In 27 years, there has never been a case where the members of the Foreign Trade Zones Board have failed to affirm the recommendations of their alternates.

"Stripped of pretense about national security interests, the oil company opponents to Machiasport are really motivated by strictly economic considerations. They do not want to move over and share part of the oil import quota subsidy with a new competitor. They do not want to give up control of prices, and they do not want to lose any share of their market position. All this is understandable, but it should be labeled for what it is, and not paraded as concern for the national security."

Following the Governor's conference in Springfield, Massachusetts, Governor Curtis and Dr. Hammer flew to Easton, Maine to address a group of farmers assembled at the annual Maine Sugar Beet Growers Association. Close to 2,000 farmers and trade people attended the dinner meeting.

In his remarks to Easton, Governor Curtis said, "Maine is on the threshold of dramatic industrial and agricultural growth." He hailed the sugar beet industry development in Maine and noted that two other projects were "close to fruition" namely the proposed Bath Iron Works expansion and the Machiasport Foreign Trade Zone Oil refinery project.

STATEMENT OF DR. ARMAND HAMMER

I am pleased that Governor Curtis and Fred Vahlsing Jr. have invited me to be with you today, for it is always a pleasure to come back to Maine. I have spent much of my life here and, as many of you know, many enjoyable years at the former Roosevelt family home near Eastport on Campobello Island, which I donated in 1964 to the United States and Canadian Governments so that its beauty and historical significance would be preserved for the use and enjoyment of generations to come.

Perhaps I can sum up my feelings about the State of Maine by saying that I love its beauty. This was one of the reasons why I was happy to accept the invitation of Governor Curtis more than 18 months ago to become active in the Machiasport project. Machiasport has become a famous place since that time—it is the symbol of controversy and the symbol of change in the American oil industry. I should like to say a few words today about what it will do for this state as well as for New England.

As I have indicated, I have spent a great deal of time in this beautiful state. I know of the difficult times many of its residents have been experiencing. I know of the shifts in the American economy that have taken jobs and the hope for a better future away from the people of this state. I do not believe that this has to be the case, for I believe that there can be progress and there can be jobs—and we can preserve the beauty of Maine.

Occidental Petroleum Corporation has joined with the Governor, your two Senators, your two Congressmen and all the political and business leaders in New England in attempting to make the Machiasport refinery a reality. You are familiar, I am sure, with benefits it would bring—an end to the threat of shortage of home heating oil each winter, lower prices for consumers, a support for a natural resources foundation, low-sulphur fuel to aid in the fight against air pollution, jobs and economic progress for the State of Maine and for all New Englanders. In short, the impact of an oil refinery and the petrochemical complex which would grow up around it can mean a great deal to every single person in New England—every worker, taxpayer and consumer.

Many people have fought hard and long for this project—but no-one has given more of his time, his energy and his courage than Governor Ken Curtis. At the time of great crisis last December and January, when it appeared that the project had been successfully killed, he, along with your two Senators, Senator Smith and Senator Muskie, and Congressmen Hathaway and Kyros, rallied the entire New England Congressional delegation and the other five New England Governors. Together they joined in pushing the project forward. I have been pleased to work with him and, because of the efforts of so many who had advanced this project so far, I think we are going to get a refinery in Machiasport. I believe that New England will soon break from the unfair economic bondage under which it has been placed by government regulations for the past ten years, and I believe that New England will soon see a new day of progress and prosperity.

Progress and prosperity do not come easily, as we all know—it does not come without some pain. One of the most difficult aspects of building a great facility like an oil refinery is, of course, to measure and limit its impact upon the environment. I well know what poor planning and hasty construction can do to an area. I would have no part in any project which would do anything to destroy the beauty of this State. This is why Occidental is pledged to build a refinery which meets the highest standards of air and water pollution control and spillage prevention.

To this end, we have worked closely with Governor Curtis, Mr. Gardiner Means and conservation leaders in Maine and New England. We have pledged to meet their legitimate concerns. I am convinced that we can build a refinery that will meet the objectives of every concerned citizen and conservationist in Maine, and I again emphasize the desire of Occidental and myself to achieve this goal.

I am proud of the record of Occidental in the area of conservation. It is not a new concern to us. Indeed, one of the most constructive features of the project is our agreement to contribute part of the value of oil import rights to the establishment of a natural resources foundation. Based on our quota application, we shall pay some $7.3 million annually to this foundation, which will be administered by your six New England Governors. These funds will be used to do such things as acquire wetlands, develop aquaculture, provide research to aid the fishing and shell-fish industries and clean up lakes and rivers which are polluted, while keeping forever clean those which are not. In brief, we are pledged to do more than just talk about conservation—we are putting our money where our mouth is.

Let us not forget either that the Machiasport refinery is now designed to produce some 153,000 barrels daily of low-sulphur fuel oil. That's enough to cover half of New England's total requirements. There are no legal limits on the amount of sulphur contained in the heavy fuel New England burns today. New Englanders living in cities see their air growing more polluted every day. We believe this condition can be changed. The air we breath must be cleaned up. Again, we are not just talking about air pollution—we plan to do something about it.

I should like to say one final word about the impact of recent events in Libya upon the refinery plans. I am sure that some of you have been concerned that the change in Libya's government would somehow affect the future of Machiasport. Let me state emphatically that it does not, for three reasons.

First, the new government made it clear almost from the first day that it intended to honor its international commitments, including its oil arrangements with American oil companies. As a result, it has received recognition from virtually all the major countries of the world, incldiuing our own.

For its part, Occidental has confidence in the new government. As I have already publically stated, we intend to continue our investment program there. We look forward to continuing good relations with the government in Libya. We know that a period of rapid further growth is in store for the oil industry in Libya, and we intend to participate in that growth.

Second, while we initially planned to import a large percentage of crude oil from Libya at Machiasport, our current plans are to use up to 70% Venezuelan oil. As I explained to Senator Hart's committee at public hearings in Washington last month, it makes more economic sense for us to sell Libyan oil to the rapidly growing and nearby European markets than to Maine, and to use largely Venezuelan supplies for Machiasport. Venezuela is as close to Maine as ports on the United States Gulf Coast.

Third, the United States currently imports foreign crude oil from some 40 different countries. Even if supplies were cut off from one or more of these countries, it is extremely unlikely that we would lose all sources simultaneously. In the modern history of the United States oil industry, I can't think of a single case where an oil refinery had to close down because of lack of adequate supplies. So long as we continue to have a great many diversified supply sources from abroad, coupled with a healthy viable oil industry here at home, I am confident that our nation's refineries, including Occidental's proposed refinery at Machiasport, will continue to function without interruption. Such a refinery, among other things, will bring benefits to make your agriculture more competetive by giving you lower cost petroleum products for your tractors and other equipment. In addition, the industries processing Maine produce will be on the same competetive basis with respect to fuel cost as their competitors in other states.

Fred Vahlsing Jr. tells me you grow the finest potatoes and sugar beets in the nation. As you probably know I and my company are closely associated in business with Maine Sugar Industries and F. H. Vahlsing Inc. You may rest assured that I will do whatever is possible to help promote the welfare of people of this state and our enterprise to the maximum extent of my ability.

Again, let me thank you for the opportunity of being with you here today. I look forward to returning many times and, in particular, look forward to being with you at the dedication of the Machiasport refinery in the not-too-distant future.

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## A TRIBUTE TO SENATOR DIRKSEN

### HON. ROBERT C. McEWEN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 16, 1969*

Mr. McEWEN. Mr. Speaker, the death of Senator Everett McKinley Dirksen was a great shock and loss to all of us in Congress, just as it was for all Americans. He was a colorful public figure and a skillful legislator.

Alan S. Emory, distinguished Washington correspondent of the Watertown, N.Y., Daily Times; the Palladium Times of Oswego-Fulton, N.Y.; and the Schenectady, N.Y., Gazette, has written a column catching the spirit and colorful personality of the man. I would like to share it with you.

The column follows:

FROM WASHINGTON: HIS ABILITY TO LAUGH AT HIMSELF MADE DIRKSEN A CAPITAL FAVORITE

(By Alan S. Emory)

"Dear Alan," the note began. "I will try to quit falling out of beds or doing other mischievous things that will absent me from those delightful gallery meetings week after week. To me they are as a tonic and I hope the gallery gods may find a little stimulus themselves."

You'd better believe it. The note was from Everett McKinley Dirksen, and no one will miss the supremely colorful, marvelously funny Senator from Illinois more than the members of the press. Dirksen's Tuesday afternoon seances with newsmen—his "gallery gods"—perched atop a press release table, sipping coffee from a paper container and bumming cigarets from reporters, were classics of their type.

In 1965, from a hospital room, Dirksen wrote me, "How good it will be to get back and especially to return to the press gallery and sit cross-legged on my accustomed table and carry on the thrust and parry which is always a delightful exercise with the Fourth Estate."

It was Dirksen's wonderful ability to laugh at himself that made him such a favorite in the capital. Once he declared, "Far be it from me to pass judgment on my frail fellow-mortals. We all have frailties and foibles, and this includes your humble servant sitting on the table."

One of his favorite stories was—illustrating the exact meaning of words—about how Mrs. Noah Webster found her husband kissing the maid and declared, "I'm surprised, Noah!" "No, my dear," Webster replied. "You are astonished. I am surprised."

Sen. Richard Russell of Georgia called Dirksen the greatest thespian ever to tread the Senate boards. Former Sen. Paul Douglas of Illinois called him "the professional of all professionals . . . a magician par excellence."

Dirksen in the Senate was often a delight. At one point in a debate on ending filibusters, the seamy-faced Midwesterner recalled the "fuss" over Arizona's being admitted to the Union. He intoned dramatically, "Had there been a cloture vote, there would have been no Arizona. Had there been no Arizona, there probably would have been a thumping Republican majority in 1964." The Senate was convulsed with laughter.

"One man clothed in righteousness is a match for all the hosts of error," he rumbled one Summer afternoon.

Then there was this masterpiece: "If I lose the first battle, I must fight on and on until victory is won. This is only the first battle. If, perchance, destiny will let the laurels of success perch upon my lamps and my shields, I shall be happy. If not, I must gird myself again and get the energy reservoir filled with what it takes to drive one on. I must look at the arensal of weapons, take my choice and continue the fight in the only way that I know . . ."

"I am not so blind as not to know when I am up against a stacked deck," he said once. "I don't sit around and waste energy trying to beat a stacked deck. I've been around these diggings too long."

A vintage Dirksen bit was telling the Senate a ham sandwich had been waiting for him 90 minutes in the cloakroom and, "being an old baker, I am sure the bread has lost all its hydration and will not taste so good. A boiled egg is out there, and probably it has shrunken by now. There is some custard there. It has probably gone to water." So the Senate stopped debating to let Dirksen eat his lunch "without having to go back to the hospital."

But for all his love of a good floor debate, it was the give-and-take with newsmen that Dirksen relished most, especially in his leadership years.

It was a photograph of him on the press gallery table showing a short sock above his shoe that led to his being deluged with gifts of long stretch socks. As the dozens of pairs kept arriving, Dirksen complained, "I'll never wear them out."

Two years ago Dirksen threatened to tone down his press sessions. He observed, "Every time I indulge in a little balderdash or twaddle it appears in the papers as a major crisis of some sort. I'm going to be insufferably dull. I'm going to be a bore."

The "new Dirksen," he said, would have "no more wisecracks, no more jokes."

"Then you won't be up in the gallery this afternoon?" a reporter asked.

"Oh, I'll be there," replied Everett McKinley Dirksen.

Sadly, for all of us, he won't be there any more.

## OHIO TO DECIDE IN NOVEMBER ON WHETHER 19-YEAR-OLDS MAY VOTE

### HON. ROBERT TAFT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 16, 1969*

Mr. TAFT. Mr. Speaker, in November, Ohio voters will decide whether they will extend the franchise to 19- and 20-year-olds.

I have long supported giving them the right to vote and am hopeful that the voters will see fit to do so on November 4.

The following editorial from the Cincinnati Post and Times-Star presents an excellent analysis of the reasoning behind the growing support for extending the vote:

VOTE FOR 19-YEAR-OLDS

Ohio's 19-year-olds and 20-year-olds will know in less than two months if they can vote in future elections. Their elders can give them that right by approving an amendment to the State Constitution in November.

Voting is a right and privilege and it carries responsibility. It seems to us that the 19-year-olds of today, by and large, have earned that right and privilege and have demonstrated responsibility.

Today's youth are still kids, to be sure, but they are not the kids of the old days who merely whistled from the drugstore corner or sneaked under a circus tent. They are junior-grade adults, grown-up.

If given a right to vote, these sub-adults will have to take on all the legal responsibilities that now apply to those 21 and older. The Legislature will have to amend existing laws reducing the age of responsibility to 19. The 19-year-olds are well aware of that and they welcome it.

Today's youth has at times struck out against the system that requires them to live by the laws of their elders, laws in which they had no voice in making.

A voice in the system will give them an opportunity to say what they feel—and to be heard—at the ballot box. We believe the majority of 19-year-olds will think just as one of our young friends who put it so simply:

"If young people had the opportunity to honestly express their views within the system, they'd be less likely to go outside it."

## SHOULD THANK FARMERS

### HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 16, 1969*

Mr. ZWACH. Mr. Speaker, we are constantly hearing about the increase in the cost of living and rising food prices.

Many people, unthinkingly, believe that the farmer is the recipient of these increased prices. That is far from the case. Farm parity today is but 75 percent. The farmer has only a three-quarter share in our affluent society.

An editorial by Russell E. Austreng in the Cold Spring (Minn.) Record, graphically illustrates what is causing food prices to increase.

Mr. Speaker, in an effort to broaden our understanding about the rise in food prices, with your permission, I would like to insert Mr. Austreng's editorial in the RECORD to share his thinking with my colleagues:

SHOULD THANK FARMERS

Many consumers in the United States gripe about the cost of food and price increases which have taken place in recent years. Many even remember when prices were so low one could buy a T-bone steak at 25 cents a pound and other prices were comparably low. They minimize or even forget to consider the increases in personal income and other changes in living standards during the same period. And, we tend to forget the numerous items that are now on grocery store shelves that a few years ago one could get only at the hardware or drug store that too many now think of as part of the food cost.

The consumer forgets the fact that the demand today is for prepackaged or frozen food items ready to cook. These, of course, are a time saving feature for the housewife in comparison with buying potatoes, apples, etc., by the bushel, flour by the sack, beef by the "side" and other bulk food purchases. Someone has to pay for these processing features—and it has to be those who benefit most by them—the consumer. In spite of the increased costs, the consumer is still getting a bargain in his food purchases. In the United States in 1968, consumers spent 17.2% of personal income for food, compared with 25.7% in 1947.

Incidentally . . . instead of griping about food costs, which have not risen as fast as our personal income, perhaps we should take the time to extend a vote of thanks to the American farmer for producing foods in abundance at such reasonable prices.

## GOD HATES A COWARD

### HON. JAMES B. UTT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 16, 1969*

Mr. UTT. Mr. Speaker, under unanimous consent I wish to include an editorial from the Omaha World-Herald of January 26, 1949. It could just as well have been written yesterday, as there has been no change in the situation, at least, not for the better.

The editorial follows:

GOD HATES A COWARD

That's gospel truth. If any witness were needed to attest it the Republican Party of 1936–1948 would more than suffice.

For 12 years the Republican Party has been a coward; the worst kind of coward—a moral coward. In consequence it begins to take on the appearance of something the cat dragged in.

It is hard to define as an entity the Republican Party or any other large group of people, since however closely banded together all cannot think alike in all respects. But, speaking broadly, the Republican Party consists of men and women who in firm conviction are opposed to the swift trend toward the omnipotent state that is sweeping over every section of the earth. Whether it be defined as communism, fascism, socialism, totalitarianism, statism, the New Deal, the Insurance State, these men and women regard it as a thing of infinite menace, however cunningly disguished, and however ardently supported by good but misguided people.

But the Republican Party has lacked the courage to say what its rank and file believe. Out of hunger for the flesh pots it has lacked the patriotism, the loyalty, to stand up for the free Republic of the founding fathers and to fight for it. Due to that lack of moral courage, of loyalty to the American creed, the United States, almost the sole remaining bulwark against the advancing tide, finds itself without a spokesman, without a champion to proclaim and battle for its traditional, glorious creed. And it finds the once-so-firm foundations of its temple crumbling.

The fact is known of all men.

Here too, in our own America, the State is taking control and ownership of the people. It is using the power to tax to destroy their independence and self-reliance. It is converting free men into vassals and dependents. It is devouring the substance of self-supporting people to render them self-supporting no longer, and to establish a condition of universal reliance upon the biased paternalism of a Great White Father—a "Father" corrupted and corrupting, since great power does corrupt and absolute power corrupts absolutely.

And the Republican Party has not dared resist the tide; it has gone along with it. Not out of conviction, but out of cowardice. It has not dared to be a Daniel; to have a purpose and to make it known. Its plea for votes has been the shameful one: Give us the offices, the power, and we'll give you as much of what we believe to be wrong as will the Democrats themselves.

Americans do not respond to any such appeal. They, too, hate a coward. They despise hypocrisy. They hunger for a leadership of good faith. They will accept a brave and fighting leadership tainted even with Pendergastism and absolutism rather than a leadership that crawls—and trails its flag.

What a wonderful thing it would be if the Republican National Committee meeting here in Omaha, if other constituted Republican leaders could realize how desperately these United States need an honest and brave Republican Party—how true Republicans above all others hunger and thirst for it! A Republican Party to raise high the flag of a loyal opposition! Opposition not alone to a misguided and recreant Democratic Party here at home, but opposition tenacious and resolute, brave and unyielding, to all the monstrous wrong and error that today menaces freedom, self-reliance, the courage to adventure, human dignity, in every land and every clime.

How joyously, with what reborn hope, men and women of the ancient faith of this Republic would rally about such a standard! Proud of it they would be in victory. No less proud in defeat!

Surely, surely, it shall not be recorded by amazed historians of a later day, that when the black flag of Absolutism was raised back in the Twentieth Century, when the fate of all mankind was involved, there was nowhere, in any land, not even our own, an organized body of men and women who had the courage, the devotion, the wisdom, the loyalty to God who made men free, to challenge that foul intruder and to dedicate their lives, their fortunes, their sacred honor, to driving him back into the Dark Ages whence he emerged!

Never has there been sounded such a call to service as rings today in the ears of the Republican Party. Never, for men and women of courage, of character, of conviction, has there been afforded such an occasion for rising to the heights of human devotion to imperishable ideals.

The Republican Party can keep on crawling ignominiously along the dusty trail of an order it abhors but shrinks from challenging. Or it can rise out of the dust of four merited defeats, stand erect and unafraid, proudly to take up the battle for all that free men prize.

Courage or cowardice? Loyalty or recreancy? Conviction or time serving?

It is as simple as that, ladies and gentlemen of the Republican National Committee.

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## RAILROAD TECHNOLOGY

### HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 16, 1969*

Mr. PICKLE. Mr. Speaker, last week I took one of the most interesting 30-mile trips on a train ever and never left Union Station. I was aboard the Santa Fe locomotive and train simulator, the first such training device in the Nation. An actual 30-mile trip was recorded by a computer and is fed back into this simulator.

It is similar to a simulator used by the Air Force in training pilots, except this one is experienced from the cab of a locomotive. It gives you all the sensations of riding in a train, the sounds, sights, and movement. Through this training device, an engineman can "handle" a 10,000-ton train down a 3-percent grade before he is actually faced with that responsibility. This simulator holds the promise of a breakthrough in training engineers in record time while instilling proper safety features in handling the big trains. Prior to the simulator, an engineer learned on-the-job during a 3- or 4-year hitch. After 38 hours of training in the simulator, a man can move to the actual train and his hands and reactions will already have been grooved to the throb of the engine.

Another prototype was on display at Union Station; this was the coaxial train, a strange duck-billed creature that potentially could change the looks, the speed and the safety of the Nation's trains. This is a diesel-power generator car, with electrical current distributed down the length of the train. This model would eliminate standard coupling devices and get rid of the slack action.

This may be one of the first high-speed freight trains. No top speed has been pinpointed, but early tests of the model indicate speeds of 100 miles an hour are within reach. The train is designed to haul freight; but, with modification, it could be converted to passenger service.

Mr. Speaker, I think these two technological innovations represent significant advances by an embattled industry. Railroads should be encouraged to continue their research and development. The Penn Central Metroliner is a good example of what can be accomplished when the Government joins hands with the railroads in an effort to find another solution to our mass transportation problems.

I believe the railroads could enjoy an up-swing in passengers in the future if they can find the means with which to continue their research. The high-speed passenger in Tokyo is a living example of the potential of railroad passenger service.

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## INGALLS SHIPBUILDING SPEARHEADS MASSIVE RECOVERY

### HON. WILLIAM M. COLMER

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 16, 1969*

Mr. COLMER. Mr. Speaker, we in Mississippi are blessed with an abundance of resources, among which our industry ranks high on the list. At this particular time, we are most conscious of the concerted effort being put forth by all of these industries—from the small operations to the large subsidiaries—in recovering from the devastating effects of Hurricane Camille.

Mr. Speaker, in my hometown of Pascagoula is located the largest industry in our State—Ingalls Shipbuilding Corp., which is a subsidiary of Litton Industries. I want to note an outstanding example of how one large corporation, out of its own concern for the local community, went far beyond the call of duty in preparing for and recovering from the destructive forces that visited our Mississippi Gulf Coast on August 17. In citing this, I enclose the following article from the Baltimore Sun of September 8, 1969:

AROUND THE WATERFRONT: SHIPYARD HELPS VICTIMS OF DESTRUCTIVE HURRICANE

(By Helen Delich Bentley)

PASCAGOULA, MISS.—This is a story about how a shipyard served as the economic backbone to help a devastated State rise up from the mud and destruction of a furious lady named Camille and get on its feet (or near on its feet) as fast as possible.

It involved the president of this giant shipyard flying over the surviving homes along the 55-mile front slashed and lashed by the strongest winds (up to 200 miles an hour) ever to hit the mainland to drop brightly colored leaflets directing the survivors where help was available.

It involved sending payroll data to Atlanta so people could receive their sorely-needed checks on time; and armored car from New Orleans laden with $300,000 in $20 bills, the erection of special day nurseries, and establishment of special counseling teams.

The yard, of course is Ingalls Shipbuilding and Dry Dock Company, Mississippi's largest employer with some 10,500 persons on the payroll.

Its president is Ellis B. Gardner, whose years with Litton Industries prepared him and his people to apply their management techniques rapidly in a time of dire emergency to help the thousands of victims in the three-county area which was in the path of Hurricane Camille when she unleashed all of her fury on this Gulf coast last month.

Mr. Gardner was prepared—if anyone can ever be prepared—for the visit of the lady. He had followed her course on his own chart for about four days before she smashed into Pass Christian, Gulfport, Biloxi, and ripped through the rest of the Mississippi coast.

When he saw that she was heading in this general direction, he launched a program to get all vulnerable materials out of the way. Electrical materials were removed from the outside yard to the second floor of buildings; corrosive pipe was moved up to the higher land on the high end of the yard.

Trucks and flatcars were run on an ant-like chain basis transporting more than 6,000 tons worth of materials from near the waterfront to as secure areas as were available.

Finally as time began to run out, other materials were stacked on the flatcars which stood at least a few feet above the ground and the flatcars were welded to the rails so even the hurricane winds couldn't move them.

On Sunday just before the storm hit, 600 persons were kept busy just relocating vulnerable materials. And when the fury of the storm hit, moving giant ocean-going ships from their moorings to become grounded, and knocking over a 50-ton gantry crane whose own weight was 250 tons and standing 150 feet in the air. Forty persons including Mr. Gardner remained on the site ready to begin cleaning up as soon as possible.

In preparation for the storm, one submarine was even battened down and lowered into the water as deeply as possible. She was hardly damaged.

Across the Pascagoula and Singing Rivers, at the Ingalls Shipyard of the Future—built some 10 feet higher in order to avoid being flooded and hurricane-damaged—an incomplete section of the outshore end of the wall was gapping. Bulldozers were rushed in to fill it up with sand and block it in.

The next morning the yard looked like an impossible task or at least impossible as far as getting back to work was concerned. But

the impossible was accomplished and by the following Monday, some 8,500 persons—more than on the usual Monday—were on the job.

While the yard was being whipped into shape, the Ingalls people also began a great community effort with each executive assigned specific tasks at the twice-daily meetings. Every task had to be completed without any ifs, ands, or buts or effort to switch things around.

A 30-man team of counselors composed of insurance people, attorneys, nurse and payroll experts, was sent around to set up "self-equipped areas" and advise people about being careful in regard to typhoid and hepatitis.

Mr. Gardner and A. C. (Skeeter) Weeks, the yard's public relations director, were given special permission from the Federal Aviation Administration to fly at a height of 200 feet to drop leaflets.

The first time the leaflets caught in the tail of the plane and a second try was made with two planes. The brightly-colored leaflets advised the people where counseling services and money were available, opening of the shipyard, and other important information needed to help them come back.

The armored car from New Orleans had $20 bills available at pay stations to tide the people over. Parents who were busy all day trying to get their houses in shape found day nurseries set up to take care of their children.

And then as the towns and State struggled to their feet, they took over the counseling centers and other civic duties that had been performed by the shipyard staff during the height of the crisis when help was so sorely needed.

## NATIONAL HISPANIC HERITAGE WEEK, 1969

### HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 16, 1969*

Mr. BROWN of California. Mr. Speaker, cries of "Viva, Mexico"! resound today not only throughout Mexico, but in many parts of the United States where citizens of this country who are of Mexican ancestry honor the memory of this day in history.

In my own district, in the area commonly known as East Los Angeles, a huge, colorful parade highlights the day's events.

Last year Congress chose to recognize the contributions which persons of Hispanic heritage have made to the progress of the United States, passing a resolution which I authored authorizing the President to proclaim the week which includes September 15 and 16 as National Hispanic Heritage Week. On this past Friday, President Nixon carried through with this proclamation. I would like to call that proclamation to the attention of my colleagues on the occasion of this important holiday being celebrated by our good neighbors to the south:

NATIONAL HISPANIC HERITAGE WEEK, 1969

*By the President of the United States of America a Proclamation:*

One of America's great strengths is her diversity. A wide variety of peoples have made contributions to our nation; each has added its own strength and charm to American life, and each provides an ongoing link between our culture and those of other countries around the world.

The Hispanic culture is one to which this nation is particularly indebted. Men of Hispanic origin were among the first Europeans to explore this hemisphere. For four centuries men and women of Hispanic descent have provided distinguished leadership in our country and in other New World countries, both in government and in other walks of life.

Today the people of the United States are reminded of this rich heritage in many ways. Millions of our citizens speak Spanish, and Hispanic names and traditions grace many parts of our landscape, including both the town where I was born and the place where I am making my new home.

This country's Hispanic heritage is particularly important because it reminds us of the great traditions we share with our neighbors in Latin America. In fact, when the Congress, just a year ago, requested the President to issue annually a proclamation setting aside one week as Hispanic Heritage Week, it designated the week which includes the dates of September 15th and 16th, when five Central American nations and the Republic of Mexico celebrate their Independence Days.

This Hispanic culture is one of depth, excitement, and beauty. It has crossed borders and mountains and oceans, and has made its influence felt in all parts of the globe. In honoring it, we give strength to that international understanding which is indispensable to world order.

Now, therefore, I, Richard Nixon, President of the United States of America, do hereby proclaim the week beginning September 14, 1969, as National Hispanic Heritage Week. I call upon all of the people of the United States, and especially the educational community, to observe that week with appropriate ceremonies and activities.

In witness whereof, I have hereunto set my hand the twelfth day of Sept., in the year of our Lord nineteen hundred sixty-nine, and of the Independence of the United States of America the one hundred ninety-fourth.

RICHARD NIXON.

## ELECTORAL REFORM

### HON. G. WILLIAM WHITEHURST

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 16, 1969*

Mr. WHITEHURST. Mr. Speaker, I would like to identify myself with the comments expressed by Congressman RICHARD POFF of Virginia in the Committee report on House Joint Resolution 681, to change the method of electing the President and Vice Preisdent of the United States.

Although this is not the bill I would have preferred, I believe that it constitutes a workable solution to the problem of electoral reform that is superior to our present system.

I ask to insert Mr. POFF's remarks in the RECORD at this point for the benefit of my colleagues and those who may not have access to the report—House Report 91-253:

SEPARATE VIEWS OF HON. RICHARD H. POFF

I voted "No" on the motion to report House Joint Resolution 681 from committee. I am anxious that my vote not be misinterpreted. It is misinterpreted if construed to be a vote against electoral reform. I favor electoral reform. My vote is properly understood only when it is construed to be a mechanism to preserve my options during floor debate. I want to be free during floor debate to offer amendments perfecting the committee bill or substitutes for the committee bill or amendments to substitutes offered by others.

I want to keep these options open for two reasons: first, because every effort to alter the basic structure of government as originally designed by the architects of America deserves nothing but the fullest and fairest debate in the greatest open forum the Nation has: because each House of the Congress, if it is earnest in its desire to achieve electoral reform rather than simply erect a monument to an unsuccessful effort, must strive to write a proposal which can win ratification of 38 States.

One of the amendments I want to be free to offer is an amendment in the nature of a substitute similar to one I proposed during committee consideration. The language is printed in full as an appendix to these views. By way of skeleton summary, my substitute would structure the presidential election system so that—

(1) the electoral vote of each State and the District of Columbia would be apportioned automatically among the several presidential—vice-presidential candidacies in proportion to the popular votes received;

(2) the candidacy which received a majority of the electoral votes would become President-elect and the Vice-President-elect;

(3) if no candidacy earned a majority of the electoral votes, then the candidacy which won the greatest number and at least 40 percent of the popular vote would be elected; and

(4) if no candidacy earned either a majority of the electoral vote or 40 percent of the popular vote, then the election would be decided from the top two candidates by the two Houses of Congress sitting jointly with each Member of each House casting one vote.

This substitute is not perfect. It is a joinder of parts. It partakes in one part of the proportional plan; in another part of the popular plan; in another, of a modified district plan. It is a hybrid. It is possible that the plan may by some chance elect a candidate who did not receive the most popular votes, although if the plan is applied to the facts of the elections of the last one hundred years (the extent of the data presented to the committee), in no election would the plan have made the popular winner a loser.

When compared with the present system, all must agree that in its total impact, the plan involves substantial, meaningful reform. It does this:

(1) It abolishes the electoral college but preserves the electoral system which many regard as one of the vital components of the federal system;

(2) It solves the problem of the defecting elector;

(3) It reflects popular will more accurately than the winner-take-all system;

(4) It provides for the problems of the death, withdrawal, or disability of a candidate as well as for the death of both the President-elect and Vice-President-elect, problems left unresolved in the Constitution; and

(5) it contains two contingency mechanisms when no candidate in the general election receives a majority of the electoral votes:

(*a*) the first contingency adopts the popular vote concept and decides the election when one candidate earns as much as 40 percent of the popular vote;

(*b*) the second contingency (patterned after a part of the District plan) changes the present clumsy, mischiefmaking apparatus which provides (1) for election among the top three candidates in the House, (2) that each State have one vote, and (3) that the Senate choose the Vice President.

It should be noted that the second con-

tingency is unlikely ever to become operative. Only twice in all our history has a President failed to win a majority of the electoral votes. But if under the substitute no candidate should receive a majority, then so long as the two party system remains strong, it is extremely unlikely that one of the major candidates will fail to receive 40 percent of the popular vote. Indeed, there has been only one presidential election where no candidate reached 40 percent and that was in 1860 when 10 States failed to include Lincoln's name on the ballot. But even if the second contingency mechanism should be triggered, remote as such an eventuality might be, the people's President and Vice President would be elected by the people's elected representatives. And since these representatives in both Houses of Congress, voting individually, would be required to elect from the two top candidacies, the identity of the new President and Vice President would become apparent to the Nation and the world as soon as the results of the general election had been certified.

As the Congress begins its labors on the constitutional amendment, its objective must be to produce a product which can be merchandised. More particularly, the product of our labors must be sold to 38 State legislatures, each of which must assume the initiative and act affirmatively. In our 50 States, there are 99 legislative bodies. If only one body in each of 13 of these States should simply fail to act or act negatively, then our labors will have been in vain.

Smaller States are convinced that they enjoy a power advantage in the present electoral system. They look upon the two bonus votes in the electoral college as the power equivalent of their two votes in the Senate. They feel that their sovereignty entitles them to equality of power with all other States both in the Senate and in the electoral college. Whether in fact the present system affords them a power advantage is altogether irrelevant; they are convinced that notwithstanding contrary conclusions of sophisticated, mathematical formulae, they do enjoy such an advantage.

Indeed, by selecting their own formula, they can prove that the popular vote system will cause them to lose voting power in presidential elections. That formula is one which compares the ratio of the popular vote cast in each State to the total vote cast in the Nation in the 1968 election with the ratio of the electoral votes of each State to the 538 national total. By that formula, 33 States (the smaller States) would each suffer a loss in its share of votes for President. In all probability, among those 33 States, there are 13 in which one body of the legislature will be so jealous of its present advantage as to reject a new system which seems to deprive it of that advantage.

The substitute which I offer will not offend the small States, primarily because it will preserve the electoral system and whatever vote advantage the small States may feel they enjoy under that system. Perhaps some of the States with the largest populations and which benefit most from a popular vote plan would prefer the popular vote plan to my substitute. But these same States would also prefer my substitute to the present system. For these two reasons and because it contains some of the most attractive reform features of the several alternative plans, it seems to me that the work product which I propose is more salable than any other.

Respectfully submitted.

RICHARD H. POFF,
*Member of Congress.*

The undersigned concur in the foregoing views.

EDWARD HUTCHINSON,
*Member of Congress.*
DAVID W. DENNIS,
*Member of Congress.*

## TO WEAKEN AMERICA

### HON. JAMES B. UTT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 16, 1969*

Mr. UTT. Mr. Speaker, under unanimous consent, I would like to include in the RECORD two editorials from the Altoona Mirror of August 23, 1969, and August 28, 1969, on the subject of our military posture. These editorials were prepared by Mr. Bob Boyer, who possesses a very keen faculty for discerning the signs of our time.

The articles follow:

ARE WE BEING "SET UP" TO WEAKEN AMERICA?

Reductions in the national defense budget, which the government admits are critical, deserve a close examination by every American. Secretary of Defense Melvin R. Laird announced cuts in the military budget of $1.5 billion, first steps in plans to cut a total of $3 billions from the defense program by next June 30. He also said 100,000 men will be taken off the armed forces rosters.

Mr. Laird made it plain that this action by the Department of Defense is due to Congressional demands. He made it equally plain that "there are some risks involved."

Mr. Laird pointed also to stepped up Soviet activities in both strategic offensive and defensive military fields. He warned that Soviet Russia has about 125 ships now at sea and that Soviet naval forces are developing "deep sea mobile striking forces" in the Caribbean, where Russia naval forces never operated before; in the Mediterranean and Indian Oceans and even in the latter two, seldom has Russia naval powers been more than a passing cruise. Mr. Laird said Russia is engaged in a "crash" naval power expansion program. "The Soviet Navy," he said, "has more ships deployed away from the Soviet Union than ever before."

Then, Americans must ask, why has the Congress put pressure on the Defense Department to weaken this nation militarily?

It seems plain enough that Congress is reacting to vast minority pressure to the detriment of the United States, and perhaps to our jeopardy.

Why is this happening at the very time that Soviet militarism is growing steadily despite our moves to level off or end the arms race?

A strange policy made itself apparent during the Johnson administration: that this country should begin to disarm, that by unilaterally acting to give up superior military power, we should remove provocation and allow Moscow to do likewise. Under the damaging guidance of former Secretary of Defense Robert McNamara this policy made such headway that every official report showed Russia with military equality with this country and rapidly forging ahead of us in total strategic military power.

In April, the Institute of Strategic Studies in London announced, "The Soviet Union must now be treated as a full equal in terms of both of strategic power and ability to control conflict in the developing world."

In March, Secretary Laird told the Senate Armed Forces Committee that Russia has "in being and under construction" more ICBM (intercontinental ballistics missiles) than the 1,048 possessed by the United States."

The New York Times, April 14, in an analysis of Soviet weaponry, published "Qualified sources say that new evidence gathered by high-flying satellites shows the Soviet Union has about 150 more land-based ICBMs than the U.S."

The significant thing is that Soviet Russia has not followed our lead, has not cut back in any military department, but to the contrary has speeded up its military spending, and has vastly increased its lead in development of strategic weapons, research into which was virtually dropped by the U.S. in the Johnson-McNamara administration.

All of this makes unbelievable nonsense of the cry that we must disarm lest we provoke Russia. It is, in fact, one of the most dangerous, if not downright trecherous doctrines, which ever has been sold to a gullible nation.

Had Russia, at the outset of our beginning military cutbacks under Johnson and McNamara evinced any reciprocal interest, had even slowed its own military expansion, one perhaps could have found some support for such a doctrine. But, in view of the facts, that Russia has continued its military programs, our continued disarming is nothing short of the risk of betrayal of the American people.

Since we started this slow unilateral disarmament under Johnson and Secretary McNamara, notice the course of events: The arming of North Vietnam by Soviet Russia and implementation of Hanoi's attacks upon South Vietnam; Communist seizure of the U.S.S. Pueblo, shooting down of a U.S. plane by Communist Korea; invasion and subjugation of Czechoslovakia; new pressure and threats against West Berlin; Soviet naval forces building up in the Mediterranean, formerly British territory, and in the Caribbean, until now, the domain of the United States Navy; the rapid arming of Egypt, and stepped up internal Communist pressure in America.

Compare this to the period, in the Eisenhower administration and early in the Kennedy regime before we began to cut back, and when we had unchallenged military superiority. Moscow backed off when challenged directly by the United States, led by President Kennedy, and the establishment of atomic missile bases aimed at the U.S. from Cuba was balked.

Today, notice how our waning military posture weakens us. The Paris Vietnam "peace" conference has had over a year of obdurate insults from the Reds from Hanoi.

And, what about this deadly pressure on Congress, and on America to disarm?

Look at it—the American pacifists, the American Reds, the American leftists and radicals, our political demagogues and congressional publicity hounds have been busily engaged in selling us down the river with talk about our "military-industrial complex," efforts of the campus nuts and leftists to force the ROTC, a major source of officers for America's armed forces, out of business. Efforts to disarm America are a major objective of every radical propagandist in the land.

We are being sold down the river. We shall have to come awake and read facts instead of propaganda.

What makes this all so frustrating is that these people who run down our country, and theirs, speak the language, speciously, of freedom, while trying to set us up, deliberately or unintentionally, for communism.

Let them look at communism, at freedom in the land of the Communists. In Moscow, a fellow was given eight years at hard labor for distributing pamphlets criticizing the Soviet government. If these detractors of America get what they are aiming at, the "new government" has a pattern to follow—Cuba's "To the Wall!" Moscow's execution squads, prisons and Siberia.

TIME FOR NIXON TO SPEAK UP

History indeed repeats itself. Announcement by Secretary of Defense Melvin Laird that the nation's national defense budget is being cut back critically, a cut which will "affect our defense posture around the

world," as Mr. Laird said, has a too familiar sound.

The pressure has been put upon Congress to cut back, to destroy our military power, and Congress, said Mr. Laird, is putting the pressure on the administration to reduce our defense establishment.

Forces inimical to our country are trying to lead us down the graden path again—that old familiar byway. A look at this century's history shows America complacent, engrossed in our own affairs, eager to live our own lives in 1915 and 1916. President Woodrow Wilson campaigned, as did Franklin D. Roosevelt in 1940, on a peace platform.

But, as the forces of Kaiser Wilhelm invaded neutral lands, took over the high seas with unrestricted submarine warfare, and sank the passenger liner Lusitania, the nation came rudely awake to the kind of world we should face alone if Imperial Germany conquered Europe, and dominated the Far East.

President Wilson threw away his peace talk, and led the nation into war, a nation unprepared, with no standing army, no equipment. New troops drilled with broomsticks in hastily built barracks in which many sickened and died, and we had to arm many of our first combat troops with British Lewis machine guns, Enfield rifles, and French "75" field guns. Our men were not trained to react defensively when under fire, and we had few officers who knew what to do in a war.

In 1940, in his famous Boston speech, President Roosevelt promised not to let "your sons die on a foreign battlefield." But within little more than six months, we were at war, attacked at Pearl Harbor by the Japanese. And, again, we were not prepared adequately. The crash program to build our armed forces was accomplished at a cost far in excess of what it would have been had we built our defenses over the years.

After World War II, we demobilized most of our 13 million men in uniform, stored our fleet, our airplanes and our guns. Congress in 1945 had no more foresight than the querulous, unwise Congress of 1916. Even when Soviet Russia announced a postwar reorganization of its military strength little below what we used to fight the war, American leaders ignored the obvious Soviet menace, and did not awaken to it until we were confronted with the Red ultimatum on Berlin which only the costly Berlin airlift solved.

But, we still did not learn a lesson. When we were precipitated into the Korean War, our national defense budget had been cut to about $12 billion, and windy spellbinders in Congress assured us that only the "fat" was being trimmed out of the defense spending. But, when the Reds of North Korea drove south into free South Korea, then under our protection, once again we were forced into a crash re-armament program that cost us dearly in waste and duplication in the frantic speed of the military crisis.

Laird tells the nation frankly that these cuts "are accomplished by a certain risk." He says in candor our military position in the world is weakened. The news reports fighting, a new crisis in the Middle East; it reports the Reds in Vietnam fighting us more viciously then ever; it reports that the Communists from North Vietnam have pushed deeper their invasion of Laos, Cambodia and Thailand. The Soviet fleet has been built into a first class power for the first time in Russian history; its submarines are growing in number; Soviet warships now plow the seas of the Mediterranean, the Indian Ocean, the Caribbean; they maneuver off the American East coast. Czechoslovakia is under tight military control by Russia, and West Germany looks uneasily at the Red Army "maneuvers" on its border—and Congress, American's doubtful liberal press, our strange pacifists and the parlor pinks and Reds in this country have convinced our government to disarm partially!

They have done this through student riots, increasing propaganda, infiltration of once respected circles with Red propaganda against the ROTC, source of much of our officer corps, and nonsense about our "military-industrial" complex.

We are being led down the garden path by subversives, Reds and a minority of confused Americans who have convinced themselves they hate their country—even while they can't stand any other. Congress has fallen for it—And, where are Mr. Nixon and Mr. Laird?

Why, doesn't Mr. Laird fight this cut, since he thinks it will endanger us?

Why does not Mr. Nixon oppose it, instead of weakly retreating before the onslaught of a Congress with a record that is historically bad? In fact, Mr. Nixon could cite the history of this century to prove his point that America cannot afford to disarm in today's warlike world.

It is shameful for a great nation to have not only its integrity but its common sense held up to scorn before a wondering world.

Mr. Nixon should ignore the loud minority who shout for us to destroy our military power while the enemy applauds. He should take his effort to protect the national defense right over Congress, and straight to the American people. He would find plenty of hearers besides the screaming minority.

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## METROPOLITAN SANITARY DISTRICT OF GREATER CHICAGO URGES STRONG PROGRAM TO COMBAT WATER POLLUTION

### HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 16, 1969*

Mr. PUCINSKI. Mr. Speaker, on August 29, 1969, the board of trustees of the Metropolitan Sanitary District of Greater Chicago adopted a resolution supporting a $1 billion appropriation for the Clean Water Restoration Act. The resolution is typical of the sentiment now being expressed by most Governors, municipal water pollution control authorities nationwide, by a growing number of our colleagues with whom I have associated myself, and by more than 40 respected citizen and professional organizations. If there is to be any progress in cleaning up America's waters, statutory commitments must be matched by a commitment of adequate resources.

No doubt new and imaginative solutions to the mounting problem of waste water purification will have to be found and many new ideas for financing these works are in fact being proposed. But until Congress has the opportunity to examine them thoroughly, our long standing promise to assist State and city efforts under the 1966 act should be kept. Consideration of "alternate financing plans" still in the future should not be dragged out as an alternative to responsibility.

Mr. Speaker, I include the resolution adopted by the sanitary district in the RECORD, along with a list of other organizations, known as the Citizens Crusade for Clean Water, which support the $1 billion appropriation:

American Federation of Labor.
American Fisheries Society.
American Forestry Association.
American Institute of Architects.
American Institute of Landscape Architects.
Association of Interpretive Naturalists.
Association of State and Interstate Water Pollution Control Administrators.
Citizens Committee on Natural Resources.
The Conservation Foundation.
Consumer Federation of America.
Izaak Walton League of America.
League of Women Voters of the United States.
National Association of Counties.
National Audubon Society.
National League of Cities.
National Wildlife Federation.
The Sierra Club.
Sport Fishing Institute.
United Auto Workers.
U.S. Conference of Mayors.
U.S. Conference of City Health Officers.
United Steelworkers of America.
The Wilderness Society.
Wildlife Management Institute.
The Wildlife Society.
National Recreation and Parks Association.
American Association of University Women.
National Association of Soil and Water Conservation Districts.
Monsanto Chemical, Monsanto Biodize Systems, Inc.
American Paper Institute.
National Rifle Association.
Society of American Foresters.
South Jersey Shellfishermans Association.
American Institute of Planners.
Trout Unlimited.
Lake Champlain Committee, Vermont.
Long Island Environmental Council.

RESOLUTION

Whereas, there is pending before the House of Representatives of the United States, a Bill to "secure full funding of One Billion Dollars for fiscal year 1970 construction grant operations authorized by the Clean Water Restoration Act of 1966", and

Whereas, the best interests of the Metropolitan Sanitary District of Greater Chicago will be vitally served upon passage of said Bill,

Now, therefore, be it resolved that the Illinois Delegation to said House of Representatives be forthwith advised that the Board of Trustees of The Metropolitan Sanitary District of Greater Chicago supports said Bill, and respectfully requests said delegation to vote in favor of the passage of said Bill; and that the Clerk of The Metropolitan Sanitary District of Greater Chicago promptly forward to every member of said delegation a certified copy of this Resolution.

Adopted at Chicago, Illinois, this 29th day of August, 1969.

JOHN E. EGAN,
*President.*
EARL STRAYHORN,
VALENTINE JANECKI,
NICKOLAS MELAS,
CHESTER MAJEWSKI,
EUGENE DIBBLE,
ABE EISERMAN,
GEORGE THEIM,
*Trustees.*

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## LETTER FROM A CHICAGO JAIL

### HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 16, 1969*

Mr. MIKVA. Mr. Speaker, many of the most eloquent statements of human purpose which have been made throughout the years have been made from prisons and jails. Thus Gandhi, leader of the In-

dian independence movement, directed and defended his cause while incarcerated in British jails. Perhaps the most moving statement of purpose to come out of the American civil rights movement was the letter of Dr. Martin Luther King, Jr., written while he was imprisoned in Birmingham, Ala. Last week a similarly eloquent statement of purpose was made from a Chicago jail. It was in the form of a letter from the Reverend Jesse Jackson, head of the Southern Christian Leadership Conference in Chicago and director of Operation Breadbasket, to explain "Why We're in Jail."

Reverend Jackson points out that those who are seeking entry into the building and construction industry in Chicago are simply:

Seeking participation in the American economy . . . not just a minimum wage but a liveable wage.

What Reverend Jackson is calling on America to do is to redeem promises made over the years that every American deserves a decent job and a chance to earn a decent living. In many respects this question of fulfilling America's promises to its citizens is what the civil rights movement and student dissatisfaction are all about. We have talked for years about what America means in terms of opportunity; now we are being called upon to deliver.

Jesse Jackson, as the preeminent leader of black self-help efforts in Chicago, is the ideal figure to make this statement of purpose. He has shown that blacks are willing to undertake efforts to help themselves; he now tells us that they must be given an opportunity to show what they can do, an opportunity to obtain the kind of high-paying jobs which have long been closed to them.

The letter referred to follows:

[From the Chicago Sun-Times, Sept. 11, 1969]

WHY WE'RE IN JAIL

We are seeking meaningful participation in the American economy . . . not just a minimum wage but a livable wage.

It is significant that a period of despair and hopelessness, characterized by the slogan, "Burn, baby, burn," has been transformed into a period of hope with new possibilities characterized by the slogan, "Build, baby, build, earn while you learn."

We do not seek to take white jobs. But neither do we intend to allow whites to keep black jobs while we are passively quiet and docile. There will be no more rest and tranquility until our just pleas are heeded. Many of the whites are employed upon the prerogatives of discrimination and exclusionary procedures.

We realize that our protest creates a counterprotest. We seek jobs. The whites seek to maintain their jobs. It is understandable that they would want to remain employed. It should be just as understandable that we seek jobs which offer security, protection, opportunity, food, clothing, shelter, education and the necessities of life. Both groups are frightened that they may be deprived of these necessities.

White insecurity is expressed by an exclusion of the out-group and a ratio of trained workers to jobs that allows the law of supply and demand to enable them to bargain for higher wages. Black insecurity is expressed by direct challenge to the in-group's exclusive hold upon public policy. Blacks are saying we need to declare a state of emergency because of unemployment and underemployment. We need to create a crisis to deal with the emergency. We need training programs.

We'll march, protest, break injunctions, boycott and use other forms of creative protest in order to be heard, recognized, respected and allowed to participate.

Ironically, both groups are right. But each group is hardly able to see beyond achieving security for itself. Both think that the elimination of each other is the solution. The real solution is the expansion of the economy to the extent that it can absorb or employ both whites and blacks.

Every American deserves a job or an income. A government is responsible for the welfare of its people or it forces its people to say farewell to it. People develop disloyalty and disinterest in a government that will not rise to the occasion of providing basic opportunities for its people to survive.

Chicago, the scene of historic labor battles and organization, where the eight-hour day was initiated, can be the scene of another creative adjustment in men's search for liberation beyond the throes of poverty, ignorance and disease.

The labor fight we are engaged in now threatens to further devide the poor black and just recently removed poor white into greater racial polarity, with intensified racial antagonisms. Each group develops programs of race glorification or chauvinism locking up their jobs, schools, sons, daughters, families and churches.

This division of the races and the pending fight between the poor must be avoided. This horizontal fight between the have-nots must shift into a vertical fight—if there is to be a fight—between the have-nots and the haves.

These fights between poor blacks and poor whites will inevitably occur if our economy maintains its present collision course. Everyone has a stake in this not occurring. But as long as there is surplus on one hand and starvation on the other, this gap will create tension in our nation.

Our economy has the economic elasticity and capacity. Hopefully it will develop the moral capacity to adjust its priorities and make the dream of full employment a reality.

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## BATH IRON WORKS PRODUCT AT FOREFRONT OF NORTHWEST PASSAGE BREAKTHROUGH

### HON. PETER N. KYROS

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 16, 1969*

Mr. KYROS. Mr. Speaker, it appears that the experimental icebreaking tanker, *Manhattan*, is successfully proving the feasibility of the Northwest Passage as a trade route, through which Alaskan oil may be only the first of many products to be transported. I am proud that, as the *Manhattan* smashed through the heavy ice north of the Arctic Circle to finally hit open water at the mouth of the Prince of Wales Strait, the bow of this ship was a specially constructed product of the Bath Iron Works, Bath, Maine. Maine's nautical craftsmen are thus continuing their unprecedented record of quality workmanship, and it is a privilege to provide further details on Maine's contribution to another of our Nation's historic voyages.

The so-called MIT bow, constructed by the Bath Iron Works Corp., is of radically new icebreaking design. This bow—which is 69 feet long, 76 feet wide at its widest, 35 deep, and weighs close to 800 tons—had to be completed with utmost speed to beat the project's strict deadline. Beginning on the 9th of May and working around the clock, Bath Iron Works crews completed and delivered the bow on schedule by June 23. Fabricating steel up to 4 inches thick, and moving individual components weighing as much as 79 tons, the final assembly of the 800-ton bow was accomplished on the after end of an old T–2 tanker, which would serve as a transporting barge. Resting partly on the T–2 section's deck and extending out aft, the new bow was secured for its trip to Philadelphia by I-beam braces. Towed by tugs to Sun Shipbuilding Corp., the bow, still on the T–2 deck, was backed up to the rest of the *Manhattan*, alined and welded on. Then the securing braces were cut off and the T–2 transport barge was hauled away.

Shaped like a long, curving knife blade, the Bath-built bow has enabled the 115,000-ton *Manhattan* to ride upon the ice until its weight broke down through the frozen packs. En route communications coming from the Arctic have reported that the *Manhattan*, with its Bath-built prow leading the way, has smashed through ice ridges twice as thick as the usual 4- to 12-foot ice commonly encountered. At one point she ripped through a 15-foot-thick ridge, almost from a dead start.

That Bath Iron Works completed the complicated bow-building job in such a short period of time, and on schedule, was a tremendous accomplishment, typical of that shipbuilding firm's unparalleled record for on-time deliveries.

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## TRIBUTES TO SENATOR DIRKSEN

### HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 16, 1969*

Mr. MICHEL. Mr. Speaker, as President Nixon said in his eulogy to Senator Dirksen during the services in the Capitol Rotunda, the Senator belonged to everyone in the country and the tributes pouring in from all over the country confirm the President's words.

His loss is felt the most, however, by the folks back home in the Pekin-Peoria area and as evidence of that sentiment it is my privilege to place in the RECORD the following tributes:

An article by Bill O'Connell, political writer for the Peoria Journal Star from the September 8th edition.

An article by staff writer, Richard O. Kasten, appearing in the September 8, 1969, edition of the Peoria Journal Star.

An editorial by Mr. Charles L. Dancey, editor of the Peoria Journal Star appearing in the September 9th edition.

A column from the September 19th edition of Life magazine written by Mr. Richard B. Stolley, writer for Life magazine, a native of Pekin and a longtime friend of the Dirksen family:

[From the Peoria Journal Star, Sept. 8, 1969]

DIRKSEN KEPT HUMOR, FEELING FOR HOME FOLKS, SAYS NEWSMAN

(By Bill O'Connell)

Covering politics doesn't pay particularly well. But the memories it provides from oc-

casions to meet and know the politically great and near great are a compensation.

Everett Dirksen was one of the great.

A confidant of presidents and foreign leaders too, a political kingmaker and, when necessary, an arm-twister, a man known, admired and hated throughout the world, he was somewhat bigger than life.

There will be a veritable avalanche of "I remember Ev" stories ploughing through the mills in the days and months to come.

Here are a couple of my own.

I remember Everett Dirksen after his 16 years in Congress and his election to the Senate; after he had suffered from and recovered from that dread disease "presidential fever."

He laughed a lot about presidential fever—and vice presidential fever too.

He said on any number of occasions he overcame the malady, or it overcame him, the night in 1952 when he pointed that angry finger at Thomas E. Dewey and thundered, "You led us down the road to defeat."

Having survived the fever, Sen. Dirksen became, to me, one of the most relaxed men in public life I've ever known. He knew his power, and his limitations, and enjoyed both.

"Back home," he never took himself too seriously around friends.

He especially enjoyed news stories around home that poked a little fun. Maybe because they lacked the venom of the "national" treatment he sometimes encountered.

He took no offense at all to the repeated telling and writing of a story of how, as a congressman in the late 1940's, he had bent to one knee on the stage of Peoria's Shrine Mosque and solemnly declared that if Richard Lyons didn't make the greatest U.S. Senator ever, he hoped the Lord would strike him blind—and how he retired from the House the following term because of falling eyesight.

Nor was he even a mite upset when kidded about his "diet." He laughed about a story from this typewriter that suggested he shed some pounds after "glancing surreptitiously at a propitious moment at the scales" and scrawled a note saying that's probably exactly the way he would have described it.

He knew, as the writer suspected and was later told, the diet was the end result of a mild heart attack, not any real concern about a growing waistline.

Despite his great national prominence and the pressing demands upon his time, Everett Dirksen was never too busy, once the "fever" burned out, for his friends and the press back home.

During the most heated point of the Army-McCarthy hearing in the ornate Senate caucus room of the capitol complex in Washington, he took time to guide this reporter through a maze of security guards to a seat behind him for the hearings.

Casually, and within the reporter's earshot, he calmly discussed with McCarthy the day's strategy for "Getting you off the hook, Joe."

On this occasion, he also took a moment to introduce the young reporter from "back home" to another young man seated behind the imposing panel of the select committee hearing the McCarthy case, a young staff aide named Robert F. Kennedy.

"You just sit down here with Bob. He'll help you and you help him," he laughed.

Later, when the young staff aide had become famous—as famous as Everett McKinley Dirksen—and his brother had become the President of the United States, this writer went to Pekin on a promise that the then Republican minority leader of the Senate would sandwich in an interview despite a heavy Christmas holiday schedule.

The interview came at 9 in the morning in his cluttered study while Mrs. Dirksen fretted because the writer's wife and kids stayed out in the car instead of coming on in.

Like every Dirksen interview at home in Pekin, it was constantly interrupted by the jangling of the telephone with calls from Washington, New York, Chicago and other key centers.

Each time the reporter would begin to rise from his chair to leave the room so the senator might have the privacy to speak freely to important personages on the other end of the phone, he would wave his hand, which clutched a dark brown toddy, and whisper "Sit down."

In one of these calls, Dirksen clearly and without reservation, committed himself firmly to support President John F. Kennedy's pledge to back a United Nations bond issue considered crucial to the survival of the U.N.

Knowing how much the national press was speculating on what course he might take on the UN bonds issue, and enjoying every minute of it, Dirksen laughed and said to the local newsman, "How's that for a scoop?"

On another occasion the senator flew home for a few days rest and a birthday celebration. This reporter missed his arrival at the airport and phoned the house in Pekin to catch up.

The senator wasn't taking any calls, however, and it was necessary to make an indirect approach—through his trusted Chicago aide, Harold Rainville.

Once Rainville had cleared the path via a long distance call, Sen. Dirksen accepted the reporter's call.

"I know, Bill," he said, "that you're going to say how sorry you are to bother me at home and you know I'm not going to believe you. Go ahead and ask your questions. But first, tell me, what the hell favor does Harold Rainville owe you?" he joked.

The reporter replied that he had indeed told Rainville this would even the score for a past favor, but really couldn't think of one, if pressed, and Dirksen laughed even harder.

The senator's birthday parties were something else again. Whether they were held in Washington or back home in Pekin or Peoria, the big and the powerful, as well as the home folks were there.

For example, the guest list for his last birthday celebration here two years ago—arranged by long time friends Walton Sommer and Walter McAdoo—included such guests as Harris Perlstein, chairman of the board of the Pabst-Blatz beer empire; Sam Dean of the milk empire; and Col. Henry Crown, former head of Materials Service Corp. and then chairman of General Dynamics, builder of the controversial TFX fighter plane.

All of these out-of-town guests had two things in common: they were old, old friends of the Senate minority leader and they had current problems with the federal government.

And while Dirksen was comfortable among the mighty, he still never forgot those constituents back home who had no other influence than a friend who knew him way back when.

Only recently, after receiving a letter from David H. Cummings of Washington, Dirksen interceded to help a young Vietnam veteran get a new pair of legs after efforts through regular channels had resulted in mounds of red tape and interminable delays.

Politicians come and go and no one is irreplaceable. But it will be a long, long time before another Everett Dirksen comes along. And a lot of us will be a little better for having known him even a little.

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[From the Peoria Journal Star, Sept. 8, 1969]

PEKINITES REMEMBER "EV" ORATORY

(By Richard O. Kasten)

PEKIN.—As Sen. Everett M. Dirksen's political career rose through the years, the one thing that many of his former schoolmates and friends remembered about him was his oratorical powers.

"It all began in his high school days, when everybody said he must have swallowed a dictionary," says John Goar, a local insurance and real estate agent.

"He was fantastic in his speech and often used a lot of big words," Goar said.

"Whatever he got he made by himself. After he worked in the bakery business with his brothers, Tom and Ben, he saved enough to put himself through college."

The house on Buena Vista street in Pekin, which has been the Senator's official residence in Illinois for years, is occupied by the senator's 94-year-old mother-in-law, Mrs. Lillie Carver. Goar was the real estate agent who handled the transaction by which the Carvers bought the property years ago.

Goar recalled hearing Dirksen give monologues and speeches at various public functions years ago. "He liked to talk but it was not just to be talking. Usually he had something important to say. His first political job was on the Pekin City Council in the late 1920's and one of the things he tried to do was get a zoning ordinance passed. I remember that some people were critical that the council had copies of the ordinance printed, because of the expense of the printing.

"When he spoke, a person had the feeling he had some ambitions in mind," Goar said. "This was before he got elected in politics."

Ralph Goar, John's older brother, recalls that Dirksen has been interested in legion affairs.

"One of the first jobs that Everett had was working for C. L. Cook, a farmer who had an excavating company. They built a dike across the river. After that job was finished, Everett then went into the bakery business, as I recall.

"He was a natural born talker back in high school," Ralph Goar said.

The senator grew up in the northeast part of Pekin that was known as Bonchefiddle, low German for Beantown. It was a section of many German families who, tradition says, were so frugal they planted beans in their front yards.

George Eldridge, now retired, was a co-owner of the bakery in which the three Dirksen boys worked for about 15 years before they started their own bakery in Pekin.

The bakery was known as the A & E Bakery at the corner of Elizabeth and Fourth streets, in the present Pekin Daily Times building. It was named for Henry Ailts and Eldridge, who owned it. Ailts was an older half-brother of the Dirksen boys. After the three Dirksen boys left A & E, they set up their own bakery shop on lower Court street and named it the Dirksen brothers bakery.

Eldridge recalls that Everett Dirksen saved enough money from the bakery to go to college.

Mrs. Eldridge, the former Edna Albertson, said she lived at 1001 Hamilton St., as a girl when the Dirksen family grew up at 12th and Hamilton.

"I remember often seeing the three Dirksen boys going barefoot around the neighborhood, carrying pails of milk to customers of their mother. She milked cows at the home place and the boys made the deliveries," Mrs. Eldridge said.

"Everyone knew then that Everett was a brilliant lad and his mother often said he would be president. When he was born his mother said he would be president of the United States. She was very ambitious and hard working," Mrs. Eldridge said.

J. Norman Shade, former mayor of Pekin, said today, "the passing of Sen. Dirksen is certainly a loss which will sadden many, many people. During my years in politics so many friends of mine would make requests which I was not in a position to fill. It was then I would either see the senator or write him and relay the request to this good man. Never once did he refuse to offer his assist-

ance. Whatever was brought to his attention he considered in his humanitarian and gracious manner."

Shade said many of the requests he was referring to concerned naturalization papers and helping a veteran get into a soldier's home.

The incident that it pleases Shade to remember most is the occasion several years ago when a Japanese girls' ball team came to Pekin to play a game with the Pekin Lettes. Sen. Dirksen attended and then-mayor Shade pulled the senator to the ball diamond in a rickshaw. "Don't tip me the wrong way, mayor," Sen. Dirksen warned Shade.

Mayor William L. Waldmeier was in Chicago attending an Illinois Municipal League Convention when he heard of the senator's death. "Everyone is shocked at the loss of Sen. Dirksen," he said. "He is one of the greatest statesmen of our time and one of the greatest Americans. I held him in the highest esteem and he will be missed very much."

Judge Robert Morgan, who went from Davis, Morgan and Witherell—the law firm with which Sen. Dirksen has been connected in Peoria—to the federal bench with Dirksen support, recalled knowing the senator since Dirksen made his first bid for Congress in 1932.

"He was a mighty good friend of mine," said the judge, "and a good U.S. Senator. His death is a loss to the nation."

Judge Morgan said he is canceling all federal court proceedings Thursday afternoon for Senator Dirksen's funeral.

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[From the Peoria Journal Star, Sept. 9, 1969]

EVERETT DIRKSEN: MAN OF GOOD WILL

(By Charles L. Dancey)

Everett M. Dirksen was neither superman nor villain, and certinly not the caricature to which modern "image" reporting seems to reduce political figures. He was a man.

That "wrecked face" was once the handsome visage of the tall, curly-haired lead in the class play. Its lines eventually recorded the soul-wrenching personal experiences of the first war in France, the threat of blindness, a heart ailment, of a thousand political battles, and a hundred national crises.

The oratory, about which so much is being said, was a tool but the real passion and real genius of the senator was in his capacity for hard work, his total tenacity, and his superb craftsmanship as a legislator.

He did not burst on the scene overnight with the civil rights bill of 1964.

He was the youngest councilman elected in his hometown of Pekin, and "Jack, The Giant Killer" when he won a seat in Congress against a veteran, powerful "unbeatable" opponent.

He learned the business of national legislation then, "laboring hard in the vineyard" as he would say, and developing the "unseen power" that went with becoming the most skilled parliamentarian and superb legislative craftsman of his time.

He learned other things too.

In 1941, a veteran of the shambles that was World War I, Congressman Everett Dirksen was totally opposed to the U.S. getting involved in another European war. He was a leader in a fight to abolish the draft, and cut out from under Franklin Roosevelt any sizable army with which to "interfere." He wanted no war for America passionately, and he ridiculed the possibility of a Japanese attack.

LEARNED FROM PEARL HARBOR

Indeed, the Congress came within one vote of abolishing the draft just weeks before Pearl Harbor was suddenly smashed with heavy loss of life.

Pearl Harbor's news came as a shattering shock to all who heard it then—but to no one more violently than to Dirksen.

He knew and hated war, but never again did he let that knowledge and passion lead to wishful philosophy that could risk disaster to the basic security of the country.

Out of such experiences of policy, of politics, and of personal crisis, we came to know a man with three major characteristics.

One of these was a deep and dedicated concern for this country and its people based on a "longer view" than he took in his youth.

Another of these was his unflagging tenacity as a craftsman that confused many superficial observers. People have logged the "causes" he is supposed to have both "voted for and against" many times. They ignore the fact that Dirksen's passion was for the details, wherein he had discovered the real effective action of law is determined. He did not vote for labels or slogans. He was interested in the functional effect of every single paragraph in a proposal—and a "good law" or a "bad law" was not decided by the label given it or the political claims of its authors. Not to him. He got down to the "nitty gritty."

His third characteristic is that which I happened to have written about and published the day of his death.

He was a man of good will. He was never vindictive even with those who gave him vicious provocation. It wasn't worth it. He was tolerant, good humored, understanding of others—and his tolerance was fortified by real toughness. He could take it. He didn't bother to dish it out.

TOOK THE LONG VIEW

When he fought it was to accomplish something, and even then he had learned to take the longer view and be sure that when this battle was over, he was in good position for the next one. He always figured there would be another one.

In that sense, certainly, he understood the future far better than those who throw themselves off the cliff in the absolute finality of their passion for today's issue.

It was not oratory that made Everett Dirksen the friend and most powerful ally of President Dwight D. Eisenshower after the senator had done everything in his power to get Robert Taft as president instead of Ike. (Taft was a craftsman, too, and Dirksen feared that Eisenhower simply didn't know the earthy skills of Washington.)

It wasn't oratory that made him loved and trusted and respected, all three, by John F. Kennedy and Lyndon Johnson.

Sen. Dirksen in these later years was the product of a long, busy, and full life, rich in experiences both "good" and "bad," soul-ripping and sublime, wins and losses, being "right" and also discovering when he'd made a mistake.

These make for a whole man.

And Ev Dirksen followed a mighty good rule: He took his work in deadly seriousness—but not himself.

That's what confused a lot of people.

It's a rare quality these days . . . especially in Washington.

We could certainly stand to have a few more like him in politics, in the newspaper business, on the TV—and you name it.

But it doesn't seem likely to happen.

If the essence of such a person can be lost in the age of the superficial image, the chances of any even learning from the example seem slim.

It looks as if, "they broke the mold," after Ev.

It's our loss as a country and as a people, and if we don't find that combination of toughness, tenacity, and good will—strong enough to have a sense of humor about ourselves—the loss may prove to be very serious indeed.

They are what gives a man, a society, or a nation its ability to endure.

[From Life Magazine, Sept. 19, 1969]

"A PRETTY GOOD PLACE TO BE FROM, AND GO BACK TO"

(By Richard B. Stolley)

Representative Everett Dirksen came home to his 18th Congressional District one summer day in 1944 to meet with a group of irate duck shooters in the dining room of the lesser of Pekin's two hotels, the Illinois. What they wanted—and right then—was federal relief of some sort for a nearby lake.

As a very young reporter for the Pekin *Daily Times*, it was my first intimate look at Dirksen the politician, and I was overwhelmed. His performance—for there was a combination of tone and timing in all his moves that was distinctly theatrical—was superb. Before the fried catfish lunch all I could foresee was an angry, insoluble confrontation. But Dirksen first-named those men, soothed their anger, passed the rolls and butter, and left them smiling without having made a single promise he knew he could not keep.

The techniques he used on the Tazewell County duck hunters, Everett Dirksen years later used on Presidents of the United States.

When I arrived in Washington, he was reaching the peak of his power and fame. He greeted me with "Well, look who came out of the woodwork," and from time to time afterward invited me to share a quiet moment with him. It was tacitly understood that we were not reporter and senator then, but rather what we also were, neighbors from Pekin having a backfence chat. (Our family homes were a couple of blocks apart, his being on Buena Vista—or "Beeyoona Vista," as we pronounced it. A small plaque was installed in the front yard a few years ago, marking it as the senator's home.)

We met usually in the back room of his Senate chambers: dim and cool, with big chairs and a refrigerator. Dirksen would take a drink or Sanka (sometimes preceded by a tablespoon of Maalox, for his perpetually upset stomach) and puff on his filters. There was often a parade of visitors, usually other senators, mostly Republican but enough important Democrats to reflect the political friendships Dirksen had so carefully and lovingly built up.

He would graciously introduce me, often as the onetime boyfriend of his daughter Joy (now the wife of Tennessee Senator Howard Baker, Jr.), and because he was never under any circumstances able to use small words when big ones were available, he would explain: "Yes, this boy spent a good deal of time in the old parental establishment." (In his high school yearbook, under "Senior Diseases" Dirksen was listed as having "Big Worditus" Diagnosis: Absolutely Hopeless.")

He reminisced frequently, once recalling the advice he had given a young man who wanted to run for Congress in Illinois: "Get 100,000 cards, with a decent likeness and your name in big print so the old folks can read it without their glasses. Then start out on shoe leather and push those cards—to farmers, potluck suppers, PTA meetings. Give 'em a card and a handsake, make a little conversation, then move on. Don't get into any arguments. Come Election Day, people will see your name on the ballot, and say, 'Why, that fellow looked pretty good to me.' " He could not resist adding that the "fellow" was indeed elected, and became one of the ranking House Republicans, Representative Leslie Arends.

Sometimes Dirksen would talk about the man under whose spirit we all grow up in that part of the land—Abraham Lincoln. Judge Lincoln had once sat in our courthouse. Dirksen collected portraits of him, books about him, even needlepoint depicting scenes in his life.

I once mentioned to Dirksen an argument of his critics: that his on-again-off-again support of civil rights legislation did little justice to the memory of the Illinois President. He was unruffled. Nobody, he suggested, would ever have had to explain to Lincoln the conservatism of his own home state—a conservatism that he admitted and he shared more often than not—and, even more important in a democracy like ours, faithfully represented.

Occasionally our sessions were interrupted by telephone calls from the White House—nine of them once in a single day. Lyndon Johnson was calling to ask for votes, or advice, or sometimes just to gab with a man who understood his kind of politics. Always, of course, I was gently shooed from the room, but never before being reminded again of the immense power wielded by my aging, ailing friend.

Dirksen's nomination of Barry Goldwater for the Presidency at the 1964 convention was a great moment for him. And yet afterward, I found him in his hotel suite gazing wearily down upon the glorious bay, drained emotionally, curiously untriumphant. He told of reading his speech in advance to Goldwater, and looking up at one point to find "this peddler's son" in grateful tears. His mood, even then, indicated that he sensed the futility of the Goldwater candidacy, but he had done what he could for a friend.

In his later years, Dirksen said that he had found the freedom that every politician dreams of. His political debts were paid—"even to the Chicago *Tribune*." He was no one's man but his own, free to cultivate his roses, to make political mistakes, be inconsistent. In spite of his health, he felt comfortable, at peace with himself.

Dirksen always tried to be in Pekin for his mother-in-law's birthday. This year it was her 94th, but he was already in the hospital. In 1948, when he had to resign from the House because of eye trouble, the Washington *Post* wanted to hire him to write a column. He said no thanks, he would return to "that little old town."

We talked about that once, about the squeezing of so much of America into the cold and colossal urban centers, and this man who had traveled the world said of Pekin: "It is a pretty good place to be from, and to go back to."

He was buried in the flat prairie out east of town, in a new cemetery which runs alongside Milo Miller's dairy farm. The Vice President of the United States led the mourners. But Editor McNaughton and Logan Unland, the insurance man, and "Peach" Preston, the former postmaster—all old friends—were there too as Everett Dirksen went back to that "pretty good place," for the last time.

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## INHUMANE TREATMENT OF AMERICAN PRISONERS OF WAR

### HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 16, 1969*

Mr. PICKLE. Mr. Speaker, speaking for myself and my colleague, Mr. JARMAN, I have today introduced a resolution which has been supported by many Members of Congress. More than 110 have risen to speak against the insane, the inhumane treatment of Americans held prisoner by the North Vietnamese and by their Communist supporters in South Vietnam. Our colleague, Hon. WILLIAM DICKINSON, has introduced a similar bill with which we can all agree.

We do not ask for a policy decision regarding the U.S. military position in Southeast Asia. Our resolution, like those before us, is a simple declaration of concern for several hundred young men who we know are receiving unfair and in some instances barbaric treatment at the hands of their captors.

Our goal is clear; we want to forge public opinion to the point of outrage. Hanoi daily reads the pulse of American public opinion. Hopefully, they will react and abide with the Geneva Convention.

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## INTERIOR DEPARTMENT'S FIRST EFFORT AT POLLUTION ABATEMENT ENFORCEMENT

### HON. THOMAS L. ASHLEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 16, 1969*

Mr. ASHLEY. Mr. Speaker, on Wednesday, September 3, the Department of Interior declared its intention to prosecute municipalities, industrial firms, and others guilty of polluting interstate waters.

While Federal enforcement unquestionably is necessary if the water resources of our country are to be preserved, the announcement of the Interior Department raises questions of procedure which I believe are important to the entire Congress.

In his September 3 press release, Secretary Hickel stated that hearings on charges against a municipality, four steel companies and a mining firm accused of polluting interstate waters are only "the first in a series of actions to be taken against firms and municipalities charged with violating applicable water quality standards." He went on to emphasize that—

> This is just a beginning. We intend to continue the identification of polluters all over the nation, followed by the enforcement of schedules for prompt clean-up and pollution elimination.

If individual cities, industrial firms and others are to be exposed to the national publicity which attends Interior Department "identification" and to subsequent hearings and possible Federal prosecution, it would seem reasonable to expect the adoption of uniform procedures and specific criteria for determining whether sufficient grounds exist for public exposure and use of the remedial action provided for in the Federal Water Pollution Control Act of 1965.

According to the New York Times, investigation leading to the identification last week of a major city—Toledo, Ohio—and a number of industrial firms was done by the Department of Interior study group on pollution enforcement that was created by Secretary Hickel on July 25. No information is available on what guidelines, if any, were followed by this unnamed group in the study which led to public indictment 5 weeks later.

There is considerable evidence, however, that the Department of Interior proceeded on the basis of misinformation and superficial impressions, if not political motivation. When inquiry was made by my office as to the basis upon which Toledo was named, Assistant Secretary of Interior, Water Quality and Research, Carl L. Klein, replied:

> Toledo has done nothing. Detroit has put in a primary and is working on a secondary system but we are watching them very closely because we've heard they're going to ask for a two-year delay and just as soon as they do, they will get a 180-day notice. Cleveland was very close to the line but they have just hired a consultant firm to go ahead and they at least look like they are doing something. But Toledo has had a date for plans to put in a new treatment plant and they have done nothing. They got a year's extension from the State without any notice or approval from the FWPCA and still no plans. Now they've got a new date from the State, June, 1970, and again without prior notice or approval from the FWPCA. We were told everything was going to be fine when Toledo got its bond issue but they haven't funded the bond issue and don't intend to and now we understand they want to use the Ohio Water Development Authority plan. Well that's a fine idea. But this is why Toledo was selected. It wasn't simply a matter of singling them out but they have done nothing and have not met their deadline and will undoubtedly be joined by other cities, primarily those on rivers and bodies of water which supply our drinking water.

Mr. Speaker, the truth of the matter is patently contrary to this jumbled explanation.

Last November the city of Toledo voted a $17 million bond issue to fund the modernization and expansion of its secondary treatment facility. Detailed plans for this $24 million project are near completion and the city expects to advertise for construction within 1 month's time.

Under the formula—approved by the Department of Interior's own FWPCA—established by the Ohio Water Pollution Control Board which sets priority for federally assisted pollution abatement projects, Toledo's was ranked No. 51 out of 100 Ohio projects. Federal matching funds at 30 percent of project cost would have to total $51,106,860 in order to reach Toledo's treatment facility. At the current level of Federal funding, however, Ohio will only receive $9,556,000 for fiscal 1970. Thus there has been no possibility of obtaining promised Federal assistance in financing the expansion of Toledo's secondary treatment plant.

Last November the State of Ohio passed a $450 million bond issue, earmarking $120 million for pollution abatement through the Ohio Water Development Authority. However, this authority, which also is empowered to issue bonds for an additional $350 million, did not receive final approval to proceed from the State legislature until less than a month ago. It was for this reason that Toledo was permitted limited extensions of time by the Ohio Water Pollution Control Board.

Under present Ohio law, State and Federal matching funds for pollution abatement facilities will only be available to those municipalities and other agencies that contract with the Ohio Water Development Authority. Thus the choice facing Toledo is either to proceed to construction without State or Federal assistance, as apparently sug-

gested by Mr. Klein, or to participate with the Ohio Water Development Authority. Toledo has chosen the latter course and will have the first project financed through the authority.

When Mr. Klein says that Toledo has done nothing, he ignores the fact that the city recently completed a $1.3 million improvement in sludge handling facilities at its treatment plant, an improvement that was accomplished without long-sought Federal assistance. He also overlooked Toledo's Clear Water, Inc., a widely based nonprofit agency that has spearheaded pollution abatement efforts throughout northwestern Ohio and which was largely responsible for creation of the Ohio Water Development Authority.

According to Dr. E. W. Arnold, State health director and also chairman of the Ohio Water Pollution Control Board, the action by Interior Secretary Hickel was taken without consultation with Ohio pollution control authorities and "totally ignored agreements made between Ohio, the Federal Government and four other Lake Erie States."

Dr. Arnold described the Department of Interior decision to single out Toledo as "inappropriate, inconsistent, and poorly advised"; inappropriate, since it comes within a period of time schedules for construction of pollution abatement improvements and is totally disproportionate when related to "the outstanding efforts that have been made by Ohio municipalities and industries within the program to clean up Lake Erie"; inconsistent because Federal Water Pollution Control Act stipulates that State and interstate action to abate pollution should be encouraged, rather than displaced by Federal enforcement action; and poorly advised because Toledo is prepared to go ahead with its expansion in sewage treatment facilities, even if promised Federal aid is not available, while Detroit has stated that it will not proceed with vitally needed improvements unless it gets Federal financing.

Finally, the "Lake Erie Report, Plan for Water Pollution Control," issued by the Department of Interior in August 1968, makes it clear that Detroit and Cleveland contribute nearly 90 percent of the pollution to Lake Erie, that their treatment facilities are totally inadequate, and that the major industrial polluters are located in these two areas.

I cite this record, Mr. Speaker, to show how the reputation of a city can be blackened by a policy of deliberate public exposure which is carried out without procedural safeguards and otherwise in an irresponsible manner. Because Federal enforcement of water quality standards is to be national in scope, I submit that this Congress has the jurisdiction and responsibility to assure that such remedial action as may be taken by the Department of Interior is in fact fair and impartial.

I believe it is also the responsibility of this Congress to inquire into the inconsistency of administration policy which finds Secretary Hickel insisting that cities accelerate facilities to abate pollution on the very same day that President Nixon is urging municipalities to postpone public projects jointly financed with Federal funds.

If the new enforcement policy is to be accepted as evidence that the Department of the Interior is serious about curbing pollution, then certainly this Congress should seriously explore the possibility of increasing Federal funds for this purpose from the low level set by the administration earlier this year which would make available an average contribution of less than $5 million per State for pollution abatement during fiscal 1970.

Finally, Mr. Speaker, we hear much talk of this administration's concept of new Federalism based on mutual sharing of responsibility between Washington and the States. The action in question, however, would indicate that in practice this only means that cities must ignore the directives of their State water pollution control agencies which are not consistent with Department of the Interior orders. It further suggests that cities and States are meant to rely on their own overburdened resources to construct abatement facilities while the Federal establishment only accepts responsibility for enforcement, with its attendant publicity.

Mr. Speaker, I submit that these matters are worthy of immediate congressional attention.

## PRESIDENT NIXON'S NEW FEDERALISM

### HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 16, 1969*

Mr. STEIGER of Wisconsin. Mr. Speaker, in the last month since President Nixon rolled out his New Federalism editorial writers all over the Nation have been busy commenting on it, and what it can mean to our citizens.

To date, more than 400 editorials have been written on the New Federalism.

Not surprisingly, more than 90 percent have been favorable. Or to put it another way, only 30 have been negative.

A survey of the editorials shows that the inclusion of a work requirement in the family assistance plan was by far the most praised aspect of the total package.

Interestingly, not one newspaper argued that the present welfare system is anything but a complete failure.

Mr. Speaker, there is one discouraging aspect of these editorials, however. If there was a common theme running through them, it was that the Congress would drag its feet in passing the legislation needed to implement the President's proposals.

Mr. Speaker, the President's proposals are designed to help men and women become self-supporting, reliable, responsible members of society.

I urge the Members of both parties to view them in that light and that together we enact legislation that will indeed implement the President's proposals and in the process make this a better America for all of us.

## RALPH NADER CRITICIZES CONSENT DECREE IN SMOG CASE

### HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 16, 1969*

Mr. BROWN of California. Mr. Speaker, last week the Justice Department took a giant backward step in the crucial struggle to maintain the quality of this Nation's atmosphere when it asked for a consent judgment in the antitrust suit brought against automobile manufacturers who were accused of conspiring to retard development of effective smog controls.

My view of the Justice Department action is that the Nixon administration sold out our right to have clean air so that automobile manufacturers can maintain sizable profit margins. Over the past weeks, I have attempted to impress both Attorney General Mitchell and Antitrust Division Chief Richard W. McLaren with the importance of holding an open public trial in this vital case.

Certainly I have not been alone in this effort. Many other concerned Members of the House, along with numerous individuals and organizations, also urged the Justice Department to call for an open trial. In two instances, there were interventions into the case from a large government unit, Los Angeles County, and a private group, ASH, as indications of the importance of the overall issues at stake. But, so far, all have been of no avail.

Under court proceedings employed in antitrust suits, the final decision by the district court will not be made until 30 days after the decree was requested, and during this period, the ledger is open for all concerned parties to attempt and contest awarding of the decree.

Major drives already are underway to try and sway the court and the Justice Department to reverse last Thursday's move, and instead ask for the open trial.

Today, I have received a letter written to Mr. McLaren by Ralph Nader in which Mr. Nader takes a deep and quite critical look at the consent decree itself, and at the larger issues which pervade this case.

I believe this letter serves as a penetrating blow to the Department's allegations that the decree contains all that the Government desired in its original complaint.

Therefore, I would like to put into the RECORD at this point three items: First, the Justice Department press release telling about the consent judgment; second, the consent judgment; and finally, Mr. Nader's letter:

DEPARTMENT OF JUSTICE RELEASE,
SEPTEMBER 11, 1969

The Department of Justice filed today a proposed antitrust consent decree prohibiting the four major auto manufacturers and the Automobile Manufacturers Association from conspiring to delay and obstruct the development and installation of pollution control devices for motor vehicles.

The decree also requires them to make available to any and all applicants royalty-free patent licenses on air pollution control devices and to make available technological information about these devices.

Attorney General John N. Mitchell said the decree, filed with the United States District Court in Los Angeles, would be submitted to the court for final approval in 30 days. Its provisions would become effective immediately thereafter.

The proposed decree, signed by General Motors Corporation, Ford Motor Company, Chrysler Corporation, American Motors Corporation, and the Association, would conclude a civil antitrust suit filed by the Department on January 10, 1969.

Mr. Mitchell said that the proposed decree "represents strong federal action to encourage widespread competitive research and marketing of more effective auto anti-pollution devices."

Mr. Mitchell said that a continuation of the suit—which may have taken years in court litigation—would have delayed Justice Department efforts to end the alleged conspiracy and its efforts to encourage immediate action by the automobile companies.

The Attorney General said that the consent decree should spur aggressive competitive research and development efforts by each auto company and by other companies, and therefore should prove to be a substantial benefit to the health and welfare of all metropolitan area residents—especially those in the Los Angeles Basin which has the most serious smog problem in the nation.

The Attorney General also said that the judgment is in line with the massive anti-smog program announced two weeks ago by Dr. Lee A. DuBridge, President Nixon's science advisor, at a meeting of the President's Environmental Quality Council.

Dr. DuBridge said, "Nowhere is there a greater need for urgency than in the field of air pollution, which affects directly the health and comfort of our people. I think speedy resolution of this case will promote competitive research and development in the design and installation of smog control devices and represents an important step forward in the fight against pollution."

The Department of Health, Education, and Welfare, which administers the Clean Air Act, and the representatives of the Air Resources Board of the State of California, have expressed satisfaction with the terms of the proposed consent decree.

Assistant Attorney General Richard W. McLaren, head of the Department's Antitrust Division, said the judgment represented a successful conclusion to a suit filed only eight months ago. He pointed out that the Government had achieved all significant relief sought in the complaint and all that could have been obtained after a full trial. In addition, he said, the Government had obtained certain relief pertaining to auto safety.

Moreover, Mr. McLaren noted that the public benefits of the decree will be realized immediately, instead of after protracted and uncertain litigation.

Main provisions of the proposed judgment are:

The auto manufacturers and the Association are prohibited from restraining in any way the individual decisions of each auto company as to the date when it will install emission control devices, and from restricting publicity about research and development in this field.

They are prohibited from agreeing not to file individual statements with governmental agencies concerned with auto emission and safety standards, and from filing joint statements on such standards unless the governmental agency involved expressly authorizes them to do so.

They are required to withdraw from a 1955 cross-licensing agreement and to grant royalty-free licenses on auto emission control devices under patents subject to the 1955 agreement to all who may request them. The Association is also required to make available all technical reports exchanged by the four auto producers in the past two years under the 1955 agreement.

They are prohibited from agreeing to exchange their companies' confidential information relating to emission control devices or to exchange patent rights covering future inventions in this area.

They are ordered to discontinue their joint assessment or patents on auto emission control devices offered to any of them by outside parties as well as their practice of requiring outside parties to license all of them on equal terms.

The original suit, charging violation of the Sherman Act, said the defendants and others delayed the manufacture and installation of auto emission control devices by agreeing to suppress competition among themselves in the research and development of such devices.

To this end, the suit asserted, they agreed that all industry efforts in this field should be undertaken on a noncompetitive basis; that each would install such devices only simultaneously with the others; and that they would restrict publicity about research efforts in the auto air pollution field.

The complaint charged that on at least three separate occasions the defendants agreed to try to delay the installation of auto emission control devices.

The suit also charged the defendants with having agreed not to compete with each other in the purchase of patent rights covering such devices from outside parties. The suit asserted that the defendants and others had agreed in 1955 to share their patents in this field with each other on a royalty-free basis. In addition, the suit said, they agreed to appraise jointly any patent for an emission control device offered to any one of them by an outside party, and each agreed not to accept a patent license from any outside party without insisting on equal treatment for the others.

Named as co-conspirators in the suit, but not as defendants, were Checker Motor Corporation, Diamond T Motor Car Company, International Harvester Company, Studebaker Corporation, White Motor Corporation, Kaiser Jeep Corporation, and Mack Trucks, Inc.

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[United States District Court, Central District of California]

STIPULATION FOR ENTRY OF CONSENT JUDGMENT—CIVIL ACTION NO. 69–75–JWC

*United States of America, Plaintiff,* v. *Automobile Manufacturers Association, Inc.; General Motors Corporation; Ford Motor Company; Chrysler Corporation; and American Motors Corporation, Defendants*

It is stipulated by and between the undersigned parties, by their respective attorneys, that:

(1) The parties consent that a Final Judgment in the form hereto attached may be filed and entered by the Court at any time after the expiration of thirty (30) days following the date of filing of this Stipulation without further notice to any party or other proceedings, either upon the motion of any party or upon the Court's own motion, provided that plaintiff has not withdrawn its consent as provided herein;

(2) The plaintiff may withdraw its consent hereto at any time within said period of thirty (30) days by serving notice thereof upon the other parties hereto and filing said notice with the Court;

(3) In the event plaintiff withdraws its consent hereto, this Stipulation shall be of no effect whatever in this or any other proceeding and the making of this Stipulation shall not in any manner prejudice any consenting party in any subsequent proceedings.

Dated: September 11, 1969.

For the Plaintiff:

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[United States District Court, Central District of California]

(CIVIL ACTION NO. 69–75–JWC)

(*United States of America, Plaintiff,* v. *Automobile Manufacturers Association, Inc.; General Motors Corporation; Ford Motor Company; Chrysler Corporation; and American Motors Corporation, Defendants*)

FINAL JUDGMENT

The plaintiff, United States of America, having filed its complaint herein on January 10, 1969, and the plaintiff and the defendants by their respective attorneys having severally consented to the entry of this Final Judgment without trial or adjudication of or finding on any issues of fact or law herein and without this Final Judgment constituting evidence or an admission by any of them in respect to any such issue;

Now, therefore, before any testimony has been taken and without trial or adjudication of or finding on any issue of fact or law herein, and upon consent of the parties as aforesaid, it is hereby

Ordered, adjudged and decreed as follows:

This Court has jurisdiction of the subject matter herein and of the parties hereto. The complaint states a claim upon which relief may be granted against the defendants under Section 1 of the Act of Congress of July 2, 1890, entitled "An act to protect trade and commerce against unlawful restraints and monopolies," commonly known as the Sherman Antitrust Act, as amended.

II

As used in this Final Judgment:

(A) "Devices" means air pollution emission control designs, devices, equipment, methods, or parts thereof, for motor vehicles.

(B) "Restricted information" means all unpublished information of the type usually classified as company confidential concerning applied as distinguished from basic research in, or concerning the development, innovation, manufacture, use, sale or installation of Devices. It includes trade secrets, unpublished company policy, and other unpublished technical information for developing, making, improving, or lowering the cost of, Devices by a motor vehicle manufacturer. "Restricted information" shall not mean (i) information concerning basic research in gaining a fuller knowledge or understanding of the presence, nature, amount, causes, sources, effects or theories of control of motor vehicle emissions in the atmosphere, or (ii) information relating primarily to

equipment, methods or procedures for the testing or measurement of Devices, or (iii) information for or resulting from the testing or measurement of production prototypes of Devices of an advanced stage exchanged solely for such purposes. Information shall be deemed to be published when it is disclosed without restriction to the public, or to media of general circulation, or to the trade press, or to meetings of stockholders, dealers, or financial analysts, or to meetings of professional, scientific or engineering societies, or committees thereof, the membership of which is not limited to persons employed by defendants or by motor vehicle manufacturers, or to meetings called by representatives of Federal, state or local governments or agencies authorized to issue motor vehicle emission control regulations.

III

The provisions of this Final Judgment shall be binding upon each defendant and upon each of its subsidiaries, officers, directors, agents, servants, employees, successors and assigns, and upon all other persons in active concert or participation with any of them who shall have received actual notice of this Final Judgment by personal service or otherwise, but shall not apply to any transaction between or among a parent company, its subsidiaries, officers, directors, agents, servants and/or employees. Nothing in this Final Judgment shall have any effect with respect to any activities outside the United States which do not adversely and substantially affect the foreign commerce of the United States.

IV

(A) Each defendant is enjoined and restrained from:

(1) Combining or conspiring to prevent, restrain or limit the development, manufacture, installation, distribution or sale of Devices;

(2) Entering into, adhering to, enforcing or claiming any rights under any provisions of any agreement, arrangement, understanding, plan or program (hereinafter "agreement") with any other defendant or manufacturer of motor vehicles or Devices:

(a) to exchange restricted information;

(b) to cross-license patents or patent rights on Devices which cross-license includes patents or patent rights acquired subsequent to the date of any such cross-license;

(c) to delay installation of Devices or otherwise restrain individual decisions as to installation dates;

(d) to restrict publicity of research and development relating to Devices;

(e) to employ joint assessment of the value of patents or patent rights of any third party relating to Devices;

(f) to require that acquisition of patent rights relating to Devices be conditioned upon availability of such rights to others upon a most-favored-purchaser basis;

(g) to file, in the absence of a written authorization for a joint statement by the agency involved, with any governmental regulatory agency in the United States authorized to issue emission standards or regulations for new motor vehicles or Federal motor vehicle safety standards or regulations, any joint statement regarding such standards or regulations except joint statements relating to (i) the authority of the agency involved, (ii) the draftsmanship of or the scientific need for standards or regulations, (iii) test procedures or test data relevant to standards or regulations, or (iv) the general engineering requirements of standards or regulations based upon publicly available information; provided that no joint statement shall be filed which discusses the ability of one or more defendants to comply with a particular standard or regulation or to do so by a particular time, in the absence of a written agency authorization for such a joint statement, and provided also that any defendant joining in a joint statement shall also file a statement individually upon written request by the agency involved; or

(h) not to file individual statements with any governmental regulatory agency in the United States authorized to issue emission standards or regulations for new motor vehicles or Federal motor vehicle safety standards or regulations.

(B) Nothing in this Final Judgment shall prohibit any defendant:

(1) from furnishing or acquiring any restricted information for the defense or prosecution of any litigation or claim;

(2) from entering into or performing under any otherwise lawful agreement with any other person or conducting *bona fide* negotiations looking to any such agreement:

(a) for the purchase or sale of specific commercial products;

(b) for the license of specific existing patent rights or from including in any such agreement provision for a nonexclusive grant-back of patent rights on improvements obtained by the licensee during the term of the license or a reasonable period thereafter; or

(c) for the purchase, sale or license of specific existing restricted information or specific engineering services relating to Devices or from including in any such agreement provision for a nonexclusive grant-back of patent rights on improvements obtained by the licensee during the term of the license or a reasonable period thereafter;
or from furnishing or acquiring any restricted information directly relating thereto;

(3) from entering into, renewing or performing under any otherwise lawful agreement with any nondefendant person, firm or corporation that does not account for more than 2% of world production of motor vehicle passenger car, truck and bus units in the calendar year preceding the entering into or renewing such agreement (See Appendix A); or

(4) from entering into, renewing or performing under any agreement which is submitted in writing to the plaintiff and to which plaintiff consents in writing.

(C) Nothing in Section IV(A)(2)(a) shall prohibit any defendant from engaging in any activity outside the United States reasonably necessary:

(1) to the development of, response to, or compliance with existing or proposed vehicle emission laws, regulations or standards of a foreign governmental body, or

(2) to the performance under any otherwise lawful agreement for the production of motor vehicles outside the United States with any person, firm or corporation not engaged in the production of motor vehicles in the United States at the time of entering into or renewing such agreement.

V

(A) Each manufacturing defendant is ordered and directed to exercise its right to withdraw from the AMA cross-licensing agreement of July 1, 1955, as amended, and to take such steps as are necessary to accomplish said withdrawal within one hundred twenty (120) days from the date of entry of this Final Judgment. Notwithstanding such withdrawal defendants may continue to exercise those rights and claims relating to royalty-free licenses under the cross-licensing agreement which have accrued up to the date of entry of this Final Judgment.

(B) Defendant AMA is ordered and directed to relinquish its responsibilities under the AMA cross-licensing agreement of July 1, 1955, as amended, within sixty (60) days from the date of entry of this Final Judgment.

VI

(A) Upon written request therefor and subject to the conditions set forth herein:

(1) Each manufacturing defendant is ordered and directed to grant to any person to the extent that it has the power to do so a nonexclusive, non-transferable and royalty-free license to make, have made, use, lease or sell Devices under any claim of any United States patent or any United States patent application owned or controlled by said defendant or under which it has sublicensing rights, which patent was issued or application was filed prior to the date of entry of this Final Judgment and licensed under the AMA cross-licensing agreement of July 1, 1955, as amended, provided that if the manufacturing defendant is obligated to pay royalties to another on the sales of the licensee the license under this paragraph may provide for the payment of those same royalties to the defendant;

(2) Each manufacturing defendant shall grant to any licensee under (1) above, to the extent that it has the power to do so, an immunity from suit under any foreign counterpart patent or patent application for any product manufactured in the United States under the license for sale abroad or for any product manufactured abroad and sold in the United States, provided that if the manufacturing defendant is obligated to pay royalties to another on the sales of the licensee the license may provide for the payment of those same royalties to the defendant; and

(3) Defendant AMA is ordered and directed to make available for examination and copying by any person the technical reports in its possession or control prepared or exchanged by defendants pursuant to said cross-license within two years prior to the entry of this Final Judgment, which are identified in Appendix B;

provided that such person agrees to offer each signatory party to the AMA cross-licensing agreement of July 1, 1955, as amended, and any subsidiary thereof a nonexclusive license for a reasonable royalty and upon reasonable terms with respect to any patent or patent application, domestic or foreign, thereafter obtained or filed by such person or under which licensing rights are obtained by such person which is based upon or employs Devices licensed or about which information is supplied pursuant to such license or otherwise under this Section VI(A).

(B) Any existing licensee of any manufacing defendant shall have the right to apply for and receive a license or licenses under this Final Judgment in substitution for its existing license or licenses from any manufacturing defendant, insofar as future obligations and licenses are concerned. Any licensee shall be free to contest the validity and scope of any licensed patent.

VII

Defendant AMA is ordered and directed to mail a copy of this Final Judgment to all signatories to the AMA cross-licensing agreement of July 1, 1955, as amended, and to all known domestic manufacturers of motor vehicles and motor vehicle engines within thirty (30) days from the date of entry of this Final Judgment, and to issue a press release to the domestic trade and business press relating the substance of the Final Judgment.

VIII

For the purpose of determining or securing compliance with this Final Judgment, duly-authorized representatives of the Department of Justice shall, upon written request of the Attorney General, or the Assistant Attorney General in charge of the Antitrust Division, and on reasonable notice to any defendant made to its principal office, be permitted, subject to any legally recognized privilege, access during the office hours of said defendant to all books, ledgers, accounts, correspondence, memoranda, and other records and documents in the possession or under the control of said defendant relating to any matters contained in this Final Judgment, and subject to the reasonable convenience of said defendant and without re-

straint or interference from it, to interview officers or employees of said defendant, who may have counsel present, regarding any such matters. Said defendant, upon the written request of the Attorney General or the Assistant Attorney General in charge of the Antitrust Division, shall submit such written reports with respect to any of the matters contained in this Final Judgment as from time to time may be requested. No information obtained by the means provided in this Section shall be divulged by any representative of the Department of Justice to any person other than a duly authorized representative of the Executive Branch of the plaintiff, except in the course of legal proceedings to which the United States is a party for the purpose of securing compliance with this Final Judgment or as otherwise required by law.

IX

Section IV(A)(2) (a) and (g) of this Final Judgment shall expire ten years after the date of entry hereof, provided that plaintiff may apply to this Court for the continuation of one or both of said provisions, such application to be made not later than nine years after the date of entry of this Final Judgment.

X

Jurisdiction of this cause is retained for the purpose of enabling any of the parties to this Final Judgment to apply to this Court at any time for such further orders and directions as may be necessary or appropriate in relating to the construction of or carrying out of this Final Judgment, for the modification or vacating of any of the provisions thereof, and for the purpose of the enforcement of compliance therewith and the punishment of violations thereof.

JESSE W. CURTIS,
*U.S. District Judge.*

APPENDIX A

Section IV(B)(3) of this judgment was prepared in reliance on the motor vehicle production statistics set forth in the following tables contained in Wards 1969 Automotive Yearbook (31st edition) published by Powers and Company, Inc., Detroit, Michigan, at page 14:

1968 WORLD MOTOR VEHICLE PRODUCTION

[20 leading countries]

| | Passenger cars | Trucks and buses | 1968 total | 1967 total |
|---|---|---|---|---|
| United States | 8,843,031 | 1,950,713 | 10,793,744 | 8,992,269 |
| Canada | 900,527 | 277,649 | 1,178,176 | 943,992 |
| Total | 9,743,558 | 2,228,362 | 11,971,920 | 9,936,261 |
| Japan | 2,055,821 | 2,030,005 | 4,085,826 | 3,146,486 |
| West Germany | 2,535,433 | 571,525 | 3,106,958 | 2,482,319 |
| United Kingdom | 1,815,000 | 409,300 | 2,224,300 | 1,937,119 |
| France | 1,833,047 | 242,570 | 2,075,617 | 2,009,672 |
| Italy | 1,544,933 | 118,716 | 1,633,649 | 1,542,669 |
| Argentina | 127,965 | 53,011 | 180,976 | 175,318 |
| Australia | 340,000 | 75,000 | 415,000 | 390,119 |
| Austria | 2,200 | 2,350 | 4,550 | 4,383 |
| Brazil | 158,863 | 118,371 | 277,234 | 225,300 |
| India | 37,000 | 41,000 | 78,000 | 69,000 |
| Netherlands | 60,000 | 7,000 | 67,000 | 56,566 |
| Mexico | 102,907 | 37,192 | 140,099 | 123,751 |
| Poland | 40,500 | 39,600 | 80,100 | 61,400 |
| Spain | 311,531 | 81,902 | 393,433 | 362,906 |
| Sweden | 223,330 | 21,361 | 244,691 | 214,560 |
| Czechoslovakia | 126,000 | 50,200 | 176,200 | 164,000 |
| Yugoslavia | 50,400 | 13,680 | 64,080 | 60,000 |
| U.S.S.R. | 250,000 | 550,000 | 800,000 | 728,900 |
| Total | 11,614,930 | 4,462,783 | 16,077,713 | 13,754,468 |
| Grand total | 21,358,488 | 6,691,145 | 28,049,633 | 23,690,729 |

Note: Data for above tabulation drawn from best sources available. Statistics for some Red-bloc countries based upon monthly averages and are subject to slight change. U.S.S.R. for 1968 is an estimate based upon final 1967 counts.

WORLD MOTOR VEHICLE PRODUCTION—1968

[26 leading manufacturers]

| Ranking | Manufacturer | Country | Cars | Trucks | Total 1968 | Total 1967 |
|---|---|---|---|---|---|---|
| 1 | GM | United States | 4,592,077 | 828,978 | 5,421,055 | 4,798,301 |
| 2 | Ford | do | 2,396,924 | 623,272 | 3,020,196 | 2,122,841 |
| 3 | Chrysler | do | 1,585,591 | 173,769 | 1,759,360 | 1,505,561 |
| 4 | Volkswagen | West Germany | 1,448,533 | 100,400 | 1,548,933 | 1,162,258 |
| 5 | Fiat | Italy | 1,301,751 | 89,470 | 1,391,221 | 1,312,215 |
| 6 | Toyota | Japan | 659,189 | 438,216 | 1,097,405 | 832,130 |
| 7 | BLM | England | 807,067 | 179,204 | 986,271 | 646,318 |
| 8 | Nissan | Japan | 571,614 | 408,220 | 979,834 | 726,067 |
| 9 | Renault | France | 731,000 | 76,000 | 807,000 | 777,468 |
| 10 | British Ford | England | 553,701 | 108,017 | 661,718 | 526,987 |
| 11 | Opel (GM) | West Germany | 646,718 | 10,000 | 656,718 | 549,281 |
| 12 | Toyo Kogyo | Japan | 178,115 | 282,994 | 461,109 | 388,323 |
| 13 | Citroen | France | 383,000 | 77,600 | 460,600 | 500,030 |
| 14 | Ford | Canada | 287,286 | 157,815 | 445,101 | 295,779 |
| 15 | GM | do | 338,016 | 86,288 | 424,304 | 384,919 |
| 16 | Peugeot | France | 377,725 | 29,980 | 407,705 | 405,314 |
| 17 | Mitsubishi | Japan | 130,253 | 229,723 | 359,976 | 317,378 |
| 18 | GM Vauxhall | England | 244,918 | 97,222 | 342,140 | 290,706 |
| 19 | Ford Cologne | West Germany | 306,232 | 28,923 | 335,155 | 396,646 |
| 20 | Honda | Japan | 186,560 | 132,257 | 318,817 | 149,289 |
| 21 | Chrysler Simca | France | 317,248 | 0 | 317,248 | 248,574 |
| 22 | Daimler-Benz | West Germany | 216,000 | 68,837 | 284,837 | 254,138 |
| 23 | AM Corp | United States | 268,439 | 0 | 268,439 | 229,058 |
| 24 | D. Kogyo | Japan | 89,296 | 171,059 | 260,355 | 225,490 |
| 25 | Chrysler | Canada | 219,151 | 16,573 | 235,724 | 202,812 |
| 26 | Chrysler Rootes | England | 189,102 | 27,066 | 216,168 | 203,312 |

Note: Because both production and factory sales are used in the above tabulation, the above rankings are not absolute and could vary slightly. Data used represents vehicles produced in the indicated locations. Fiat excludes Autobianchi. Volkswagens excludes Auto Union. BLM was formed in 1968, hence its 1967 total represents BMC.

It is contemplated by the parties that Ward's Automotive Yearbook or any successor publication will be the source of the statistics necessary to the future interpretation of the provisions of Section IV(B)(3).

APPENDIX B

Pursuant to Section VI(A)(3) of the Final Judgment the following technical reports are identified:

SUBCOMMITTEE REPORTS TO THE VEHICLE COMBUSTION PRODUCTS COMMITTEE, JANUARY 1968

1. Atmospheric Chemistry Panel Report
2. Diesel Emission Panel Report
(a) Proposed Standards for Motor Vehicle Exhaust Odor and Irritation—California Department of Public Health Bureau of Air Sanitation—March 1, 1966—8 pages
(b) Proposed Additions to the California Administrative Code—Standards for Motor Vehicle Emissions, State Board of Public Health Meeting June 10, 1966—prepared by the State of California Department of Public Health—May 4, 1966—6 pages
3. Ad Hoc Engine Deposits Panel Report
(a) A Proposed Program to Establish the Effect of Combustion Chamber Deposits on Exhaust Emissions—prepared by Engine Deposit Panel—January 3, 1967—19 pages
(b) Proposed Joint AMA—API Engine Deposits Program—September 14, 1967—7 pages
4. Engine and Vehicle Modification Panel Report
5. Exhaust Emission Measurement Panel Report
(a) EEMP—Status Report on Future Exhaust Emission Standards—undated—8 pages
6. Ad Hoc Group on Exhaust System Heat Report
7. Fuel System Emission Panel Report
(a) FSEP—Report of Fuel System Emission Panel to VCP—July 20, 1967—9 pages
(b) AMC Evaporation System—undated—6 pages
(c) Chrysler Closed Vent System—C.V.S.—prepared by Chrysler—undated—8 pages
(d) Crankcase Storage of Evaporative Emissions—prepared by General Motors Corp—October 25, 1967—9 pages
(e) Charcoal Canister Evaporative Emission Control System—prepared by General Motors Corp.—October 25, 1967—9 pages
(f) History of Evaporative Control Studies—prepared by Ford Motor Company—December 1, 1967—12 pages
(g) Crankcase Storage System for Control of Fuel Evaporative Emissions—prepared by Ford Motor Company—December 1, 1967—14 pages
(h) Carbon Air Cleaner Evaporative Control System—prepared by Ford Motor Company—December 1, 1967—9 pages.
8. Ad Hoc Health Committee Report
9. Heavy Vehicle Panel Report
(a) Differences between California and HEW Truck Test Cycles—prepared by Heavy Truck Panel—June 6, 1967—3 pages
10. New Devices Committee Report
11. Ad Hoc Traffic Survey Panel Report
(a) Comparison of General Durability Schedules—prepared by Ad Hoc Traffic Survey Panel—undated—1 page
12. Vehicle Emission Surveillance Panel Report
(a) Analysis of California Surveillance Data—prepared by the Auto Club of Southern California and Scott Research Laboratories—dated April 20, 1967—8 pages

SUBCOMMITTEE REPORTS TO THE VEHICLE COMBUSTION PRODUCTS COMMITTEE, MAY 23, 1968

1. Atmospheric Chemistry Panel Interim Report
2. Engine and Vehicle Modification Panel Interm Report
3. Exhaust Emission Measurement Panel Interim Report
(a) State of California Air Resources Board—Specification for Simplified Instru-

ment Console for Emission Measurements—13 pages—December 27, 1967

(b) State of California Air Resources Board—Test Procedure for Approval of Instruments for Garages, Vehicle Assembly Line and Field Station Use—March 6, 1968—8 pages

4. Fuel System Emission Panel Interim Report

(a) Laboratory Crosscheck Charts—undated—5 pages

5. Heavy Vehicles Panel Interim Report

(a) 1969 California Exhaust Emission Standard and Test Procedure for Heavy Trucks contained in the Federal Register publication of January 4, 1968—23 pages

6. Ad Hoc Traffic Survey Panel Interim Report

(a) Considerations in Traffic Survey and Test Cycle Development—NCAPC Meeting of March 29, 1968—prepared by the Ad Hoc Traffic Survey Panel—April 5, 1968—2 pages

7. Vehicles Emission Surveillance Panel Interim Report

(a) Hot vs. Cold Start Surveillance Testing—prepared by VESP—March 27, 1968—2 pages

(b) VESP Future Surveillance Program—undated—2 pages

(c) Summary of Analysis—undated—5 pages

(d) VESP reply letter (draft) to Mr. John Raymond of CMVPCB—May 7, 1968

(e) Effect of Tune-Up—undated—2 pages

8. Engine and Vehicle Modification Panel Reports

(a) 1970 California Evaporative Control Standard and Test Procedure for Passenger Cars contained in the Federal Register of January 4, 1968—23 pages

(b) Intake Valve Throttling (IVT)—A Sonic Throttling Intake Valve Engine—prepared by General Motors for the SAE meeting—May 20–24, 1968—11 pages

(c) EVMP—Present Status of Steam Power for Road Vehicles—May 8, 1969—11 pages

(d) Preliminary Test Results with Non-Flame After Burner Exhaust Manifold F4-134 cu. in. Engine—prepared by KAISER Jeep CORPORATION—May 8, 1968—5 pages

(e) Ad Hoc Subpanel—Valve Timing Proposal Submitted to EVMP—April 9, 1968—2 pages

SUBCOMMITTEE REPORTS TO THE VEHICLE COMBUSTION PRODUCTS COMMITTEE, SEPTEMBER 27, 1968

1. Atmospheric Chemistry Panel Interim Report

2. Diesel Emission Panel Interim Report

3. Engine and Vehicle Modification Panel Interim Report

(a) Report on New Engine Idle Stability—prepared by EVMP members—September 10, 1968—18 pages

(b) Driveability Procedure—August 6, 1968—8 pages

(c) Vehicle Inspection Procedure for Emission Control Systems and Devices, Gasoline Powered Vehicles—Inspection Old Format—August 1, 1967—5 pages; Inspection—New Format—5 pages

(d) Mass Flow Data—prepared by Chrysler Corporation—September 10, 1968—11 pages

(e) EVMP Panel Report on 1968 Engine Idle Setting Procedures—July 10, 1968 Revision including Shop Manual Instructions Furnished by several member companies

(f) EVMP Valve Timing Proposal—undated—2 pages

(g) Excerpt from EVMP Memorandum Report dated June 11, 1968 on Catalytic Converters and Afterburners—1 page

(h) Catalytic Converters for Emission Control—prepared by Toyota Motor Company—August 6, 1968—8 pages

(i) Ceramic Exhaust Manifold Reactors—prepared by Ford Motor Company—August 5, 1968—7 pages

4. Exhaust Emission Measurement Panel Interim Report

(a) Status Report on Assembly Line Testing by EEMP—August 5, 1968—2 pages

(b) Report on Measurement Procedure for Nitric Oxide for California—1970 by EEMP—August 5, 1968—16 pages

(c) Report on Exhaust Emission Reactivity Criterion from the Atmospheric Chemistry Panel and the EEMP—July 30, 1968—6 pages

(d) Proposal—Exhaust Emission Correlation Program HEW—AMA Laboratories—prepared by EEMP Panel member—October 24, 1967—4 pages

(e) Fast Response Flame Ionization Instrument—letter prepared by Chrysler Corporation—dated June 19, 1968—2 pages

(f) Bay Toll Crossing Letter—answer sent to Mr. E. R. Foley by Mr. Sherman—August 21, 1968 with attachments—7 pages

5. Fuel System Emission Panel Interim Report

(a) Fuel System Emission Panel report on Proposed Test Procedure for the Determination of Liquid Fuel Losses from Vehicle Fuel Tanks—September 27, 1968—8 pages

(b) Fuel System Emission Panel report on Proposed Program for Circulation and Cross-Check of 1970 Evaporative Cars—September 27, 1968—2 pages

6. Heavy Vehicle Panel Interim Report

(a) Recommended Application Procedure for Certification of New Gasoline Engines for Use in Heavy Duty Vehicles 1970 Model Year—prepared by the National Air Pollution Control Administration—dated September 23, 1968—19 pages

7. Ad Hoc Traffic Survey Panel Interim Report

8. Vehicle Emission Surveillance Panel Interim Report

SUBCOMMITTEE REPORTS TO THE VEHICLE COMBUSTION PRODUCTS COMMITTEE, DECEMBER 10, 1968

1. Atmospheric Chemistry Panel Interim Report

2. Engine & Vehicle Modification Panel Interim Report

(a) Driveability Demonstration—prepared by the Driveability Subpanel of EVMP—November 4, 1968—14 pages

(b) Summary—1969 Emission Control Systems as presented by the companies to the Engine and Vehicle Modification Panel—undated—12 pages

(c) Comments to ESC by the EVMP on the Feasibility of a Two Minute Emission Inspection System—October 14, 1968—3 pages

(d) AMA Recommendations in *AMA Inspection Handbook*, Section IX Vehicle Control Systems—5 pages—dated September 10, 1968

(e) Report of visit to New Jersey Inspection Station November 21, 1968—by the EVMP—7 pages

(f) Comments to ESC from EVMP on California Proposals for Emission Control Standards on 1970 and Later Model Vehicles—October 21, 1968—5 pages

3. Exhaust Emission Measurement Panel Interim Report

(a) EEMP comments and Recommendations to AMA ESC on California AB 357 Requirements for Assembly Line Testing for Vehicle Emissions—December 2, 1968—10 pages

(b) Letter from EEMP of September 6, 1968 to Mr. K. D. Mills at Willow Run and Mr. Mills answer of October 14, 1968 re AMA Exhaust Emission Measurement Correlation Program

(c) Fuel System Emission Panel and Heavy Vehicle Panel report to the Emission Standards Committee on Measuring Evaporative Losses—undated—4 pages

(d) Recommended Application Procedure for Certification of New Gasoline Engines for Use in Heavy Duty Vehicles—1970 Model Year—prepared by National Air Pollution Control Administration—September 23, 1968—19 pages

4. Fuel System Emission Panel Interim Report

5. Heavy Vehicle Panel Interim Report

6. Ad Hoc Traffic Survey Panel Interim Report

SUBCOMMITTEE REPORTS TO THE VEHICLE COMBUSTION PRODUCTS COMMITTEE MARCH 27, 1969

1. Engine & Vehicle Modification Panel Interim Report

2. Exhaust Emission Measurement Panel Interim Report

(a) Report from Exhaust Emission Measurement Panel on California ARB proposed Assembly Line Test Procedure for Motor Vehicle Exhaust—January 28, 1969—6 pages

(b) Effect of Engine Intake Air Moisture on Nitrogen Oxides Emissions—prepared by Ethyl Corporation, March 14, 1969—23 pages

(c) Humidity Correction K Factor—prepared by Nissan Motor Company—undated—16 pages

(d) Mass Emission Test Procedures—undated—4 pages

(e) Effect of Fuel Composition (%Aromatics) on Exhaust Hydrocarbon Concentration—Based Upon DuPont data and a Report by GM dated January 22, 1969—5 pages

(f) Report on Measurement Procedure for Nitric Oxide for California—1970—prepared by EEMP—August 5, 1968—16 pages

(g) Critique—California AB 690 Test Method for Measuring Vehicle Exhaust Emissions on a Mass Basis—undated—4 pages

3. Fuel System Emission Panel Interim Report

4. Health Committee Interim Report

5. Heavy Vehicle Panel Interim Report

6. Ad Hoc Traffic Survey Interim Report

SUBCOMMITTEE REPORTS TO THE VEHICLE COMBUSTION PRODUCTS COMMITTEE JUNE 19, 1969

1. Heavy Vehicle Panel Interim Report

2. Atmospheric Chemistry Panel Interim Report

(a) Exhaust Emission Reactivity Criterion—prepared by the Atmospheric Chemistry Panel and the EEMP—May 28, 1969—6 pages

3. Vehicle Emission Surveillance Panel Interim Report

(a) Surveillance Data Summary—prepared by VESP—June 9, 1969—5 pages

4. Exhaust Emission Measurement Panel Interim Report

(a) Proposed Items of Discussion on May 12, 1969 at Willow Run—Prepared by Messrs. Mick, Fagley, and Hagen—8 pages

(b) Analysis of AMA data for HC Emissions during the Federal Cycle—prepared by Ethyl Corporation—June 2, 1969—8 pages

(c) Analysis of AMA data for HC Emissions during the California Cycle Tests—Changes to improve Response Time—prepared by Chrysler Corporation—April 29, 1969—3 pages

(d) Proposal Exhaust Emission Correlation Program HEW—AMA Laboratories—prepared by Ford Motor Company—April 7, 1969—4 pages

5. Engine & Vehicle Modification Panel Interim Report

(a) Transmission Controlled Spark—An Evaluation of NOX Emissions—prepared by General Motors Corporation—April 15, 1969—10 pages

(b) Presentation on the Effect of Valve Overlap on Oxides of Nitrogen Emissions—prepared by General Motors Corporation—undated—6 pages

(c) IH Spark Advance Monitoring System—prepared by International Harvester Company—March 4, 1969—4 pages

(d) Performance of a Catalytic Converter on Non-leaded Fuel prepared by General Motors Corporation and published in SAE—undated—13 pages

(e) Comments on Performance of a Catalytic Converter on Non-leaded Fuel—prepared by Ford Motor Co.—presented before the SAE mid Year Meeting May 22, 1969—18 pages

(f) Panel Charge—prepared by J. P. Charles—dated May 27, 1969—1 page

(g) Engine Tune-up Data for 1970 Year Model Toyota Vehicles—prepared by Toyota Motor Company dated June 10, 1969—2 pages

(h) Engine Idle Setting Procedure—prepared by KAISER Jeep CORPORATION—undated—1 page

(i) Committee Correspondence re New Jersey Vehicle Emission Inspection—dated April 7th, May 8th, June 9th, 1969 describing telephone conversation with Mr. Elston

(j) Inspection Handbook Distribution—dated June 4, 1969

(k) Quality Car Care Schedule—prepared by Toyota Motor Company—undated—3 pages

(l) Layman's Nomenclature—undated—2 pages

6. Fuel System Emission Panel Interim Report

(a) Laboratory Cross-Check Program—prepared by Fuel System Emission Panel—May 5, 1969—11 pages

(b) Fuel Tank Heating Methods—prepared by Fuel System Emission Panel—May 5, 1969—22 pages

(c) Emission Control Calculations on Total Motor Vehicle HC & CO Emissions—dated June 17, 1969—3 pages

ADDITIONAL SUBCOMMITTEE REPORTS TO THE VEHICLE COMBUSTION PRODUCTS COMMITTEE, IN PREPARATION AND TO BE COMPLETED BY OCTOBER 31, 1969

*1967 annual report of Engine & Vehicle Modification Panel*

1. Status Report No. 5 of the Engine & Vehicle Modification Panel to the Vehicle Combustion Products Committee—1967—27 pages

2. Tables I and II on 6 Cylinder and 8 Cylinder Camshafts

Figure 1. American Motors Report on 6 Cylinder Camshafts—1 page

Figure 2. Field Survey of Combustion Testers

Figure 3. Response to Exhaust Gas with and without Air Injection using a Johnson-Williams Combustibles Analyzer

Figure 4. Variable Dilution System—Exhaust Gas (missing)

Figure 5. Blow-by Emission Measurement—prepared by New Jersey State Department of Health

Figure 6. 1968 Engine Information Decals

Figure 7. Cross Section of 199 C.I.D. Combustion Chamber—Quench and Low Quench

Figure 8. Cross Section of 232 C.I.D. Combustion Chamber—Quench and Low Quench

Figure 9. Head Gasket Bore Configuration user with Low Quench Engines 199 and 232 C.I.D.

Figure 10. Effect of Air-Fuel Ratio on Exhaust NO Concentrations for Various Speed-Load Combinations

Figure 11. Effect of Spark Timing on Exhaust NO Concentrations for Various Speed-Load Combinations

Figure 12. Effect of Intake Manifold Vacuum on Exhaust NO Concentrations for Various Air-Fuel Ratios

Figure 13. Effect of Coolant Temperature on Exhaust NO Concentrations for Duplicate Runs

3. Appendices:

(A) Camshaft and Valve Timing—EVMTG Proposal

(B) Proposed AMA Engine Idle Setting Procedures—EVMPTG June 27, 1967

(C) Reply to New Jersey Regarding State Vehicle Inspection by VCP—November 10, 1967

(D) Reply to Air Pollution Control Administration—December 22, 1966

(E) Bibliography of Papers on Emission Control Devices Submitted to EVMP by Member Companies

*9168 annual report of engine & vehicle modification panel*

1. Status Report No. 6 of the Engine and Vehicle Modification Panel to the Vehicle Combustion Products Committee—1968—23 pages

2. Appendices:

(A) Control of Oxides of Nitrogen—Chrysler Study Curves, data, and Sketches Illustrating Chrysler Studies in NO control.

(B) Exhaust System Devices for Emission Control—International Harvester Company.

(C) Vehicle Inspection Procedures

(D) 1969 Emission Control Systems

(E) Mass Flow

(F) Idle Setting Procedures—A detailed description of the shop manual procedures for each manufacturer

(G) Manifold Reactors—Preliminary Test Results with NonFlame After Burner Exhaust Manifold, F4–134 cu. in. Engine

(H) Air Injection Modifications—Toyota Motor Co., Ltd. Nippon Denso, Co., Ltd.

(I) Steam-Powered Road Vehicles—Present Status

(J) Valve Timing Proposal

(K) Driveability—Driveability Demonstration

(L) Comments on California 1970 Proposals

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| Date of presentation | Subject | Prepared by | Number of pages |
|---|---|---|---|
| 1. Oct. 17, 1967 | Combustion chamber quench changes, 1968 models. | Chrysler Corp | 1 |
| 2. Oct. 17, 1967 | 1968 Ford emissions systems | Ford Motor Co | 1 |
| 3. Oct. 17, 1967 | Idle adjustments | Chrysler Corp | 1 |
| 4. Oct. 17, 1967 | Idle mixture, effect of miles on idle speed, and timing changes. | General Motors Corp | 3 |
| 5. Oct. 17, 1967 | Emission control by engine design and development. | American Motors Corp | 17 |
| 6. Nov. 15, 1967 | New Jersey emissions inspection program. | EVMP | 10 |
| 7. Nov. 17, 1967 | Engine idle-setting procedures | American Motors, Chrysler Corp., Ford Motor Co., General Motors Corp., International Harvester Co., Kaiser Jeep Corp. | 37 |
| 8. Dec. 5, 1967 | Changes in idle speed re. mixture. | Ford Motor Co | 2 |
| 9. Dec. 5, 1967 | Emission-control labels | Kaiser Jeep Corp | 1 |
| 10. Dec. 5, 1967 | AMA-HEW exhaust flow equations. | EVMP | 5 |
| 11. Jan. 2, 1968 | Idle service instruction—CAS | Chrysler Corp | 1 |
| 12. Jan. 2, 1968 | Exhaust volume measurements on cycle tests. | do | 1 |
| 13. Dec. 5, 1967 | Survey of emission control devices in use of 1968 models. | American Motors, Chrysler Corp., Ford Motor Co., General Motors Corp. | 17 |
| 14. January 1968 | Exhaust emission-control devices. | Kaiser Jeep Corp | 2 |
| 15. Jan. 4, 1968 | Idle mixture, speed and spark timing adjustments. | General Motors Corp | 6 |
| 16. Jan. 2, 1968 | Exhaust system devices for emission contro . | International Harvester Co | 1 |
| 17. Jan. 2, 1968 | Exhaust manifold reactors | do | 3 |
| 18. Jan. 2, 1968 | Heavy truck emission-control systems. | do | 2 |
| 19. Dec. 15, 1967 | Adjusting idle mixture | Ford Motor Co | 7 |
| 20. Feb. 13, 1968 | Changes in idle tune during first 1,000 miles 1968 G.M. cars. | General Motors Corp | 1 |
| 21. Feb. 2, 1968 | Decal code | Chrysler Corp | 3 |
| 22. Feb. 9, 1968 | Test data on catalytic system | Kaiser Jeep Corp | 3 |
| 23. Feb. 13, 1968 | Ceramic exhaust manifold reactors. | Ford Motor Co | 4 |
| 24. Feb. 13, 1968 | Test data exhaust emissions | Kaiser Jeep Corp | 1 |
| 25. Mar. 12, 1968 | Air control valve to improve running stability after starting on an air injected gasoline engine. | Toyota Motor Co. Ltd Nippon Denso Co. Ltd. | 7 |
| 26. Mar. 12, 1968 | Engines for Toyota 1968 models | Toyota Motor Co., Ltd | 1 |
| 27. Mar. 12, 1968 | Engine stalling on deceleration | Nissan Motor Co., Ltd | 7 |
| 28. Mar. 12, 1968 | Surface to volume ratio 4 cylinder vehicle. | Kaiser Jeep Corp | 1 |
| 29. Apr. 4, 1968 | Data on idle stability and exhaust gas volume of Toyota vehicles. | Toyota Motor Co., Ltd | 5 |
| 30. Apr. 9, 1968 | Mass flow data | Nissan Motor Co., Ltd | 1 |
| 31. Apr. 4, 1968 | Idle settings 4,000 miles or under. | Chrysler Corp | 1 |
| 32. May 8, 1968 | Report on present status with steam powered road vehicles and their emission characteristics. | EVMP (attachments A5, B3, C2, and D1). | |
| 33. May 8, 1968 | Preliminary test results with nonflame afterburner exhaust manifold F-4—134 cubic inch engine. | Kaiser Jeep Corp | 5 |
| 34. May 8, 1968 | Valve timing proposal submitted to EVMP. | Kaiser Jeep Corp., General Motors Corp., Ford Motor Co. | 2 |
| 35. June 11, 1968 | 1968 engine idle setting procedures. | American Motors Corp., Chrysler Corp., Ford Motor Co., General Motors Corp., International Harvester Co., Kaiser Jeep Corp., Nissan Motor Co., Toyota Motor Co. | 7 |
| 36. June 11, 1968 | Vehicle inspection procedure for emission control systems and devices, gasoline powered vehicles. | American Motors Corp., Ford Motor Co., General Motors Corp., International Harvester Co., Kaiser Jeep Corp., Toyota Motor Co., Ltd. | 5 |
| 37. July 10, 1968 | 1968 idle setting procedures shop manual instructions. | American Motors Corp., Chrysler Corp., Ford Motor Co., General Motors Corp., International Harvester Co., Kaiser Jeep Corp., Nissan Motor Co., Ltd., Toyota Motor Co. Ltd. | 35 |
| 38. Aug. 6, 1968 | Driveability procedure | EVMP | 8 |
| 39. Aug. 6, 1968 | Valve timing proposal | EVMP | 2 |
| 40. Aug. 6, 1968 | Catalytic converter for emission control. | Toyota Motor Co., Ltd | 8 |
| 41. Aug. 5, 1968 | Ceramic exhaust manifold reactor. | Ford Motor Co | 7 |
| 42. Aug. 6, 1968 | Throttle positioner | Toyota Motor Co., Ltd | 20 |
| 43. Aug. 21, 1968 | Valve timing | EVMP | 2 |
| 44. Sept. 10, 1968 | Report on new engine idle stability. | Ford Motor Co., American Motors Corp., General Motors Corp., Toyota Motor Co., Ltd., Chrysler Corp., International Harvester Co., Nissan Motor Co., Ltd | 25 |
| 45. Aug. 27, 1968 | Emission inspection presentation to AAMVA on vehicle emission inspection. | ESC Chairman | 18 |
| 46. Sept. 10, 1968 | Mass-flow data | Chrysler Corp | 12 |
| 47. Aug. 22, 1968 | Rating idle quality | International Harvester Co | 8 |
| 48. Aug. 16, 1968 | Vehicle evaluation rating system. | Ford Motor Co | 2 |
| 49. Aug. 9, 1968 | Idle quality evaluations | American Motors Corp | 2 |

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| Date of presentation | Subject | Prepared by | Number of pages |
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| 50. Sept. 7, 1968 | Engine idle stabilit evaluation procedure. | Nissan Motor Corp | 2 |
| 51. Sept. 10, 1968 | Exhaust manifold reactors | International Harvester Co | 4 |
| 52. September 1968 | do | Nippon Denso Co., Ltd | 3 |
| 53. Oct. 8, 1968 | 1969 emission control systems | Toyota Motor Co., Ltd | 2 |
| 54. Oct. 10, 1968 | AMA drivability demonstration. | EVMP | 12 |
| 55. Oct. 7, 1968 | 1969 emission control systems | American Motors Corp | 1 |
| 56. Oct. 8, 1968 | 1969 Chrysler cleaner air system compared to the 1968 system. | Chrysler Corp | 3 |
| 57. Oct. 8, 1968 | 1969 emission control systems | Ford Motor Co | 3 |
| 58. Nov. 1, 1968 | Summary of 1969 G.M. exhaust emission control systems. | General Motors Corp | 1 |
| 59. Nov. 12, 1968 | 1969 emission control systems | International Harvester Co | 1 |
| 60. January 1969 | Exhaust emission control systems. | Kaiser Jeep Corp | 1 |
| 61. Dec. 17, 1968 | Control systems for 1970 | American Motors Corp | 5 |
| 62. Dec. 17, 1968 | Chrysler 1970 emission controls | Chrysler Corp | 5 |
| 63. Dec. 17, 1968 | 1970 emission-control systems | Ford Motor Co | 7 |
| 64. Dec. 17, 1968 | Summary of proposed 1970 emission-control systems. | General Motors Corp | 4 |
| 65. Dec. 17, 1968 | 1970 light duty vehicle prototype emission control systems. | International Harvester Co | 11 |
| 66. November 1968 | Projected vehicle emission control system for Toyota 1970 model vehicles. | Toyota Motor Co., Ltd | 27 |
| 67. Dec. 17, 1968 | Control of oxides of nitrogen | Chrysler Corp | 9 |
| 68. Dec. 17, 1968 | Inspection of emission-control systems. | General Motors Corp | 3 |
| 69. Dec. 17, 1968 | Supplementary information on 1969 emission-control systems. | International Harvester Co | 7 |
| 70. Jan. 7, 1969 | Investigations of $NO_x$ control systems. | Ford Motor Co | 35 |
| 71. Jan. 7, 1969 | Oxides of nitrogen from smaller gasoline engine. | Toyota Motor Co., Ltd | 63 |
| 72. Jan. 7, 1969 | Summary of proposed 1970 emission-control systems. | Kaiser Jeep Corp | 5 |
| 73. December 1968 | The effects of the ignition system on exhaust emissions. | Mitsubishi Electric Corp | 26 |
| 74. Mar. 24, 1969 | Engine idle quality test procedure of Toyota. | Toyota Motor Co., Ltd | 6 |
| 75. Mar. 27, 1969 | Reduction of nitrogen oxides in automobile exhaust | Nippon Denso Co., Ltd | 11 |
| 76. Mar. 11, 1969 | Description of ignition advance monitoring systems | International Harvester Co | 5 |
| 77. June 10, 1969 | Engine idle setting procedure | Kaiser Jeep Corp | |
| 78. May 13, 1969 | Quality car care schedule | Toyota Motor Co | 3 |
| 79. May 19, 1969 | Performance of a catalytic converter on nonleaded fuel SAE paper No. 690503. | General Motors Corp | 10 |
| 80. May 22, 1969 | Comments by J. H. Jones & E. E. Weaver—car systems research on SAE paper No 690503. | Ford Motor Co | 18 |

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|---|---|---|---|
| 1. Sept. 8, 1967 | A proposal for an interim mass exhaust emission test procedure. | Ford | 3 |
| 2. Sept. 8, 1967 | A proposal for 1970 studies based on mass equivalents. | General Motors | 4 |
| 3. Sept. 7, 1967 | Calculations of exhaust mass emissions. | do | 2 |
| 4. Sept. 8, 1967 | Interim mass emission test procedure (Sept. 21, 1967) EEMP to VCP. | EEMP | 8 |
| 5. Oct. 25, 1967 | Proposal—exhaust emission correlation program for EEMP. | Ford | 4 |
| 6. Nov. 20, 1967 | Curves and tables emissions vs. vehicle weight. | Chrysler | 17 |
| 7. Nov. 20, 1967 | Interim mass standards for 1970. | General Motors | 4 |
| 8. Nov. 20, 1967 | Assumptions for 1970 certification based on mass. | Ford | 3 |
| 9. Nov. 20, 1967 | Curves—$F^3$/cycle vs. engine displacement—inertia weight. | American Motors | 3 |
| 10. Jan. 18, 1968 | EEMP notes to ESC on HEW studies published Jan. 4, 1968. | EEMP | 18 |
| 11. Jan. 31, 1968 | EEMP proposed revision of Cal. specifications for assaying line instrument. | EEMP | 14 |
| 12. Mar. 13, 1968 | Computer print-out of best fit equation for Cal. gases. | General Motors | 4 |
| 13. Mar. 13, 1968 | Propane response | do | 1 |
| 14. Mar. 13, 1968 | FIA of propane Cal. gases using olson gravimetric standards. | EEMP | 1 |
| 15. Mar. 13, 1968 | Daimler-Benz response to HEW 1970 standards dated Jan. 4, 1968. | Mercedes-Benz | 11 |
| 16. Mar. 29, 1968 | Considerations in traffic survey and test cycle development. | TSP | 3 |
| 17. Apr. 17, 1968 | Effect of emission control system on reactivity. | Ford | 3 |
| 18. Apr. 17, 1968 | Relative efficiencies of control systems—table. | Chrysler | 1 |
| 19. May 9, 1968 | Report on variable dilution sampling—Clark. | General Motors | 8 |
| 20. May 9, 1968 | Report on $NO_x$ measurement—Lang. | General Motors | 13 |
| 21. May 9, 1968 | Production line test—instrument and test procedure. | American Motors and California ARB staff. | 1 |
| 22. May 28, 1968 | Table—spread between NDIR and FID analyses. | American Motors | 2 |
| 23. May 28, 1968 | Comparison between 7-mode and 10-mode cycle NDIR vs. FID. | International Harvester | 5 |
| 24. May 28, 1968 | Whittaker method of measuring NO—strip chart. | Chrysler | 2 |
| 25. May 28, 1968 | Proposed answer to Cal. Bay Toll Crossings Division. | EEMP | 7 |
| 26. June 5, 1968 | Strip chart of NO measurement using Whittaker method—letter from Whittaker to W. Fagley, Jr. | Chrysler | 4 |
| 27. July 23, 1968 | European consideration of atmospheric pollution problems. | AMA | 3 |
| 28. July 17, 1968 | Comparison of emission reactivities—table I. | General Motors | 1 |
| 29. July 17, 1968 | Number of hydrocarbons evaluated under controlled conditions. | do | 1 |
| 30. July 17, 1968 | Graphs plus computer summaries—HC reactivity versus conc. by C. G. | do | 15 |
| 31. July 17, 1968 | Comparison—HC conc. by C. G. versus FID. | do | 3 |
| 32. July 17, 1968 | Correlation—reactivity and gas chromotography. | Ford | 1 |
| 33. July 17, 1968 | SAE paper 680419—FID technique—HC in diesel exhaust. | International Harvester | 15 |
| 34. July 17, 1968 | Correlation between 7-mode and USPHS 10-mode cycles—Clark. | General Motors | 9 |
| 35. July 17, 1968 | Schematic diagram—NO and $O_2$ instrument console. | do | 1 |
| 36. July 17, 1968 | Relative sensitivity—FID analyzer. | Chrysler | 2 |
| 37. July 30, 1968 | Measurement procedure—NO for California, 1970. | EEMP | 16 |
| 38. July 30, 1968 | Background data for calculating $NO_x$ for California. | Chrysler | 3 |
| 39. July 30, 1968 | Correlation program—HEW-AMA Labs—Westveer. | EEMP | 4 |
| 40. July 30, 1968 | Report on reactivity to ESC from joint ACP and EEMP. | EEMP | 6 |
| 41. Aug. 5, 1968 | Report on measurement procedure for NO California, 1970. | EEMP | 15 |
| 42. Sept. 11, 1968 | Continuous Trace—Rate of exhaust flow, 10-mode cycle. | Chrysler | 3 |
| 43. Sept. 11, 1968 | Mass flow data—Fagley (7- versus 10-mode cycles). | do | 14 |
| 44. Sept. 11, 1968 | Letter—Jensen to Maga—Mass emission measurement technique. | AMA | 3 |
| 45. Sept. 11, 1968 | Table—Fuel measured mass compared with calculated Federal standard mass. | Chrysler | 1 |
| 46. Sept. 11, 1968 | Repeatability of no measurement technique—9 vehicles. | General Motors | 6 |
| 47. Dec. 3, 1968 | Comments to ESC on California law AB 357—Assembly-line test. | EEMP | 11 |
| 48. Jan. 27, 1969 | Report on NOx humidity factor—Maeda. | Nissan | 16 |
| 49. Jan. 27, 1969 | EEMP to ESC report on California ARB assembly line test. | EEMP | 6 |
| 50. Feb. 5, 1969 | European driving cycle—Report by F. Louis. | Renault | |
| 51. Feb. 18, 1969 | Exhaust-flow method of mass measurement—Fagley. | Chrysler | 19 |
| 52. Feb. 18, 1969 | Mass emission program—Nick | General Motors | 33 |
| 53. Mar. 4, 1969 | Comments on California proposed assembly line test procedures. | Toyota | 5 |
| 54. Mar. 18, 1969 | Effect of moisture on $NO_x$ emissions. | Ethyl | 24 |
| 55. Mar. 20, 1969 | Effect of fuel composition—on FID/NDIR ratio—Campau. | Ford | 11 |
| 56. Mar. 26, 1969 | Reduction of $NO_x$ manifold reactor—Tanaka et al. | Nippon Denso | 12 |
| 57. Apr. 11, 1969 | Exhaust emission measurement correlation program—Westveer. | EEMP | 4 |
| 58. Apr. 14, 1969 | Supplement—moisture on $NO_x$-RK factor calculation. | Ethyl | 2 |
| 59. Apr. 21, 1969 | Comments on foreign cycles—Lombardi. | EEMP | 3 |
| 60. Apr. 30, 1969 | HC measurement by FID—improved response—Teague. | ACP/EEMP | 3 |
| 61. May 29, 1969 | Diagrams of sampling and analytical systems—proposed. | EEMP | 4 |
| 62. June 5, 1969 | Effective and economic control of auto emissions—Sarto. | EVMP | 7 |
| 63. July 1, 1969 | Preliminary evaluation of $NO_x$ analyzer—Jackson. | General Motors | 3 |

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| Date of presentation | Subject | Prepared by | Number of pages |
|---|---|---|---|
| 64. July 1, 1969 | Determination of $CO_2$ at Wahnsdorf, Germany—published. | Mercedes-Benz | 2 |
| 65. July 1, 1969 | Comparison of 3 dynamometers in Germany. | do | 2 |
| 66. July 1, 1969 | Dynamometer effects on emissions using CVS. | Nissan | 2 |
| 67. July 23, 1969 | Foreign cycle evaluation—Lombardi. | EEMP | 4 |

HEAVY VEHICLE PANEL REPORTS

| Date of presentation | Subject | Prepared by | Number of pages |
|---|---|---|---|
| 1. Mar. 7, 1969 | Evaluative control procedures for heavy trucks. | HVP | 4 |
| 2. Mar. 26, 1969 | Reduction of nitrogen oxides in automobile exhaust. | Nippon Denso | 11 |
| 3. May 22, 1969 | Outline for research program for heavy vehicle emission data. | HVP | 2 |

AD HOC TRAFFIC SURVEY PANEL REPORTS

| Date of presentation | Subject | Prepared by | Number of pages |
|---|---|---|---|
| 1. May 24, 1967 | Comparison of Chrysler 50,000 mile and AMA durability schedules. | Chrysler Corp | 4 |
| 2. May 24, 1967 | Comparison of durability schedules. | General Motors Corp | 1 |
| 3. Mar. 27, 1968 | Consideration in traffic survey and test cycle development. | General Motors Corp., Chrysler Corp., Ford Motor Co. | 3 |
| 4. Sept. 30, 1968 | Background of vehicle exhaust gas text procedures in Japan. | Toyota Motor Co. Ltd | 4 |
| 5. Feb. 5, 1969 | European driving cycle | Renault | 4 |

ATMOSPHERIC CHEMISTRY PANEL REPORTS

| Date of presentation | Subject | Prepared by | Number of pages |
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| 1. Mar. 4, 1969 | Nitrogen oxides in the atmosphere. | ACP | 34 |
| 2. July 8, 1969 | HEW meeting—Cincinnati reactivity criteria. | ACP | 6 |

VEHICLE EMISSION SURVEILLANCE PANEL REPORTS

| Date of presentation | Subject | Prepared by | Number of pages |
|---|---|---|---|
| 1. Oct. 11, 1967 | 1967 surveillance program on high mileage exhaust emission equipped vehicles. | Ford Motor Co | 23 |
| 2. Mar. 27, 1969 | Hot versus cold start surveillance testing. | VESP | 9 |
| 3. June 9, 1969 | Surveillance data summary report to ESC. | VESP | 5 |

FUEL SYSTEMS EMISSION PANEL REPORTS

| Date of presentation | Subject | Prepared by | Number of pages |
|---|---|---|---|
| 1. Oct. 18, 1967 | Letter from AMA to NAPCA outlining available data on evaporative control systems. | AMA-VCP, General Motors | 10 |
| 2. Oct. 25, 1967 | Charcoal canister evaporative emissions control system. | General Motors | 9 |
| 3. Oct. 25, 1967 | Crankcase storage of evaporative emissions. | do | 10 |
| 4. Dec. 1, 1967 | Carbon air cleaner evaporative control. | Ford | 10 |
| 5. Dec. 1, 1967 | Crankcase storage system—Evaporative control. | do | 15 |
| 6. Dec. 1, 1967 | History of evaporative control studies | do | 13 |
| 7. January 1968 | Chrysler closed-vent system | Chrysler | 8 |
| 8. January 1968 | AMC evaporative systems | American Motors | 6 |
| 9. Apr. 24, 1968 | Results of lab cross program | FSEP (charts) | 5 |
| 10. June 14, 1968 | Evaporative loss data | FSEP (charts) | 7 |
| 11. July 1968 | Absorption of HC vapor by charcoal. | Toyota | 15 |
| 12. Aug. 23, 1968 | Proposed test procedure for determination of liquid fuel losses from vehicle fuel tank. | FSEP | 9 |
| 13. Sept. 27, 1968 | do | | 8 |
| 14. Oct. 15, 1968 | Joint (FSEP and HVP) report to ESC on test procedure for heavy truck losses. | FSEP | 4 |
| 15. Mar. 18, 1969 | Preliminary progress report of Shed test procedure. | FSEP | 3 |
| 16. Mar. 24, 1969 | Fuel temperature versus vapor temperature. | Kaiser Jeep | 2 |
| 17. Mar. 24, 1969 | Comparison of evaporator test procedures. | Ford | 9 |
| 18. Mar. 24, 1969 | GM test on effect of heating test on evaporator emission. | General Motors | 2 |
| 19. Mar. 25. 1969 | Deterioration factor of evaporator emission data. | Toyota | 7 |
| 20. Mar. 8, 1969 | Comparative shed tests | General Motors (charts) | 2 |
| 21. Apr. 18, 1969 | Report of evaporator testing | Ford, General Motors, Chrysler, American Motors. | 7 |
| 22. Apr. 23, 1969 | Effect of heating method of fuel tank on evaporator emission. | Nissan | 4 |
| 23. Apr. 23, 1969 | Heating pad installation v. fuel tank emissions. | Kaiser Jeep | 3 |
| 24. Apr. 28, 1969 | Review of shed testing data | Ford, American Motors, Chrysler. | 6 |
| 25. May 5, 1969 | Fuel tank heating methods | FSEP | 23 |
| 26. May 6, 1969 | Laboratory cross check program | FSEP | 11 |
| 27. May 18, 1969 | Shed test on control equipped cars. | General Motors | 2 |
| 28. July 1, 1969 | Comparison of evaporation test sequences. | FSEP | 6 |
| 29. July 18, 1969 | Proposals for engineering acceptance of evaporation control systems. | FSEP | 3 |

SEPTEMBER 15, 1969.

Hon. RICHARD W. MCLAREN,
*Assistant Attorney General, Antitrust Division, Department of Justice, Washington, D.C.*

DEAR MR. MCLAREN: I have your letter of September 11, 1969 indicating that the Antitrust Division preferred to propose a consent decree with the four major auto manufacturers and the Automobile Manufacturers Association (AMA) instead of proceeding to full trial. The Department's press release, but not the full text of the consent decree proposal, was enclosed. There is a significant difference between the two—the press release was an optimistic gloss that could and did mislead the press into reporting that the Division had obtained a victory for the people in achieving a stipulation from the domestic auto industry that they will obey the antitrust laws in the future in return for the Division's forgetting the past and keeping past records about the industry's conspiracy confidential.

What the domestic auto companies conspired over a period of at least 16 years to do—restrain the development and marketing of auto exhaust control systems—is a crime under the Sherman Act. Collusive, anti-competitive agreements which result in seriously jeopardizing the capacity of citizens to breathe air without carcinogenic and other lethal and violent pollutants would, under the most normal of expectations, be prosecuted by the Division as a crime. That course of enforcement was indeed initiated by your predecessors, Donald Turner and Edward Zimmerman in mid-1966. Grand Jury proceedings for 18 months resulted in the Division's trial attorney's request to Mr. Turner for permission to ask the Grand Jury to return an indictment. The Grand Jury was even willing to return an indictment regardless of what instructions were forwarded from Washington—so convinced was it of the criminality of the behavior detailed during these 18 months. Mr. Turner dropped the criminal case, without any public explanation, and had the Grand Jury discharged. One year later, in January 1969, a civil complaint was filed. Nine months after that, the civil complaint was in effect dropped in favor of a porous, proposed consent decree, stripped to the minimum of what the legitimate impact of the law should have been.

Is this where five years of Antitrust Division involvement and expenditure of numerous man-years is to end? I should like to detail some reasons why the answer to this question must be "no."

Over the years, a large proportion of the civil actions brought by the Antitrust Division have been terminated by consent decrees. The criteria employed have rarely been made clear. However, it is known that scarce manpower and judicial delay are important factors. Year after year, those who have lead and supervised the Antitrust Division have undermined or weakened antitrust enforcement by simply referring to those two conditions. At the same time, there has been no sustained effort to obtain more funds for

the Division or to develop procedures (with the exception of the CID development earlier in this decade) which will accelerate any judicial recourse or at least improve the bargaining power of the government that more expeditious trial reflects.

It seems to be relevant to suggest a number of questions which should be asked in the automobile smog case before a consent judgment is considered or approved:

1. Are there important and unresolved issues of law which merit judicial determination?

2. Are there important rights of public and private institutions and citizens which can be eroded or erased by a consent judgment as proposed?

3. Does the seriousness of the antitrust violation in this case argue for the greater deterrent and public educational purposes achieved by a civil trial or the resumption of the Division's criminal action?

4. Does the proposed consent decree achieve the announced objective of Attorney General John N. Mitchell who described it last week as representing "strong federal action to encourage widespread competitive research and marketing of more effective auto anti-pollution devices?"

Matters of fact and law point to clearly affirmative responses to questions (1) (2) & (3) and a negative response to question (4).

The present case offers an excellent opportunity for the Antitrust Division to establish judicially two important principles which would have enormous replicative value over the behavior of modern industry striving to restrain the rate of innovation to the detriment of competition and human welfare. As you know, the Department's complaint of January 10, 1969 requested that the defendants be restrained from making joint responses to government regulatory agencies concerned with air pollution control. For years the Automobile Manufacturers Association has been the instrument of precise collusion by the auto companies to develop common positions on questions of pollution and safety and to head off or suppress any potential diversity of response. Even after the Department commenced its investigation into this conspiracy, the AMA was developing and using a stock speech on air pollution—a speech which was given, for example, both by Dr. Fred W. Bowditch, Chief Engineer for General Motors and Mr. Donald A. Jensen, Ford's executive engineer in charge of vehicle emissions. Collusive trade association activity continues to be a prime anti-competitive practice in this country. Such activity is long overdue for authoritative judicial resolution and the emergence of judge-made law that would give pause to other trade associations which exert similar, if not greater control, over their members and enforce the dominant firm(s)' policy over smaller industry firms. The proposed consent decree loses this opportunity.

The second principle requiring case law development relates to "product fixing." The automobile industry has restrained competition among manufacturers in the area of product quality. The consumer movement can produce numerous instances of such lowest common denominator quality throughout an industry. The auto companies' activities in the motor vehicle emissions field are in this sense symptomatic of a disease which affects wide areas of the economy. By not moving against this sort of collusion, the Division has relinquished an opportunity to formulate a crucial, new precedent that is rooted in old antitrust doctrine. The instant case is ripe for this determination and the Division has the benefit of five years of investigation as well.

Because the antitrust laws recognize the rights of persons or groups to initiate private antitrust actions, the Division is in a trusteeship position thereto. Any decision made must take into some account how the final resolution will affect the rights of private and public parties under the antitrust laws. In this case, municipal and other public bodies have displayed a strong interest in antitrust enforcement vs. the auto conspiracy as well as recovering in separate actions damages which they have incurred as a result of auto pollution. The possibility that local governmental bodies, business firms and individual citizens may wish to adjudicate their rights is severely limited by the proposed consent decree. As you know, Section 5 of the Clayton Act provides that consent judgments, unlike other final judgments in cases brought by the United States, shall not be considered prima facie evidence against the defendant in a treble-damage suit. The practical effect of this provision is that potential treble-damage plaintiffs would have to duplicate the investigative process which took the Department several years and several hundreds of thousands of dollars even with its extraordinary discovery powers. Los Angeles County already has filed a one hundred million dollar suit against the automobile manufacturers, seeking to recoup some of the loss to the County resulting from this corporate conspiracy to hold back on pollution controls. Further, the California Attorney General, acting on behalf of the State, has been denied access to the Justice Department's information about the auto pollution case. The evidence of the conspiracy exists in the Justice Department's possession and the Department seems determined not to have any of it surface in a public trial. In a critical treatment of the Department's consent decree program ten years ago, the House Antitrust Subcommittee described precisely this effect:

"The almost inevitable consequence of the acceptance of a consent decree by the Department of Justice . . . is to deprive suitors, who have been injured by the unlawful conduct, of their statutory remedies under the antitrust laws."

The Department's complaint charges the auto industry with collusive behavior having devastating consequences for the peoples' health in this country. At least 50% of the nation's air pollution comes from the motor vehicles' internal combustion engines. Medical and other epidemiological studies have linked these pollutants with diseases ranging from cancer to emphysema. Property damage from corrosive pollutants is estimated at $13 billion annually by federal officials. Half of this amount is a very substantial cost inflicted on this nation by the auto industry's intransigent refusal to innovate over the past generation. Can anyone deny the need and benefit for the public to learn about the nature and depth of this colossal corporate crime? The citizens of this country, who are the customers of this industry, have a right to know the extent to which the auto companies are deliberately responsible for the enormous health, economic and aesthetic damages caused by the internal combustion engine. One of the purposes of a public trial is deterrence; the Division has chosen to lose a grand opportunity to bring these companies and their harmful practices into the public arena of a courtroom. This aspect of the Division's case alone would have a greater deterrent effect than the tightest of consent judgments. Since it is not any longer the practice of antitrust enforcement to pierce the corporate veil and hold the culpable officials responsible, a public trial would at the least have shown that such corporate officials are holding far greater power over citizens in this country than they can exercise responsibly or even legally.

What of the proposed consent decree? The proposal can hardly be stronger than the complaint which itself is the result of a process of enforcement erosion which began with an intended criminal prosecution and ended with a meek request for injunctive relief. The complaint did not even contain a request for the imposition of civil damages pursuant to the antitrust laws. (Like the drug cases, the federal government has incurred damage to its property and personnel from this conspiracy.) The process of secret, ex parte type negotiations with representatives of corporate defendants, in particular Lloyd N. Cutler, counsel for the AMA, discourages confidence in antitrust enforcement and facilitates sloppy or political decision-making. When decisions can be made without prior citizen access or without criteria publicly displayed on which such decisions are rendered or without adequate explanation, abuses, distortions and laceration of the public interest can occur with greater frequency than would be the case otherwise.

The following weaknesses can be cited in the proposed consent decree:

1. There is no provision requiring the keeping of records by the defendants. For example, the Department has no assurance that minutes or transcripts will be kept of AMA committee meetings on pollution matters or that there will be records kept of informal discussions between executives and representatives of various auto companies. A section of the proposed decree requires written reports concerning any matters contained in the decree, but only "upon the written request of the Attorney General or the Assistant Attorney General in charge of the Antitrust Division. . ." If the Department is serious about its surveillance responsibilities over the consent judgment, why doesn't the proposed decree place an affirmative responsibility on the companies to make periodic reports concerning the matters covered by the decree? Why, for instance, are not the companies required to report the terms of all licenses granted and purchased? Why are there no reports on the status of research relating to motor vehicle emissions?

The task of surveillance, effective surveillance, is so formidable that it raises a question whether the Division is even less equipped to monitor compliance with the decree than it is to engage in complicated litigation which would permit other parties to have the information on which to base their vigilance against antitrust violations by the auto industry. Certainly the terms of the decree proposed last week do not facilitate surveillance. Neither does the fact that the Divisions Judgment Section is composed of only 12 professional personnel with no more than half that number having the burden of trying to see that the many hundreds of consent decrees are being complied with. Judged on any basis—cost benefit, importance of the case etc., the resources which the Division can devote to litigation are greater than those devoted to compliance.

2. Section VI(A)(3) of the proposed decree requires defendant AMA to make available for copying or for examination by any person the technical reports in its possession or control prepared or exchanged by defendants pursuant to said cross-license within two years prior to the entry of this Final Judgment. Why only two years when the Department alleges the conspiracy to have begun at least in 1953 and when the Department alleges specific conspiracies to delay installations in 1961, 1962–3 and 1964. There is also the onerous additional proviso that any person who requests such information agrees to offer each signatory party to the AMA cross-licensing agreement of July 1, 1955, as amended, and any subsidiary thereof, nonexclusive license rights with respect to any patents or patent applications based upon information obtained from AMA or its members who are defendants in this case. This

proviso can vitiate the purpose of the aforementioned section VI(A)(3) since it requires firms or individuals to become entangled in a serious risk of harassing litigation where the richest firm wins. What small firm is going to take the risk? Consequently, the purpose of this section to encourage proliferation of information collusively obtained or possessed so as to promote competition fails.

3. Two provisions which the Department emphasized in its September 11, 1969 press release were the restraint against exchanging confidential information (IV A 2 a) and the restraint against filing joint statements (IV A 2 g) to regulatory agencies on matters pertaining to pollution or automotive safety are scheduled to expire quietly in ten years under Section IX of the proposed decree unless the Department applies for a continuation after nine years. Why, if these two practices are considered anticompetitive—and indeed they go to the base of the conspiracy—will they be any less anticompetitive in ten years?

In the case of the proposed restraint on joint statements, the qualifications make the restraint mere paper in impact. These exemptions to the ban on joint statements via the AMA are: statements relating to (1) the authority of the agency involved; (2) the draftsmanship of or the scientific need for standards or regulations; (3) test procedures or test data relevant to standards or regulations; or (4) the general engineering requirements of standards or regulations based upon publicly available information. In addition, the proposed decree (IV (A) (1)(g)) permits joint filing on the critical point of ability to comply with a particular standard or regulation if there is a written agency authorization for such a joint statement. What kind of naivete or incompetence does this draftsmanship reveal on the part of the public's representatives in your Division? Mr. Cutler has probably drafted a form request to the various agencies on behalf of the AMA to take advantage of just that blatant loophole, and will approach the agencies at the appropriate time.

4. There is no provision for requesting the Court to release the Grand Jury transcript and other documents in order that third parties have the opportunity to adjudicate their rights. Even in the case of U.S. vs. Harper and Row et al (the book conspiracy case), the Division had a information release provision. There is also no ban on the destruction of corporate or AMA documents re the conspiracy since 1953.

In the light of the foregoing and other arguments made to your staff by concerned public representatives, I urge you to withdraw your consent to this proposed decree, as provided for on page 1 of the stipulation, and reconsider the necessity to initiate criminal action against the defendants or at the least a civil action with broader relief than requested by the January 10, 1969 complaint. In the most unsatisfactory alternative, the proposed decree should be amended to take into account and eliminate the aforementioned deficiencies and to incorporate a strong information disclosure provision so that third parties, such as Los Angeles County, can do the job that your Division failed to do. Better a trial sought and lost than a consent decree gained in the form of a legal fiction and propped up by a compliance capability that is beyond pathos.

During your reconsideration, if you so undertake one, may I suggest that you take note of the following commentary on the infirmity of the consent decree and its continuing ludicrous-tragic infrastructure:

"When a corporate official knows that the probabilities are that, if his activities are detected, antitrust attack on a proposed economic program can be concluded amicably, with no notoriety, and with little danger of resultant private antitrust actions, there is virtually nothing to lose and everything to gain from undertaking a questionable program. Large scale use of the consent decree to conclude antitrust suits instituted by the United States, therefore, amounts to an invitation to corporate officers to undertake activities which may violate the law." (1959 House Antitrust Subcommittee Report)

In conclusion, I should like to ask the following questions:

1. What allocation of compliance manpower do you envision necessary for even the minimal provisions of the proposed consent decree? What compliance program has been developed?

2. The reason given, among others, for resorting to the consent decree resolution was the protracted delay in the courts and the manpower drain. How do you envision responding to this state of affairs—by relying more heavily on consent decrees as your case load builds up or by constructing the case for doubling or quadrupling your staff and resources if the remnants of the competitive enterprise system are to be preserved and taking that case to the Congress and to the public? As you realize every day, the Antitrust Divisions budget, in real terms, has not increased over the past six years—once pay increases etc. are accounted. This year, the entire budget for the Antitrust Division permits a manpower base of about 170 practicing attorneys (about the size of the largest private law firms) and in dollar terms is equivalent to approximately 3 hours gross revenue (on a 24 hour basis year around) of General Motors. Is it not time to unveil the farce of antitrust enforcement and proceed to substance?

3. Do you intend to set forth your philosophy on consent decree uses and procedures in the near future? Do you believe that the public should have access, in terms of input and commentary on Departmental proposals, *before* the consent decree agreement is announced. A few years ago, the Department adopted the 30 day rule to give interested parties time to file their objections; but this is late for many interested parties and by this time the Department has made up its mind. What is necessary is to give the public at least a partial access to persuade the Department instead of the present secret negotiations between the Department and the defendants.

4. Your predecessor, Donald Turner, looked dimly on private antitrust efforts as unduly disruptive of the Department's public policy on antitrust. Do you share this reservation? Do you think the proposed consent decree is adequate to permit third parties to adjudicate their rights?

5. Do you not concede the likelihood of anticompetitive effects flowing from grantback provisions (such as in IVB2b) which run counter to the announced thrust of the consent decree proposal?

By including the comments of Dr. Lee A. DuBridge, President Nixon's science advisor, and the approval of the Department of Health, Education and Welfare, in your September 11, 1969 press release, you recognize the broad policy significance of this auto smog antitrust case and the proposed consent decree. Others in Congress and in local governments agree. There is every indication that this is going to be the most widely contested decree in antitrust history. In order to have the opportunity for timely intervention, within the 30 day limit, I would appreciate receiving your responses on the aforenoted requests for more stringent legal action against the auto industry and, alternatively, for stricter relief in the consent decree.

Thank you for your consideration of the above suggestions.

Sincerely yours,

RALPH NADER.

## RABBI JOSEPH SHUBOW PASSES

### HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 16, 1969*

Mr. O'NEILL of Massachusetts. Mr. Speaker, I was deeply saddened by the untimely passing of my good and dear friend, Rabbi Joseph Shubow, one of the foremost spiritual leaders of the Boston community, and a man of immeasurable integrity and character. A pall has fallen over Boston at the passing of this noble and compassionate man who devoted so much of his life to the service of others. He was an intellectual of great stature, not only in matters of theology, but in all aspects of life, and a humanitarian of remarkable generosity.

Joseph S. Shubow was born in Lithuania 70 years ago, and came to this country in his early childhood. He received his bachelor's and master's degrees from Harvard by the time he was 22, he graduated from Harvard Law School, and in 1959, he returned to Harvard for his doctoral degree at the age of 60. In 1933 he founded Temple B'nai Moshe in Brighton, Mass., and served as its rabbinical leader until his death. Israel and Zionism were perhaps the two causes which were closest to his heart and he zealously dedicated his efforts to the realization of their goals. In World War II, while serving as chaplain in the U.S. Army, he brought hope and comfort not only to our boys overseas, but also to the displaced persons in the miserable camps of war-torn Germany. His accomplishments in behalf of the tormented survivors of the concentration camps, who so badly needed his encouragement and assistance, are testimony to his extraordinary goodness.

I often thought of Rabbi Shubow as the personification of charity in the best and rarest sense of the word. By charity, I do not mean that misused label which people give to an occasional act of kindness in behalf of another, for Rabbi Shubow's charity was not an occasional thing, it was continual. His love for his fellow men was boundless, and he gave selflessly and unstintingly of his time, his possessions, his ability, his comfort. I shall always remember with fondness the long discussions we had on issues facing the Nation and his unfailing support and encouragement.

During his lifetime, Rabbi Shubow received countless academic and social service honors as tributes to his brilliance and his love for mankind. But of all these titles, and acknowledgments, the one which he seemed to cherish the most was the simple designation of rabbi. In Hebrew this word signifies teacher; but the true definition of rabbi is bound up in the timeless tradition of the Jewish faith of the rabbi as teacher not only of religious truths, but also as an inspirer of moral action. None who knew him can deny that he fulfilled his task as rabbi splendidly and impressively, and it is indeed an honor to have known a man of his nobility of spirit.

## A LETTER FROM SGT. DON ALEXANDER, USMC, RETIRED

### HON. DURWARD G. HALL

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 16, 1969*

Mr. HALL. Mr. Speaker, as a member of the Committee on the Armed Services, it is often my sad duty to review the latest casualty figures compiled from the conflict in Vietnam.

As I ponder the grim statistics, I am well aware that many other Americans will read these same figures and ask themselves the age-old question, "Have these men died in vain?"

To answer that question, I should like to offer a letter that I recently received from Sgt. Don Alexander, USMC, retired, of Ash Grove, Mo.

Sergeant Alexander, a father, and a former member of the 1st Marine Division, wounded in action in Vietnam, has written with such simple eloquence, that I sought and received his consent to have the letter printed so that it might be shared with others.

The letter follows:

ASH GROVE, MO.

Congressman DURWARD G. HALL,
*Washington, D.C.*

DEAR SIR: I take this time to write you a letter of appreciation for the job you are doing in Washington. I pray for guidance for you in the decisions you help make that have such a great effect on our country. As I think about these things, my mind goes back to times and places that have real significant meaning for me personally. I know that you are fully aware of the uncountable sacrifices American men have made for this country, but I just want to share with you my appreciation that I have for the untold sacrifices our fellow countrymen have made and are making right now.

I served with the First Marine Division in Vietnam and was wounded and partially disabled while serving with them. The memories I have sometimes haunt me and when I see people laughing and enjoying themselves I want to go up to them and ask them, "Do you remember so and so; were you there when he died? Do you remember how he loved life and wanted to live?" I certainly don't want to inject any unneeded sorrow into anyone's life. All I ask is that they please remember the sacrifices that others have made and are making right now, so that they are privileged to laugh and hold their children in their arms. I have children too, but I am never able to hold my children in my arms without thinking of the boys who will never be able to hold a child in their arms, or I never look upon my little boy's face without picturing in my mind the face of a young Marine as he lay dying, and thinking to myself that sometime, somewhere, that young man was little and loved and was loved in return and here I am alive and enjoying life and there he is, silent and in a grave with only his loved ones and acquaintances to carry on his memory. I ask myself, "Did he die in vain?" I don't think so. You might say he lives in me, because when I think of him and others, I am filled with gratitude and appreciation and it pushes me on to take advantage of every privilege I have, but at the same time never forget the cost of those privileges. You are in a position to make decisions that affect many of our lives and I know that when you read the weekly casualty figures you too are haunted by the sight of more young lives tragically ended. I must say to you, and that is the reason for this letter, they did not die in vain, because the price they paid, the total of which is beyond our means to calculate, purchases for others all the possibilities that are open to man to learn about himself and his world. This has become almost a covenant or you might say a conviction with me.

As I said at the beginning of this letter, this is a letter of appreciation, but it also might be called an installment payment for a debt I owe to ones who will never directly receive any compensation for the tremendous expenditure they made.

Respectfuly yours,

Sgt. DON W. ALEXANDER,
*USMC, Retired.*

## ENVIRONMENTAL IMPROVEMENT

### HON. GEORGE BUSH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 16, 1969*

Mr. BUSH. Mr. Speaker, as chairman of the House Republican Task Force on Earth Resources and Population, I was very much encouraged by the remarks of Dr. Lee DuBridge, Science Adviser to the President, made before the American Chemical Society Symposium on Public Policy Aspects of Environmental Improvement on September 9.

Dr. DuBridge said:

In recent years the people of America have become keenly and somewhat belatedly aware of the inroads which our kind of living makes upon our environment. As we breathe polluted air, as we observe and use polluted water, as we observe colossal mountains of junk and waste, and as we see the rapid disappearance of open spaces and recreational areas, we have realized that the earth's environmental resources are limited, and that the further deterioration of the environment must be brought to a halt.

The truth of this statement must be recognized. The American citizen is very much aware of our failure to manage our environment. Our young adult citizens are frustrated and anxious over our inability to cope with this ever-increasing deterioration in the quality of our lives.

The National Broadcasting Co. had an excellent program last Friday evening entitled "Who Is Killing Lake Erie?" Anyone viewing this program had to be sick at heart in seeing how badly we have treated the resources that God has provided for us to sustain our lives.

We have the manpower, the technology, and the finances to attack and correct this abuse on the environment. Now we need the willpower and the courage of Government at all levels, industry, and our educational institutions to exert the leadership necessary to solve these problems and to commit ourselves to excellence in the execution of action.

For the benefit of the Members, I submit Dr. DuBridge's statement for the RECORD:

REMARKS BY DR. LEE A. DUBRIDGE, SCIENCE ADVISER TO THE PRESIDENT, AT THE SYMPOSIUM ON PUBLIC POLICY ASPECTS OF ENVIRONMENTAL IMPROVEMENT—AMERICAN CHEMICAL SOCIETY, SEPTEMBER 9, 1969, NEW YORK, N.Y.

I am delighted that the American Chemical Society has arranged this symposium on one of the most important complex of problems that faces not only America, but the entire world at this time. And I want to congratulate you most enthusiastically for the magnificent report on the environment that you have recently published. It will be a guide book for our efforts in this field for years to come. I prepared the following remarks before I had received a copy of the report. You will forgive me, I hope, if they now seem a bit redundant.

The human race has evolved on a planet which provides the kind of environment which makes possible those physical and chemical reactions which have given rise to life. As we look at the moon and at the other planets in our solar system, we see indeed that the earth has provided a very unusual environment, and it now seems probable that it is the only planet in the solar system which can support life.

The earth possesses, among other things, approximately the right temperature so that complex molecules can be built, will be reasonably stable, and will undergo chemical reactions at reasonable rates. These things are not possible at very low or very high temperatures.

The earth also possesses great quantities of water, a viable atmosphere and many available forms of the essential chemical elements and compounds which go to make up living things.

Within this environment, life has evolved over a period of a billion or more years, and the number of living things has multiplied so rapidly that it seems as though life itself is destined to despoil or render unuseable the very things in the environment that have made life possible.

Clearly, the human being is the one form of life that is making the greatest inroads on the environment. In the industrial society which man has built he uses the natural resources of the earth at a colossal rate, and to a large extent converts these resources to unuseable forms, thus producing vast quantities of waste materials which must go into the atmosphere, into the water or onto or beneath the surface of the land. In recent years the people of America have become keenly and somewhat belatedly aware of the inroads which our kind of living makes upon our environment. As we breathe polluted air, as we observe and use polluted water, as we observe colossal mountains of junk and waste, and as we see the rapid disappearance of open spaces and recreational areas, we have realized that the earth's environmental resources are limited, and that the further deterioration of the environment must be brought to a halt.

This, of course, is easier said than done. In order to live at all, and especially to live in the way to which we have been accustomed, we must use oxygen and convert it into carbon dioxide to maintain life and to provide, through combustion of fuels, the energy that we require in such huge quantities for domestic and industrial purposes.

We must also use water in huge quantities, and although we do not normally destroy the molecules themselves, we contaminate the water with all sorts of organic and inorganic waste materials. Our civilization cannot get along without coal and oil and copper and iron and a host of other materials which we extract in huge quantities from the earth's crust. We must plant crops for food, we must grow and cut trees, and we must, over an ever-larger fraction of the earth's surface, replace the natural environment by a man-made one.

To ask human beings to stop altering their environment or using it, would be to ask them to cease living. Human beings evolved because of the earth's environment, they live off the environment, and in living they inevitably change it. The question, therefore, is not how shall we cease to use or change our environment, but how can

we avoid despoiling and degrading it, and how can we reverse those habits and procedures which now contaminate our air, our water and our landscape. This is not a simple matter. I recently received a letter from a very earnest, but very angry, woman who demanded to know why the President did not insist that Congress pass a law prohibiting anyone in the country from polluting the air or the water. I was forced to inform that good lady that if such a law were passed, she would have to immediately: (a) stop driving her car; (b) stop turning on the furnace in her home when cold weather arrived; (c) stop buying many chemicals, domestic appliances or industrial products because most of the companies which make such products would automatically be closed down. Our whole economy would, in fact, be brought to a halt.

Nevertheless, I do not wish to suggest that the problem is a hopeless one. I do suggest that it will take the best resources of science and technology and the best instruments of economics, finance and government to slow down and eventually reverse the processes which do degrade the environment.

The national concern over this problem is reflected in most state legislatures, most city and county government agencies, and certainly in the Federal Government, both in the Legislative and Executive branches.

Reflecting the national concern, as well as his own concern, President Nixon as one of his first acts after the Inauguration, requested me as his Science Adviser to develop machinery for establishing at Cabinet level an Environmental Quality Council of which he would be the active chairman. The net result was that on May 29th of this year the President issued an Executive Order establishing this Council consisting of himself as Chairman, the Vice President, and several of the most cognizant Cabinet officers as members. He asked me to serve as the Executive Secretary and directed my office to provide staff support for the Council, collaborating with the staffs of other government agencies and departments. The Council is now hard at work. It has had two meetings, the most recent one being at the Western White House in San Clemente, California.

The Environmental Quality Council has a number of important functions: 1) to stimulate and coordinate activities in all branches of the Federal Government aimed at halting the degradation of the environmental and improving its quality; 2) to enlist the cooperation of state and local government agencies and to stimulate their activities toward these same ends; 3) to carry out studies and formulate recommendations to the President, to the Congress or to state and local governments aimed toward environmental improvement; 4) to study the budgetary problems inherent in carrying out these functions.

At its first meetings the Council has decided to give attention to the following matters: 1) air pollution; 2) water pollution; 3) avoiding contamination and dispoilation of the land; 4) enhancing facilities for outdoor recreation; 5) maintaining and enhancing natural beauty in our cities and our rural areas; 6) a reduction of unwelcome or harmful noise; and such other matters as improve the healthfulness and pleasantness of the environment.

Obviously, the Council will not suddenly find sweeping solutions to all these problems. We must focus one by one on the issues that are important and try to evolve solutions that are both effective and feasible.

One of our first efforts has been in the field of air pollution produced by automotive vehicles. Automobiles are not, of course, the sole source of air pollution, but they are a large source, and in many cities such as Los Angeles they are the principal source. Automobiles powered by gasoline internal combustion engines emit into the atmosphere unburned hydrocarbons, nitrogen oxides and carbon monoxide, which in various combinations react in the atmosphere under the influence of sunlight to cause a typical smog blanket.

California has taken the lead in stimulating the development of mechanisms to reduce the emission of these polluting substances from automobiles. Cars now produced and sold in California must emit not more than 180 parts per million of unburned hydrocarbons compared to the 900 parts per million emitted by cars produced before 1966. The Federal Government will impose these standards nation-wide in 1970. In the meantime, California has provided that after 1972 the hydrocarbon emissions shall be reduced to 120 parts per million. I would expect that federal standards would follow the California lead.

Unfortunately, imposing such standards on new automobiles does not instantly solve the problem. The average life of a car is 10 to 12 years before it is consigned to the junk pile. Thus, it would be 1980 before the new regulations take full effect in reducing smog.

However, it is already clear that these standards do not go nearly far enough. The number of automobiles is increasing and the number of miles driven per car per day is increasing. Hence the total tonnage of pollutants emitted to the air by the automobile will after 1980 start to increase again. Wholly new technologies are now being sought to take care of this situation. There must be radical improvements in the gasoline engine eliminating not only hydrocarbons but also nitrogen oxides and carbon monoxide or else quite new forms of automobile engines will have to be developed which have nonpolluting qualities.

At the San Clemente meeting of the Environmental Quality Council about two dozen vehicles built by various companies were demonstrated which moved substantially in this direction. Some of these involved modification of a substantial nature to the standard gasoline engine. Others involved the use of steam turbines, gas turbines and various forms of electric propulsion. The Federal Government plans to provide additional funds to finance the more rapid development of these technologies. Unfortunately, again the time constant is long. Even if a well-engineered, reliable and economic unconventional automobile were available today, it would take years before the industry could be producing the ten million a year which the American market is or soon will be absorbing. And again it will take another ten years to get the old cars off the roads, streets and highways.

However, progress is being made, and I hope that every research and development laboratory in the country concerned with propulsion devices or fuels will accelerate their research in this area.

The problem of water pollution is also high on our agenda. Pollution of our streams and lakes comes from many sources such as sewage, garbage, flood and drainage waters and the effluents from industrial plants.

A committee of the Environmental Quality Council is studying the problem of how to stimulate all local communities to install more adequate sewage treatment facilities. We are studying ways to stimulate regional action in such areas as the Mississippi Valley, the Great Lakes, the Hudson River Valley, the Chesapeake Bay and other areas where many communities and even several states are involved.

In most water pollution problems no brand new technology is necessarily involved. It is easy to say that all we need to do is simply "pass a law." However, no federal or other law will compel a community to impose taxes and issue bonds to build sewage treatment plants. The citizens of all parts of the country must be aroused and insist that their local governments do precisely this. A suddenly imposed law prohibiting the discharge of any industrial wastes would put a host of industrial companies out of business. In some cases the cost of adequate treatment of industrial effluents may be very high indeed. Clearly we must consider the problem which arises if local regulations require one company to stop its effluents while a competing company in another jurisdiction on the same river or lake is not subject to a similar regulation. Clearly, to be good citizens, every industrial company in the country which discharges wastes into a stream, river, or lake, or even into the ocean, must at once begin investigating ways to remove harmful or polluting or dirty materials from its liquid effluents. The Environmental Quality Council will study ways by which this process can be accelerated through federal criteria and through local, state and federal regulations.

Obviously, time does not permit me to decribe other studies and activities under way in the Environmental Quality Council. I can assure you that many major national problems are under intensive study, and we hope as the months and years go by that through research, through public opinion, through legislation at all levels, this nation can begin to bring its environmental problems under more adequate control.

At the same time, we must continuously emphasize that the environment is everybody's business. Practically everyone drives a car and everyone produces waste products which must be disposed of. Millions of citizens still vote against bonds for improving sewage treatment facilities or they protest an increase in taxes for the purposes of more effective disposal of garbage, junk and other solid wastes. We have always in the past adopted the cheapest method of disposing of wastes, discharging them into the atmosphere or the water, or strewing them on the surface of the land. The cheapest way is no longer the best way and no longer a tolerable way. Make no mistake about it, billions upon billions of dollars of private, municipal, state and federal funds will be required to cope fully with environmental problems.

The American Chemical Society has taken the lead in setting forth the technical problems in this area. You have recognized that the political and economic problems are universal. Our Environmental Quality Council will work hard on these problems, but it will need the understanding and collaboration of every segment of our society.

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## THE LATE HONORABLE EDWARD A. KELLY OF ILLINOIS

### HON. JOHN J. ROONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 16, 1969*

Mr. ROONEY of New York. Mr. Speaker, I was indeed saddened to learn of the passing of my friend, the Honorable Edward A. Kelly of Chicago, who for 14 years represented the people of the Third Congressional District of Illinois. Although we served only one term and part of another here together, Eddie and I became fast friends and that friendship continued over the many ensuing years. Unfortunately, his late years were marked by serious illness but they were softened by the warm care of his wonderful wife, Rosemary. Thinking back over all the good times we had to-

gether I can only say that I will sorely miss a truly good friend. Mrs. Rooney joins me in extending to his loving wife, Rosemary, and his family our prayers and deepest sympathy.

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## TRASH: OUR $3 BILLION PROBLEM

### HON. ROBERT O. TIERNAN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 16, 1969*

Mr. TIERNAN. Mr. Speaker, there are few more important problems that we will deal with in this, or any future Congress, than that of devising new and more effective means of solid waste disposal. I have spoken out many times with regard to the potential impact that this problem could very well have on our way of life.

Three excellent newspaper articles have recently appeared which touch upon the seriousness of this critical area of environmental control. Two of the articles are from the Boston Globe. These articles point out the problems that smaller governmental units face with regard to trash collection, its costs and effectiveness.

The other article is from the New York Daily News and it pinpoints the growing problems of litter in the countryside.

I urge my colleagues not only to read these articles, but to focus more of their energy in this problem-laden area:

TRASH: OUR $3 BILLION PROBLEM; COLLECTION AND DISPOSAL FAR BEHIND THE TIMES

(By James B. Ayres)

Waste collection and disposal cost the American public $3 billion each year, with the people of eastern Massachusetts alone shelling out $15 million.

Although this figure continues to rise as Americans toss out more refuse, collection and disposal methods remain woefully out of date.

About 80 percent of the $3 billion goes for collection where present techniques "are little better than horse-and-buggy systems with gasoline driven engines." A report to the Federal Council for Science and Technology declared.

The remainder of the cost is for disposal, which today is practiced on a 19th century level with obnoxious open dumps and air-polluting incinerators, according to a recent Massachusetts Institute of Technology report on solid waste disposal.

Although experts continually stress that costs can be cut only through regional disposal programs, no regional waste disposal districts have been set up in Massachusetts since legislation was passed in 1965 authorizing their formation.

Support for regional programs was declared in the M.I.T. study presented in a September 1968 meeting chaired by Prof. John F. Collins, former mayor of Boston, which stated "in solid-waste management there appears to be overwhelming cost advantages in being big."

"Facilities of several types which handle 2000 tons per day seem capable of bringing the treatment or disposal cost to below $5 per ton, after collection and delivery. Urban areas handling 200 tons per day have difficulty in disposing of their waste at a real cost of less than $10 per ton. These are the economic incentives to the loss of some sovereignty into larger groupings," the report stated.

Speaking before a Federal subcommittee on air and water pollution chaired by Sen. Edmund Muskie (D-Maine) last April in Boston, John C. Collins, director of the state Health Department's Division of Environment Health said:

"Generally, municipal officials have chosen to delay action leading to appropriations necessary for acquisition and operation of modern sanitary facilities for solid waste disposal, waiting for someone else to shoulder their responsibilities or for technology of the year 2000."

"As a result," Collins warned, "the time of crisis is at hand, we have no further time to delay, action must be taken to provide the rapid but orderly development on a regional basis of solid waste disposal facilities to replace the overfilled insanitary open dumps and some of the underdesigned and now antiquated municipal incinerators now in use.

"There is doubt that regional disposal facilities rather than individual facilities are more economical. The economies which go along with increase in size of these facilities cannot be ignored."

A $200,000 study of waste disposal in Eastern Massachusetts by the Metropolitan Area Planning Council concluded that construction of nine regional incinerators and eight sanitary landfills would cost the 79 participating communities almost $4 a ton less than if they continued to go it alone building separate facilities.

This would mean an annual cost saving to the communities for disposing the present 2,650,000 tons of waste generated in the area of $10,600,000. The saving when refuse is expected to climb to 4,900,000 tons in 1990 comes to $19,600,000.

With experts pointing out the lower costs of regional disposal programs and elected officials such as Gov. Sargent warning that eastern Massachusetts "today faces the literal possibility of being buried in its own trash by 1970," why do communities continue to drag their feet?

The reasons appear to be: fear of the loss of taxable land by the community selected for the site of a regional disposal facility; fear of fumes and rats; fear of children's safety along the truck routes serving a regional facility; fear of the loss or dilution of home rule.

A classic example of the failure of communities to get together when faced with a public health emergency involved eight cities and towns north of Boston.

In October 1967, Chelsea, Everett, Malden, Melrose, Revere, Saugus, Stoneham and Wakefield were among the 15 communities dumping some 900,000 tons of refuse each year in a Saugus salt marsh owned and operated by the M. DeMatteo Construction Co. of Quincy as a dump.

Following the picketing of the dump that Summer by mothers wheeling baby carriages who protested the stench and rats from the dump, Saugus officials notified the state Dept. of Public Health—which itself had declared the dump a public health menace as early as 1963—of their intention to revoke DeMatteo's permit to operate the dump.

Due to the lack of available dumping space in the eight, highly-developed communities and restrictions on further filling of the salt marsh by the state Dept. of Natural Resources because of its importance as a breeding ground for commercial and sport fish, the state health department "held a conference with officials of all agencies using the dump to discuss plans or alternatives for solid waste disposal in the various communities using the dump," Vartkes K. Karaian, a department senior sanitary engineer said.

"The communities were advised of the serious nature of their problem and the need to seek out solutions," Karaian added.

However, on Sept. 6, 1967, the Saugus health board held a public hearing and voted to close the dump by Oct. 7. The Solid Waste Association of Massachusetts, representing commercial waste haulers, ran large ads in Boston's newspaper addressed to "The Citizens of Greater Boston and to Our Busy Legislators:"

"On Oct. 7, by order of the Saugus Board of Health, the only public dump in the Metropolitan Area will be closed. As of Monday, Oct. 9, there will be no place to dump the privately contracted rubbish of the Metropolitan Area. Greater Boston will be on its way to becoming one giant dump."

Gov. John A. Volpe, acting on this plea and a petition from the communities using Saugus dump, declared a public emergency existed with the lack of dumping space posing a health threat to the people of metropolitan Boston, the first emergency of its kind declared in Massachusetts.

Acting on Volpe's declaration, the Suffolk Superior Court issued a preliminary injunction against the Saugus health board and ordered the dump to be kept open under the supervision of the state health department.

Several extensions for the operation of the Saugus dump have been granted since that time, the latest on May 19, 1969, when another extension was granted by the court until Nov. 19, 1969.

But what regional action has the communities using the Saugus dump taken since the local health board moved to close it two years ago? None.

On July 20, 1968, the legislature passed a law directing the state Dept. of Public Works to construct a $6 million incinerator in Melrose serving a regional solid waste disposal district comprised of Chelsea, Everett, Malden, Melrose, Revere, Saugus, Stoneham and Wakefield.

The law required the consent of an advisory board of representatives from each of the eight cities and towns before ground could be broken.

After months of debate, Melrose withdrew from the plan in April 1969, because * * * reach agreement over Melrose's two conditions: that the city receive $250,000 annually from the other cities and towns to compensate for the land being taken off the tax rolls, and that Melrose be allowed to control the growth of the plant.

Before Melrose withdrew from the plan and killed the incinerator—at least, for the present—Daniel S. Horgan, chief engineer of the D.P.W. declared: "It may well be the pioneer project for future programs."

He pointed out that the law directed the D.P.W. to construct the incinerator in Melrose as a result of "regional study which ascertained that Melrose was not only suitably located for this purpose but also agreeable to making a site available."

Horgan said that once the D.P.W. completed the $6 million incinerator, it would be turned over to the eight-community district which would "assume responsibility for its future operation and maintenance."

He said that, under the law, "the cost of operating, maintaining and amortizing the debt incurred for the construction of the facility shall be apportioned among the cities and towns which are serviced by it—and charges shall be in direct proportion to the extent to which they are used. No part of any deficit is to be borne by the Commonwealth in the language of this bill."

Horgan said, "the enormous cost to build such an incinerator system, even for the smaller suburban regions would seem to preclude the likelihood that any city or town would 'go it' alone. The foregone conclusions are that communities will need to band together in order to stay in the lead in their unceasing race against trash. Systematic rubbish disposal has become an expensive part

of our every day lives, and the problems it presents must be faced—and solved—for they are constantly becoming more acute."

But, despite Horgan's optimism over the future of the regional approach to solid wastes, until this year, several bills calling for the D.P.W. to set up regional districts statewide and for the Metropolitan District Commission to establish a district including 79 cities and towns in eastern Massachusetts have failed.

Both bills were defeated largely because of the debate over whether the D.P.W. should do the job across the state or the M.D.C. should do it in eastern Massachusetts. Involved in this debate was the sensitive question of a community's voice in a regional program concerning site selection and budgeting.

In December 1967, Robert L. Yasi, then commissioner of the State Dept. of Natural Resources and now a top aide to Gov. Sargent, tried to persuade representatives of the Metropolitan Area Planning Council to drop their support for a regional program in which an advisory board made up of the cities and towns in the district would approve the location of disposal facilities and the district's budget.

"A two-page bill has been drafted which gives the state Dept. of Public Works a full and free hand to dispose of waste. We propose it this way only in order to get something done," Yasi said.

"We are concerned about setting up another layer of government," Yasi declared, adding that an advisory board would complicate the already difficult problem of site selection.

Supporting the advisory board concept was Robert G. Davidson, executive director of the planning council, who said:

"We do believe that the cities and towns who are paying for it should be part of the decision-making process. It has worked in the case of the M.B.T.A. (Massachusetts Bay Transportation Authority) and we think it will work here."

Compromise legislation, which included many of the provisions of the Melrose incinerator law cited by the D.P.W.'s Horgan earlier, was pushed through the legislature this year.

It gives the D.P.W. an almost free hand in site selection in establishing regional disposal districts, but allows a participating community to have budget approval authority.

The new law also requires the Dept. of Public Health to approve the site selection and the plant design to ensure that it incorporates the latest air pollution control technology.

Site selection also must be approved by the state Dept. of Natural Resources which is particularly concerned with a sanitary landfills' impact on open space and wetlands.

It also provides for payment in lieu of taxes to the community in which a facility is located.

Although it has only received an initial funding of $10 million, conservationists have hailed the new law as a start to reverse the trend of the state slowly being buried in its own trash.

The new law, however, leaves the problem of collection up to the local communities.

To solve this problem, the 1968 M.I.T. study recommended that paper sacks be substituted for metal and plastic trash cans, and "speedier and quiet" trucks now used in Germany replace the noisy compactor trucks now used in this country.

The report called for garbage and trash to be dumped in the same container, the reverse of present collection practices in Metropolitan Boston where most communities collect garbage separately which is then trucked to hog farms on the outskirts of the metropolitan area.

It recommended the following collection operation: "Householders are supplied with two paper bags of about 30-gallons capacity per week and are also either supplied with, or purchase themselves a bag support. The bags are closed when full and taken to the curb much as is done with the present trash cans."

"Collection is greatly speeded up because the sacks can be simply thrown into the vehicle hopper, frequently with one hand, while the loader is standing on the rear or side platform," the report said.

The report declared that studies have found the special paper bags resistant to water, prevent flies from being attracted to the refuse and are "fairly resistant to rats."

Further, "there is no spillage so that streets are cleaner; the householder does not have to return his empty trash can after collection; the presence of empty trash cans and, sometimes, lids which have been blown by the wind all over the streets after collection is obviated; and the health hazard provided by the foul conditions of most trash cans is eliminated."

The report concluded that economic studies "have shown that the cost advantages of the speedup in collection systems alone more than pays for cost of the bags, so that the other benefits are free."

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SUBURBS' PROBLEM: MORE TRASH, FEWER DUMPS, HIGHER COSTS

(By Rachelle Patterson)

Along with inflation and school expansion, trash collection and disposal continue to be a major concern of officials in Greater Boston communities.

Land for municipal dumping is decreasing as rapidly as the rubbish increases, and for some cities and towns the situation is regarded as critical.

Collection costs have doubled, and in some instances tripled, over the past five years.

Committees to study waste disposal methods such as high-heat incineration and sanitary land fill are sprouting up in most communities. Officials are aware that trash collection and its disposition are services that must be constantly improved.

Recently, Gov. Sargent signed a bill authorizing the State Department of Public Works to dispose of solid waste, a measure aimed at helping communities which suffer from a lack of adequate facilities.

The bill allows latitude in selection of the type of facility and mode of operation and permits each municipality to review and approve budgets.

Provisions are made for the payment in lieu of taxes to the community in which the facility would be located.

The legislation received mixed reactions.

Assistant Supt. of Public Works in Stoneham, William Reed, commented that "any solution is better than none—maybe the state has the answer."

Stoneham is one of 16 north-of-Boston customers of the DeMatteo Construction Co. dump in Saugus, which threatens to close by the end of the year.

Mayor Walter Kelliher of Malden is more reserved about the measure and feels that the state-operated regional incinerator, would create a traffic problem by attracting trucks through local thoroughfares.

He also maintains that it would be more costly to the cities and towns than a privately-owned operation.

Melrose Mayor Thomas Sullivan said a state-run incinerator would undoubtedly be very large. He expressed "sympathy to the city or town that would be burdened with a monster which could consume 1200 tons daily."

In an effort to beat out any state plan to locate an incinerator in his community, which also faces a crisis if the Saugus dump closes, Mayor Sullivan headed a delegation of local officials that went to Dearborn, Mich., last week to investigate a waste-melting operation reputed to swallow "even engine blocks," leaving a minimal residue.

Making the trip were Mayors Kelliher of Malden, George McCarthy of Everett, George Colella of Revere, Medford Town Manager Howard Reed, Boston Public Works Commissioner Joseph Cosazza, Earl Anderson, regional program representative for the Health, Education and Welfare Agency, and George Winters of the Melrose Department of Public Works.

A plan to locate a 450-ton, eight-community regional incinerator in Melrose, made possible through pioneer legislation last year, fell through several months ago after officials failed to agree on site expansion control and remuneration to the city.

"Costs for trash collection in Melrose have tripled in the past two years—we've got to do something, and fast," Mayor Sullivan said.

At present, trash in this city of 33,000 is picked up by a private firm every two weeks and transported to the Saugus dump.

Ideally, the mayor would like to construct a small incinerator and invite contiguous communities as customers on a long-term basis.

Methods for handling trash vary among communities surveyed this week.

Towns such as Andover, Reading, Weston, Wayland, Lincoln, Sudbury, and Cohasset provide a dumping area but no municipal collection service.

Residents may either take their rubbish to the dump or privately contract to have their trash removed.

Community dumping facilities in these towns are usually very busy on weekends and a spokesman for the Andover Department of Public Works commented that "more people can be seen at the town dump on a week-end than at any town meeting."

Tom Christopher in this town will pick up trash for $.35 per average-sized barrel and transport it to the 25-acre sanitary landfill area now reportedly half full.

In Reading, there are 10 acres remaining to be filled in a dump which currently costs $45,800 annually to operate and has been open since 1932.

Recent town meeting action approved $900,000 for a two-unit incinerator which would accommodate 144 tons per 24 hours.

In the early years, nearby communities will be invited to participate on a short-term contract basis.

In Wayland, Executive Secretary Norman Taylor estimates that the town dump is "good for another two years."

He said there is a committee at work to study a plan for future rubbish disposal and the cost to operate the present dump is $40,000 per year.

Both Weston and Lincoln report incineration plans still at the talking stage. In Sudbury, the town dump is augmented by a "stump dump" located several miles away, which serves as a repository for brush, wood, and other non-household debris.

The size of the community does not necessarily determine the extent of service.

In the town of Manchester, which has a population of 4000, trash is picked up once a week by private collectors on contract with the town at a cost of $104,700 for three years.

Collectors will go to the rear of the property or into garages, remove the rubbish, and transport it to the 20-acre town dump.

Eight barrels per family are allowed, and the town is charged $20 for each new dwelling per year.

Fred Lane, assistant to the selectmen, commented that "we believe in providing a good service for our residents—we do not like trash barrels out by the curb."

In Sharon, where the population is approximately 12,000, trash is picked up once a month by a private collector under town contract.

Residents are allowed four barrels or 100 pounds of rubbish and they can take trash

to the town dump by displaying a sticker on their automobiles.

"We've had a lot of trouble with outsiders using our dump, therefore residents are required to show credentials before disposing rubbish," said Mrs. Josephine Amorosino of the public works department.

In Weymouth, Arthur Bilodeau, director of public works, explained that town trucks pick up rubbish and garbage together and whisk them off to a four-year-old incinerator which leaves 10–20 percent residue.

Located on 25 acres of land, the dump area will be adequate for "50 more years" according to Bilodeau.

"We provide excellent service, stoves and refrigerators can be picked up by telephoning our office and salvagers take these items out of town," he explained.

Bilodeau said items such as sofas are reduced in size by machine and then buried in the ground.

"There isn't any burning permitted at the dump," he said.

The Weymouth disposal operations, including collection, cost $320,000 annually, according to Bilodeau. He pointed out that the tonnage as well as the cost is escalating.

In 1966, 20,000 tons were disposed of at a cost of $244,000. In 1968, 26,400 tons were collected.

A $2.8 million incinerator consisting of two units, each with a 120-ton capacity, is slated to become operational in May, 1970, in the town of Braintree.

At present, the 33-acre town dump receives trash collected by municipal trucks once a month.

In Revere, rubbish is collected once a week at curbside under a three-year contract with a private firm which costs the city $165,000 per year, a 15–20 percent increase over two years ago.

There are no restrictions on curbside collection, and even cardboard cartons will be picked up.

In Lynn, trash is deposited in a four-acre sanitary landfill facility, "good for another five years," according to Department of Public Works Commissioner David Phillips.

Residents may have up to four barrels collected once a week by municipally operated trucks.

Hopes are high in this city for a unique incineration project in conjunction with the General Electric Co.

An initial joint grant to both the City of Lynn and General Electric in the amount of $51,000 was awarded in July by the U.S. Health, Education and Welfare Agency, to determine the feasibility of industry cooperating with municipalities for refuse disposal purposes.

Phillips said the awarding of this grant takes the project, talked about for two years, out of the "concept stage."

The objectives of this special type of incineration used in some European countries, is to burn trash in combination with coal, oil or gas, and produce electric power.

During the burning process, steam is produced which would drive turbines and, in turn, produce electricity.

Neighboring communities such as Saugus would be invited to participate, according to the Lynn official.

John Spencer, chairman of the Saugus Board of Health, said trash is picked up once a week from residents by a private collector under contract to the town.

"We encourage the use of plastic trash bags but urge meat wrappers not be included," Spencer said.

"We do not have a leash law, but there has not been any serious problem of dogs ripping bags."

Saugus has its own dump which is open one and one-half days per week. The DeMatteo dump is located here and the town seeks to close it at the end of the year since it has long reached its lateral boundaries and is heading skyward at a rapid rate.

The City of Quincy has adapted its trash problem to local resources and converted two quarries into sanitary landfill operations.

The present facility, constructed last Summer, is 300 feet by 250 feet and 170 feet deep. Pumping water from another quarry, located off Willard street near the Southeast expressway, will start in two weeks, according to John Browne, commissioner of the department of public works.

The facility, measuring 400 by 250 feet and 150 feet deep, is slated to be operational by December.

The city contracts with a private collector for rubbish-disposal at a cost of $400,000 per year.

There are no limitations on the number of barrels a resident may put out, but commercial establishments must make arrangements for their own rubbish removal.

In Peabody, trash is collected once a week by a private firm under contract to the city.

Residents as well as the collector may use the sanitary landfill facility as long as automobiles display stickers.

The city of Newton collects rubbish in municipal trucks once a week for residents and twice a week for commercial establishments.

A two-furnace, 500-ton, 24-hour incinerator has been operational since 1967 and the disposal site for residue is adequate for 15–20 more years, according to D.P.W. spokesman.

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COUNTRY FOLK BLAMING LITTER PILE-UP ON THOSE CITY SLICKERS

(By Donald Singleton)

It's a narrow two-lane country road, and it twists tortuously as it tries to follow the ruggedly contoured shoreline of Lake Hopatcong, and it rises and falls sharply as it drops down into beautiful Berkshire Valley in the rural northwest corner of New Jersey.

In summer, the road carries thousands of vacationers to and from sun-splashed days at the lake, one of Jersey's most popular recreation areas; in winter, the road is a quiet main street to the 1,246 permanent residents of tiny Mount Arlington Borough, Morris County.

But look beneath the leaves down there in the grass, over among the tree trunks . . . look closer, and you'll find it . . . one Coca Cola can . . . one beer bottle without a label . . . one soggy Kool cigaret pack . . . one Pepsi Cola throw-away bottle . . . one Ballantine beer can . . . one Budweiser beer can . . . one Coca Cola bottle . . . the tuner from a television set . . . one man's sneaker . . . .

Nearly all of the dozen or so year-round businesses in Mount Arlington are along the road, together with the Mount Arlington Volunteer Fire Department, the Mount Arlington Road Department Garage and the Mount Arlington Public School. But for most of its five mile length, the road, named Howard Blvd. after one of the oldest families in that part of New Jersey, winds along through sparsely settled areas—a cluster of summer bungalows or a group of new homes here, a hot dog stand or a gas station there—or through peaceful woods and fields.

One clear plastic soda straw . . . one piece of galvanized half-inch mesh screening, about one foot by three feet . . . two Pepsi-Cola bottles . . . one Dad's Root Beer can . . . one cardboard beer container . . . three plastic coffee containers . . . one Chevrolet hub cap . . .

Near its northern end, Howard Blvd. has the look of a typical country road, passing serenely through a stand of virgin woodland that somehow has escaped the attentions of home-builders, businessmen and farmers across the years. The road is shaded by massive oak, maple, ash, poplar and black walnut trees, some of their trunks three feet thick, with vines as thick and sinewy as a stevedore's forearm trailing up into their upper reaches. At the shoulder of the road is a riot of vegetation, from mandrake and tiger lily and duck-weed to Virginia creeper vines and tangled brambles of raspberry.

One auto tire . . . six old, rusty beer cans, labels obliterated . . . several sections of the Aug. 17 edition of the Newark Sunday News, scattered over several yards . . . Dairy Queen container, with plastic spoon folded inside . . . one quart Johanna Farms chocolate milk container . . . one Pepsi Cola no deposit bottle . . . one Coca Cola can . . .

When you look down, below the leaves at the side of Howard Blvd., you find the litter, the cans and bottles tossed from windows of passing cars, the bags of trash dumped from auto trunks and pickup trucks in the night.

To demonstrate just how filthy some country roads really are, I picked through the underbrush along a 100-yard stretch of Howard Blvd. In two and a half hours, I had gathered together just under 15 bushels of cans, bottles, papers and other assorted debris, weighing a little less than 200 pounds and filling five enormous plastic sacks.

Heading up the list of the items were the flip-top type aluminum cans—117 Pepsi Cola cans, 93 Coca Cola, 27 Budweiser Beer, 23 Schaefer Beer—329 beer and soda cans in all, including one unopened can of Scnaefer.

Second were bottles of all kinds—soda bottles, beer bottles, wine bottles and liquor bottles. There were 76 unbroken bottles, including three which carried 2-cent deposit refunds. And there were scores of broken bottles.

There were several car parts, including a rusted-out muffler, a hub cap, a section of tail pipe, a broken tail light lens and several bits of metal springs and other hardware.

There was paper in all stages of disintegration, and seemingly hundreds of scraps of aluminum foil from cigaret, chewing gum and candy wrappers.

Robert J. Rooney is the tall, rawboned, Republican mayor of Mount Arlington, and his first reaction when queried about the problem of litter on his town's roadways was to blame it on "city people" passing through Mount Arlington. Rooney commutes to New York to work; but he doesn't like the city.

"I see people all the time, walk right past a litter basket and heave paper right in the street, sometimes standing right next to the basket," he said. "That place is filthy—did you ever see it on a rainy day, with umbrellas and things blowing around?"

"But that man who threw the paper on the street, where do you suppose he came from?" Rooney was asked.

"Well, I guess he came from the metropolitan area . . . yeah, I see what you mean," Rooney said. "He could have come from here . . . of course not many of us do travel in from this far out (45 miles) but they do come from smaller towns.

"Yeah, I don't know that there's too much difference, city or country, people can be slobs either place," he said.

The problems of litter in the country are complicated by several factors, some of them the same as the problems of keeping city streets clean, some of them totally different:

First, more and more items are being packaged in throw-away containers. Take a drink of soda or beer and you're left with a can or a bottle. Carry home an ice cream sundae and you're left with a plastic or cardboard container, a spoon, perhaps a straw.

Second, more and more of the containers are being made of aluminum, glass and plastic. These materials do not disintegrate and return to the soil in the way that paper will. The bottles, cans and plastic drink containers piling up on America's roadsides will be there for generations, not merely months or years.

Third, there is the difficulty of preventing littering in the country. In the city, potential litterbugs always have to worry about being observed and possibly reported to police—but on a country road, where hours pass between cars, a person could dump truckloads of trash without being seen.

Finally, there is the problem that litter in the country is almost impossible to pick up. In the city, mechanical brooms can clear

blocks and blocks of streets (providing parking regulations are observed), but no machine has ever been devised to retrieve the trash from the underbrush.

"It seems to be this way all over America today," Rooney said. "I traveled in Europe a few years ago and, by gosh, that's one thing you don't see over there. But here, it's all over, in just about every state.

"I don't know, it seems that people are getting sloppier and sloppier. It's one of the things of prosperity, you know, it's throw-away this and throw-away that.

"And I guess it doesn't make too much difference whether you're talking about the city or the country, either."

One Pepsi Cola no-return bottle . . . one Cracker Jacks box . . . two beer bottles, without labels . . . one large cardboard carton . . . one Coca Cola can . . . one Rheingold beer can . . . one Canada Dry ginger ale can . . .

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## EFFORT TO DEFEAT INFLATION

### HON. BENJAMIN B. BLACKBURN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 16, 1969*

Mr. BLACKBURN. Mr. Speaker, President Nixon's determination to end inflation demonstrates his willingness to put the good of the Nation's economy—and therefore of the Nation—ahead of special, limited interests.

I refer to the proposed cutbacks in Federal construction, criticized in some circles, but hailed by many as an essential step toward ending the inflation which has caused our dollar to decline at the rate of 4 to 6 cents a year, or even faster.

I insert in the RECORD an editorial from the Atlanta Journal of September 6, 1969, discussing this subject at this point:

HOLD THAT LINE

During the National Governors Conference the word was leaked that President Nixon planned a 75 per cent reduction in new federal construction. The reaction was mixed.

On Thursday the President formally announced his plans. The cutbacks apply only to projects which are totally financed by the federal government, but the President urged local government and industry to come along with him and hold up on capital expenditures for awhile.

The idea is to defeat or at least mitigate inflation.

Inflation already is a serious matter. The cost of new homes and apartment buildings which are privately financed soon may approach the can't touch level for low and middle income citizens.

Costs of living are soaring. Food takes an increasing large part of the family budget.

Inflation, in short, is an extremely serious problem and a real threat to the stability of this country. We have come so far along this road that there no longer is any comfortable way to halt inflation.

Whatever is done is going to inconvenience and hurt some people.

Nevertheless the good of the country demands something be done.

The President's holdback order certainly is the result of study and its effects have been calculated. The effects of holdbacks in other fields such as welfare, probably have been calculated too. Certainly the President went for lesser evil.

It is good to see somebody in Washington do something about inflation besides deplore it.

It also is good to realize the new administration places such a high priority on human needs. There must have been advocates of cutting welfare and maybe even increasing funds for capital expenditures instead.

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## LIFE'S "NEW MATH OF INFLATION" INCORRECT; HARMFUL TO NATION

### HON. JOHN J. McFALL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 16, 1969*

Mr. McFALL. Mr. Speaker, inflation has been especially harmful to low- and middle-income families in recent months—especially those living on fixed incomes such as social security and interest from their accumulated savings.

Almost from the beginning of the current year, there has been an accelerated growth in the cost of living, one of the factors leading to early development of the House-approved tax reform-reduction bill to correct some of the inequities which have forced low- and middle-income families to bear disproportionate shares of the cost of operating the Federal Government.

The new administration has recognized the need for action to reverse the worsening inflationary trend, and has taken several steps in an effort to bring prices down. Many Members of Congress do not agree with all of the decisions made, feeling that certain actions—or lack of actions, in some cases—have increased inflationary pressures rather than reduced them.

I was not surprised, therefore, to note that Life magazine in its August 15 issue devoted several pages to the twin problems of inflation and taxes in an article entitled: "The New Math of Inflation."

The conclusions drawn about the effects of inflation on "disposable dollars" using 1959 as a base year, however, were rather startling. In fact, the conclusions seemed rather far afield from those of other studies.

For this reason, I requested the Library of Congress Legislative Reference Service to have its Economics Division conduct a study of the article and provide me with a report on its findings.

The study shows that Life magazine has indeed discovered a "New Math of Inflation," and has applied it in such a way that the recognized degree of inflation from 1959 to 1969 has grown from 25.7 percent to more than 35 percent. In other words, on something as basic as determining the inflation rate, Life has erred by more than one-third.

While Life admitted the formula it used in preparing charts computing real gain in income was wrong, it did so in hushed tones and small type. The magazine printed a letter to the editor from Fabien Linden, manager of the Consumer Economics Department of the National Industrial Conference Board, pointing out the boner, together with a revised chart in accord with the correct formula.

Considerable damage was done, however, through flamboyant display of totally incorrect statistics which cannot help but shake the confidence of Americans in the ability of governments at all levels and the entire economic system which has made the United States the most prosperous Nation in the world.

Hoping to offset some of the mischief created by this giant of the publishing field, I am inserting in full the report prepared at my request by Mr. George K. Brite, economist in industrial organization and corporation finance of the Library of Congress:

THE LIBRARY OF CONGRESS,
LEGISLATIVE REFERENCE SERVICE,
*Washington, D.C., September 8, 1969.*

The following information is furnished in reply to your request for an examination of the data presented in Life Magazine article of August 15, 1969, entitled: "The New Math of Inflation".

Attached as enclosure 1 is a copy of the cited article. The article states that inflation for the last ten years has amounted to 26 percent. The degree of inflation is commonly determined by relating the change in the Bureau of Labor Statistics Consumer Index for a given period. The consumer price index is based on the average prices for the three years, 1957 through 1959, as representing 100. The consumer price index average for the year 1959 was 101.5. The consumer price index for the month of June 1969, the latest available at the time this article was published, was 127.6. By dividing 101.5 (the average index for 1959) into 127.6 (the index for the month of June 1969) the index for percentage change is 125.7. Thus the degree of inflation for the period is 25.7 percent and rounded to the nearest full percentage point it becomes 26 percent.

In the specific example of comparing the family with $10,000 gross income in 1959 and assuming the family's gross income has increased by 50 percent to a level of $15,000 in 1969, apparently the writer of the article used the following mathematical approach for the calculation:

| | |
|---|---|
| Gross income | $15,000 |
| Less total taxes | 3,135 |
| Disposable income (1969 dollars) | 11,865 |
| Inflation ($11,865 multiplied by 26 percent or 0.26) | 3,085 |
| Equivalent 1959 income (74 percent of $11,865) | 8,780 |

This computation overstates the actual effects of inflation and understates the disposable income in 1959 dollars because the 26 index points are subtracted from the base of 100 thereby rendering an inflationary factor in excess of 35 percent rather than the actual inflation factor of 26 percent. The correct mathematical approach for this computation would be:

| | |
|---|---|
| Gross income | $15,000 |
| Less total taxes | 3,135 |
| Disposable income (1969 dollars) | 11,865 |
| Disposable income 1959 dollars ($11,865 divided by index of 126—26 percent increase over base of 100) amounts to | 9,417 |
| Inflation | 2,448 |

Thus the increase in disposable income in 1959 price levels should be $1,212 instead of the $575 as indicated in the Life article. There are not sufficient details provided in the article to make any calculations for other income levels cited; however, it seems reasonable to assume that the same erroneous mathematical approach was employed and

thus the stated results are substantially incorrect.

Attached as enclosure 2 is a tabulation from the August 1969 issue of Economic Indicators which show that from 1959 to the second quarter of 1969 the per capita disposable (after taxes) personal income increased from $1,905 to $3,065 or an increase of 61 percent over the 10-year period and even after adjustments for inflation the increase amounted to 33 percent for the period. The unemployment rate is lower now than it was in 1959. This would account for some of the increase in per capita personal income because the lower the number of persons earning no income then the higher is the average income for the entire population.

Other enclosures are attached which show the general rise in personal income.

The last sentence of the article reads:

"For those many families on fixed incomes the result has been disastrous: a 'middle-class' family with an income of $6,000 in 1959 had $5,215 left after taxes. With the same income today, its real (1959 dollar) disposable income is $3,890—only $555 above the government's definition of poverty."

While no details are provided as to how the writer calculated the above data, it is presumed that the same incorrect mathematical approach was used for this computation as in the other example examined above, thereby understating the 1959 dollar equivalents. Furthermore, this statement has a second inconsistency inasmuch as the comparison is made between 1959 dollars and the government's definition of poverty level. The government's definition of the poverty level being $3,335 (implied in this comparison) was based on 1966 price levels. Thus the statement ignores the difference in purchasing power of 1959 and 1966 dollars.

The article does not present any of the bases or assumptions upon which the taxes have been calculated other than a family of four. However, the amounts allocated to taxes in the example shown appear to be reasonable. Even with the 10 percent tax surcharge now in effect on Federal individual income taxes the tax rate schedule today is lower than it was in 1959 because of the tax reduction act of 1964. However, the average current income of the public has increased substantially since 1959 because of economic growth and also because of inflation; this increase in income levels has resulted in individuals being subject to higher tax rates because of the graduated tax schedule. Many excise taxes that were in effect in 1959 have now been terminated though most of these taxes did not represent significant sums. But the amount of taxes the public is paying in the form of social security taxes has increased significantly since 1959.

The rate has been raised as well as the base salary level upon which the tax is levied, and also there has been added the percentage rate to cover the costs of the medicare program which has been enacted since 1959.

The level of State and local taxes has been rising substantially over the entire period since the end of World War II.

## MY DAYS IN VIETNAM

### HON. GUS YATRON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 16, 1969*

Mr. YATRON. Mr. Speaker, an interesting account of a serviceman's experiences has been published recently in a book entitled "My Days in Vietnam."

It is the diary of a soldier from my district from the time he left the United States to the day he was killed in action in Vietnam.

The boy, Michael Anthony Mangiolardo, was born in Reading, Pa., on July 4, 1946. He was the son of Mr. and Mrs. Charles Mangiolardo. After his death his parents received the Purple Heart Medal and the Bronze Star of Valor which were awarded to their son posthumously.

I have read the interesting and well-written diary and hope my colleagues in the Congress will have the opportunity to read it. The book, "My Days in Vietnam," is published by the Vantage Press, 120 W. 21st Street, New York, N.Y. 10001.

## SOYBEANS AND THE COMMON MARKET

### HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 16, 1969*

Mr. FINDLEY. Mr. Speaker, recently the delegates to the North Atlantic Assembly convened in Brussels to begin a tour of certain NATO military installations. Prior to commencing our journey, I had the opportunity to talk with several Common Market officials concerning agricultural policies. The following statement, which I issued at that time, summarizes my view of this important subject:

SOYBEANS AND THE COMMON MARKET

From here in Brussels, it appears that the most immediate threat of war is an economic one between the European common market and the United States. The primary purpose of my mission in Europe is as a member of the North Atlantic Assembly Inspection Tour of NATO military bases; my primary anxiety is over the darkening clouds of economic conflict.

As a member of Congress from Illinois—the nation's leading soybean producing state and the state which in total exports more products to world markets than any other—I find myself in a position where nothing but absolute candor will suffice.

The European Economic Community's proposed internal consumption tax of $60 per metric ton on vegetable and marine oils and $30 per ton on oil cakes would have disastrous effects on U.S. exports of soybeans to Western Europe, which today takes half of all of our soybean exports. I would like to underscore the observation made by Assistant Secretary of Agriculture Clarence Palmby that such a proposal places the EEC and the U.S. on a "collision course." This type of protectionism can undo more than twenty years of laborious efforts to move toward freer trade for the benefit of all mankind.

In a number of European common market countries, food accounts for more than twice the percentage of spendable income as in the United States. This fact alone should point the direction toward policies which can raise the standard of living in the Common Market—and increase prosperity there and among all the Community's trading partners. Tariffs and taxes on imported agricultural products can only lead to higher food prices in the common market countries, loss of markets to those who supply those commodities, and the threat of retaliatory trade practices.

The internal tax proposal has been presented to the EEC Council of Ministers by the EEC Commission. So far, I understand it has not been approved by the Council for ratification by the six governments. Thus, there is still time for constructive action to be taken. The countries of the EEC should recognize their common interest with other countries of the world in providing for—not restricting—the opportunity for expanded trade.

We have many trade problems in the United States, and the next several months may be looked upon as among the most critical in the future course of trade in the United States and throughout the world. Soon President Nixon will send his trade message and recommended legislation to Congress. Among his proposals may well be a commitment to press for the repeal of the American Selling Price, a customs valuation policy which permits especially high tariffs on imported benzenoid chemicals, rubber footwear, canned clams, and knit gloves. Some leaders of trade in the United States believe that the American Selling Price caused the EEC to erect its own "variable levy," which the Common Market uses against many U.S. agricultural products. Each of these restrictive practices makes it possible to price any of these items out of U.S. and European markets.

Most farm leaders in the United States support the repeal of the American Selling Price, and I am confident they will be working hard again to enact final passage of this legislation.

However, recent meetings on trade expansion demonstrate to me that it is not solely the agricultural community in the United States, nor is it likely to be one segment of the economy in the Common Market, that will be able to determine future trade policy. The most effective course appears to be for all those who favor the expansion of trade to join together and find new ways to accomplish their objectives. In some instances, this might mean automobile manufacturers talking to farm leaders. On other occasions, it might mean farm leaders cultivating allies in the electronics industry, or labor leaders in those industries benefiting by exports supporting and being supported by soybean producers.

My point is that new alliances are needed; alliances which will promote trade expansion. Presently, the primary areas of cooperation seem to exist amongst those segments of our respective economies which would benefit from restrictive trade practices. Without forward-looking alliances of trade expansionists to act as a counterbalance, trade protectionists may lead us back to the grim era of Smoot-Hawley tariffs.

In the United States, I am proud to say that soybean producers are among those seeking allies from all segments of our society to develop new positions of strength so that trade will grow and with it prosperity and the hope of a more peaceful world. I am hopeful that action by the European Economic Community will not discourage this progressive attitude.

## THE COST OF LIVING

### HON. ROBERT O. TIERNAN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 16, 1969*

Mr. TIERNAN. Mr. Speaker, we must soon begin to master some control over our environment before we have nothing left to control. The despoliation of the world around us is a constant source of worry to me. I shudder to think of what might be 10 years from now if we do not begin to take appropriate steps now.

There have recently appeared several fine newspaper articles which have dealt

with the problems of the environment. I urge my colleagues' attention to these excellent accounts of the several problem areas that have gone unattended for so long:

THE COST OF LIVING

(By Alan L. Otten)

WASHINGTON.—Like hemlines and hair styles, the fashion in political issues keeps constantly changing.

A while back, everyone was talking about housing and urban renewal. Then the spotlight shifted to "human resources"—job training and health and welfare. Consumer protection had its run: Auto safety, food inspection, the truth-in bills. Now our environment is the hot topic.

Probably it's highly beneficial to focus the attention of the nation intently on a special subject. There is, though, a major danger: Immersion in a particular issue or group of issues can create a superficial familiarity that breeds oversimplified answers. An attitude develops that if only a few bad men or greedy corporations were brought into line, all would be well. And there's the even more treacherous corollary that the price of setting the situation straight is quite minor and manageable—a tricky tendency to obscure the real costs and just who, ultimately, would probably pay them.

The current environmental vogue is all-pervasive. Every paper, magazine, television network features some aspect of an "environmental crisis." Daily stories ring the alarm over respiratory diseases and eye irritations from polluted air, the hazards of foul-smelling streams and mountains of garbage, the time and money lost due to congested streets, the perils of pesticides, the physical and nervous strain from ear-splitting noise levels. They dramatize citizen fights against a jetport in the Everglades, atomic tests in the Rockies, power projects in mountain streams, oil drilling off the coasts.

Politicians eagerly enlist in the crusade—perhaps out of conviction, perhaps because they sense votes. The President creates an Environmental Quality Council, a Cabinet-level group to "coordinate Government action against environmental decay at all levels." The Senate passes a proposed "National Environmental Policy Act," spelling out grandiose goals for Washington to "encourage productive and enjoyable harmony between man and his environment," and setting up a Board of Environmental Quality Advisers to counsel the President on achieving these goals.

Today's concern about environment is easy to explain, of course. Buses and trucks, factory smokestacks, jet planes, gas storage depots all belch forth pollution—and we not only see it but our eyes and lungs feel it. Walk or drive along a river and the sight and smell of pollution, from factories and garbage-dumping and other causes, is palpable enough to turn the stomach. Bumper-to-bumper traffic clogs our way into and out of town; city and suburb sprawl over our recreation areas. Newer industrial plants and offices become architecturally more appealing, but new eyesores obscure them: Auto junk yards, garish shopping center signs, box-like housing developments, unsightly utility lines.

At the same time, as outreaching cities gobble up the countryside, many Americans become more possessive about the outdoor spaces still left. Even to confirmed city-dwellers it seems vital to fight off despoilment of a single square yard of precious green space—to preserve national parks and scenic rivers and rolling landscapes along the highways—and to create new green islands in and near the city itself.

Just because all this is so much part of everyday life, though—something we all see and hear and breathe every day—solutions may appear a good bit simpler than perhaps they are. Examples: If buses and trucks and jets and smokestacks pour hydrocarbons and sulphur and nitrogen oxides into the air, merely make them use cleaner fuel or install better exhaust devices. If factories foul our streams, require waste treatment apparatus. If utility lines are unsightly, put them underground. If jackhammers and combustion engines build the noise level too high, force them to muffle down to an acceptable level. If a jetport would be too close to town, or if a new power plant would despoil the scenery, put it somewhere else.

Technologically, most of these solutions are attainable with relative ease. Industry has the know-how to produce more efficient devices to control air and water pollution, to bury utility lines, to make the best of less-favorable plant sites. It may take a little time, but it can be done. The problem that tends to be obscured or oversimplified in the environmental debates is the matter of cost—whether the public, the minority actively fighting for a better environment and the majority who don't care much one way or the other, is willing to foot the bill.

For it *does* cost to carry on ambitious research into major pollution problems. It *does* cost to use cleaner coal, or to add better exhaust systems to cars and trucks, or install waste treatment or noise abatement devices, or put utility lines underground. Land may be cheaper for a jetport farther from the city, but the traveler will pay in time and money going between airport and town. A power plant in a less efficient location may save a scenic spot elsewhere, but it will also produce more expensive electricity.

The prospect of having to absorb some of this extra cost is one reason so many companies fight so hard against anti-pollution and similar legislation and are often slow to take advantage of technological breakthroughs. But most of the cost will be borne by the public—either in higher taxes to sustain expensive Government programs, or in higher prices as industry passes along most of its extra outlays.

And there's the rub. Is the nation really willing to pay what's needed to get cleaner air and water, less noise, more beautiful landscapes, more parks and open spaces? Both the Johnson and Nixon Administrations, for example, actually budgeted less than one-fourth the $1 billion already authorized for Federal grants to build local waste treatment plants last year and this year; state and city officials are predictably perturbed, but there's been no outcry from the citizenry at large.

Almost surely, a good part of the public, if it knew all the facts, would settle for dirtier air or less beautiful scenery or whatever, rather than pay higher taxes or higher prices. Even the knights who lead the environmental crusade rarely volunteer their readiness to pay higher electric or gas bills, steeper air fares, higher auto prices.

Maybe even, when the full costs were known, environmental issues might become just a shade less fashionable. One has to hope not, but they just barely might.

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CONSERVATION LAWYERS DEFEND "QUALITY OF LIVING"

(By Gladwin Hill)

WARRENTON, Va., September 12.—Do people have a constitutional right to freedom from air pollution and other environmental hazards and annoyances?

This and other legal defenses against the increasing number of assaults on "the quality of living" were explored by 75 of the nation's leading conservation lawyers at an unusual meeting in Warrenton this week.

For two days, lawyers concerned with the new field of "environmental law" discussed their special problems, and possible strategic responses, in a closed-door conference designed not for public consumption but, rather, as orientation for themselves.

The principal conclusion of the lawyers was that some radical changes in the traditional patterns of jurisprudence are necessary to accommodate growing public dissatisfaction with the deteriorating environment.

The meeting, with only invited participants, was sponsored by the Conservation Foundation—a Washington-based organization financed by the Ford Foundation and other donors—and the Conservation and Research Foundation of New London, Conn.

NADER IN ATTENDANCE

The participants included Ralph Nader, the consumer advocate; Victor J. Yannacone Jr., who has been in the forefront of a nationwide campaign against persistent pesticides; lawyers for prominent conservation organizations; faculty members of leading law schools, and scientists.

Until the last few years, they noted, mass public complaints against environmental conditions have had a hard time in the courts, because the law was geared to the old concept of offenses by one individual against another, the tradition that governmental discussion was unchallengeable, and a presumption that public inconvenience was acceptable in the cause of private enterprise.

A landmark in a new direction was New York's Storm King, Mountain case, involving a proposed power plant on the Hudson River. The United States Court of Appeals for the Second Circuit ruled in 1965 not only that conservationists had a right to challenge a Federal Power Commission permit granted for the plant, but also that the commission had erred in not considering the environmental impact of the plant.

Since then, environmental suits have proliferated. But the conservation lawyers agreed, they still face a formidable array of problems, including the following:

In general, the burden of proof is still on plaintiffs that a glue factory is obnoxious or that a beautiful valley should be preserved rather than flooded for power generation.

Expert witnesses are hard to get. In the Santa Barbara, Calif., oil slick case, it was noted, corporations and other opposing interests pre-empted the talent.

Environment cases usually develop only after the damage is done or when it is imminent; characteristically, the initiative is on the other side.

While many government administrative agencies are now under formal orders to take into consideration the environment and ecological consequences of their actions, there is still some question about the extent to which such orders are enforceable by the courts.

Money Depositions, trial transcripts, expert-witness fees and other unavoidable expenses—along with standard lawyers' fees—put the cost of a full dress suit beyond the resources of most conservation groups.

"I think that capitalism and conservation are essentially incompatible," said William M. Bennett, a former California public utilities commissioner, who has been leading a drive against large pipeline interests. "Corporate management's prime responsibility legally is to make money for stockholders, and the management can be challenged on any 'nonproductive' expenditure, such as for pollution controls."

Mr. Nader, whose Center for the Study of Responsive Law in Washington is extending his attacks on automotive hazards to other consumer and governmental fields, questioned whether the prevailing American system was capitalism.

"I think it's more corporate Socialism," he said.

Mr. Yannacone chided his colleagues for being naive in trying to fit conservation action into traditional legal patterns.

"It's about time the legal profession got some ecological sophistication," he said. "We have to invert causes of action. We have to find new legal rules to overcome traditional government secrecy. Administrative agencies are the abortive offspring of modern legislation.

"Every bit of progressive social legislation of the last 50 years has come about only after litigation," he continued. "It's the highest use of the courtroom—even when we lose—to focus public attention and disseminate information about intolerable conditions."

There was a discussion about establishing a nationwide conservation legal organization, patterned after the American Civil Liberties Union, with a national center coordinating regional branches where talent could be systematically mustered on a semi-volunteer basis.

Sidney Howe, president of the Conservation Foundation, was selected as chairman of an ad hoc committee to proceed with this and other suggestions for group action.

The conferees agreed that the following methods of legal strategy would be pursued in conservation causes.

The fundamental concept of suing to abate a "nuisance."

The mass-action suit.

Another line of action is based on the doctrine that much, if not all, land and other resources are essentially held in trust by government and the delegated representatives, to be used for the public good. Therefore, they are legally protected from transitory and arbitrary abuses of their pristine condition.

In addition, the conferees agreed, there is the concept that several sections of the Constitution—particularly the Ninth Amendment, reserving to the people all powers not explicitly given to the Government—guarantee the people protection from the mounting number of encroachments on their privacy, peace and pursuit of happiness.

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## Noise Pollution: And One Expert Says It Could Become Lethal

(By David Taylor)

Man, whose expertise in the field of defiling the environment seems to reach new heights each day, is presently distinguishing himself by an ever increasing capacity to make noise.

Simply defined, noise is "unwanted sound" and there is so much of it around today that many scientists and doctors believe that it not only threatens our capacity to hear but can affect us in a variety of other physiological, psychological and emotional ways.

One pessimistic acoustical physicist, who has served as consultant for the construction and design of some 500 auditoriums, believes that noise, like smog, is a slow agent of death.

"If it continues to increase for the next 30 years as it has for the past 30, it could become lethal," says Vern O. Knudsen, former chancellor of U.C.L.A.

### TROUBLE CONTROLLING NOISE

Although few experts subscribe to Knudsen's extreme view, most realize—unlike a large portion of the public—that noise as another negative by-product of the man-made industrial and high density urban society is more than a mere nuisance.

And while these experts argue whether the term "noise pollution" is a misnomer or not, they are in full agreement that man is having as much trouble controlling the levels of noise in the environment as he is reducing the huge quantities of filth and waste he pumps into the air and waterways.

Noise related problems are not new. The first side effects of noise on humans was recorded in 1831 when Fosbroke of England reported hearing loss in blacksmiths. Some 30 years later E. H. Weber recorded the first hearing loss in boilermakers and railroad men.

But today, while industry is still the number one cause of noise-related hearing loss, there are a seemingly infinite number of sources which add to the general urban din.

In fact, it was noisy enough in Boston in 1931 for Mayor Curley to set up the Boston Noise Commission which discovered through a questionnaire that residents of the city were most irritated by automobile traffic noise.

With Detroit producing more and more cars each year since 1931, this type of noise has increased dramatically as has air traffic noise, construction and demolition noise, garbage collection noise and countless other noise sources.

According to the American Medical Association, there have been recent reports that overall loudness of environment noise is doubling every ten years.

### HOME NOISE DOUBLES OVER DECADES

Even the home—the legendary citadel of peace and quiet—has proven susceptible to noise. The A.M.A. has cited further reports that the noise level in the average American home has more than doubled in the past four decades.

The average suburban home sports as many as 20 motorized utilities which whirr and buzz in the name of progress, and, according to the Massachusetts Audubon Society, noisy power lawn mowers generate levels of loudness formerly found only in boiler factories.

Dr. Leo L. Beranek of the Cambridge firm of Bolt, Beranek and Newman, one of the leading acoustical research oufits in the country, believes that with the increasing population and proliferation of machines, noise will invade the few remaining "havens of silence in the world." "A century from now, when a man wants to escape to a quiet spot, there may be no place to go."

Scientists measure the loudness or intensity of a sound in decibels. The lowest audible sound is defined as one decibel and louder sounds are measured on a logarithmic scale according to the intensity with which the sound assaults the ear.

The actual sound pressure on the ear increases 10 times with each 10 decibel (db) increase. Therefore a 20 db sound is ten times as loud as one of 10, and 80 is a million times louder than 20.

As the low end of the scale, rustling leaves in a quiet environment would be close to the one db figure, or the threshold of audibility. A whisper produces 30 db while ordinary conversation registers at about 60.

The clatter of garbage collection, the roar of traffic, the whoosh of a vacuum cleaner, a barking German Shepherd, and a whirring food blender all register in the 80s.

At this stage, not only does it become impossible to use the telephone, but doctors start to worry about the health and well being of those exposed to these decibel levels for long periods of time.

Above this, 98 db are emitted by a farm tractor, 95 by a screeching subway, 100 by a power lawn mower, 110 by both a riveting gun and a reving motorcycle.

A siren can reach 120 db, the point at which it actually becomes painful to the ear, and a jet plane taking off registers somewhere in the vicinity of 140.

### SAFE WORKING LEVELS

The Massachusetts Eye and Ear Infirmary says that hearing conservation measures should be taken when exposure is habitual to a continuous noise of 85 db for a working day of five hours or more or else permanent damage to hearing can result.

At higher levels, the safety margin drops off rapidly from the five hour figure. For a continuous noise of 90 db, the safety margin for non-protected ears is 120 minutes; for 95 db, the margin is 50 minutes; for 100, 25 minutes; for 110, 12 minutes; for 120, less than five minutes.

The intermittent thrust of a noise level over 125 db alone is hazardous, according to the Mass. Eye and Ear.

Industrial workers are still the most prone to these noise levels and thus more subject to noise-related hearing loss. But many experts believe that just living in a large urban area can deprive one of his capacity to hear well.

The Audubon Society reports that the mean average decibel level of city traffic at a Boston playground during recess was 78 db.

A 1967 study showed an increase ranging from 4 to 9 db since 1954 in average sound levels in residential areas while intrusive, obnoxious noises increased 16 db.

Inside the home, a typical kitchen with several appliances running at the same time can reach a decibel level of 90 or higher.

In contrast to this, studies have been made of extremely quiet environments which reflect a superior quality of hearing on the part of the inhabitants.

### STUDY OF QUIET ENVIRONMENT

In 1960, Dr. Samuel Rosen, a New York otologist, conducted a study of the Mabaans, a Sudan tribe living in an extremely noise free environment. Rosen found that Mabaans in their 70s showed very little loss of hearing commonly associated with old age and could hear as well as most American teen-agers.

The significance of this revelation, however, can not be entirely tied to the low noise environment since other factors, such as a fat free diet, may affect the quality of hearing.

Commenting on Rosen's study, a staff physician at Mass. Eye and Ear said: "It proves that the Mabaan's chance for exposure to traumatic noise is small, and we must remember that we are all different and that the cochlea (a snail-like apparatus in the ear containing 24,000 delicate keyboards of hair cells which respond to sound) is effected differently depending on genes heredity factors, and even pregnancy."

"You can take 10 people and put them to work on jet motors and expose them to 120 db," he said. "At the end of four weeks, you might have four who experienced a degree of hearing loss, but that would be it. The others would be unaffected."

Dr. Collin Karmody of the Ear, Nose and Throat Department of the New England Medical Center said that Dr. Rosen's study on the Mabaans raised the possibility that a general noisy background might be causing deterioration of hearing that previously was thought to be normal and attributable to old age. But he said that other factors may be involved.

But neither disputed the theory that high decibel levels over certain periods of time can impair hearing.

### DISAGREEMENT OVER NOISE EFFECTS

There is far greater disagreement about the other physiological and psychological effects of noise. Some have claimed that ulcers, hives and even high cholesterol can be traced to the decibel din.

And while no experiments on humans have been conducted, for obvious reasons, to test Dr. Knudsen's view that noise if left unchecked can prove to be lethal, the Audubon Society reports that a noise level of 160 db is lethal to mice and similar small animals.

"Lethal, is a little strong to describe or postulate on the possible effects of increased noise in the environment," says Dr. Hubert Gerstman, an audiologist at the New England Medical Center with a Ph.D. in speech and hearing.

"But on the other hand it's not sufficient to term noise as merely a nuisance or an irritation," he says. "Looking at the more drastic of the immediate effects, you do see people going pre-psychotic and this is an extremely serious problem."

According to Dr. Rosen, the short term physiological effects of a loud noise cause a "chronic noise syndrome. The pupils dilate, skin pales, mucous membranes dry, there are intestinal spasms and the adrenals explode secretions, the heart beats rapidly, the blood vessels constrict. The biological organism, in a word, is disturbed."

Dr. John Anthony Parr, an expert from Great Britain, says that this type of internal upheaval if repeated again and again is "exhausting physically and mentally and ultimately can cause a nervous breakdown and then it is but a step to contracting one of the stress diseases."

STEPS TAKEN TO CONTROL SOUND

Dr. Beranek expresses a somewhat more conservative view: "The noises of daily life have been blamed for increases in the divorce rate, social conflict, indigestion, inability to perform tasks with the limbs or eyes, nervous breakdowns, high blood pressure, heart failure, and even insanity."

"Most of these allegations are the products of vivid imaginations. Of course, one cannot rule out the possibility that a few people are particularly sensitive to noise.

"But controlled social observations have indicated that the most important biological effects of loud noises are: hearing impairment, interference with speech communication, interference by distraction with mental or skill work, interference with sleep and a feeling of general annoyance."

The annoyance factor of noise is very difficult to measure since a man who falls asleep inside a jet liner with a noise level of 70 decibels or so may be kept awake in his own bedroom by the incessant hum of a mosquito.

However, successive surveys conducted in Europe showed that the percentage of people disturbed by noise increased from 23 percent in 1948 to 50 percent in 1961.

Dr. Charles W. Dietrich, who works with Dr. Beranek at Bolt, Beranek and Newman, believes that annoying noise is harmful in that it can distract one from his job by disturbing speech communications and concentration.

Furthermore, a loss of sleep due to noise causes fatigue and cuts down on one's efficiency. Some doctors say that when sleep is disturbed, thus not permitting normal dreaming, a person may develop psychoses, hallucinations, suicidal and homicidal impulses and nightmarish memories.

Only in the past few years has the Federal government recognized noise as a legitimate problem and taken the first steps toward controlling it.

The first Federal attempt to legislate acceptable noise levels was the Walsh-Healey Act, passed in the closing days of the Johnson administration. This established a maximum of 90 db as a standard for all contractors doing business with the government.

Last year Congress passed a bill requiring the Federal Aviation Administration to establish and enforce regulations to control aircraft noise.

In accordance with this bill, the FAA will release restriction standards in September for all new planes and is presently researching methods to muffle the roar of jets now in service.

The Nixon administration has taken an initial step towards noise abatement by giving a half million dollar contract to an Arlington, Va., firm to study noise and its cures.

"Transportation noise is a form of environmental deterioration of major concern to this administration," said Secretary of Transportation John A. Volpe on that occasion.

Volpe also awarded a $50,000 contract to a Delaware firm to study the feasibility of using auxiliary launch systems to lessen aircraft noise in the vicinity of airports.

And even consumer advocate Ralph Nader has gotten into the act by urging rock-and-roll noise level restrictions and ear protection for musicians and dance hall workers. Nader said he had measured decibel levels as high as 138 in discotheques around the country.

Despite these first few steps, the United States is still far behind other countries in setting up noise abatement procedures. The Swiss Federal Anti-Noise Commission, for example, has established maximum day and night time decibel levels for various types of areas and these have been adopted by the courts.

But our technological proficiency, which experts say could easily be redirected towards solving the noise problem, at the moment is headed in the opposite direction.

The obvious example of this is the supersonic transport (SST) which, if developed, would make the seldomly heard but tremendously startling sonic boom on everyday experience.

William Shurcliff, a Harvard researchist who is director of Citizen's League Against the Sonic Boom, says that the sonic boom carpet will be 50 to 80 miles wide and will follow the plane the entire length of the flight except for 100 miles after takeoff and before landing.

For a typical overland SST flight, such as from New York to Los Angeles, 10 to 20 million people would normally be within the carpet.

Shurcliff says that statistical evaluations of paid out compensations for structural damage during various boom tests indicate that extensive SST operation over the United States would result in boom damage payments of about $3 million per day.

But technology is not the only culprit. People in general associate noise with certain standards of power, effectiveness and quality and thereby encourage the production of needlessly noisy items.

SOME PEOPLE "WANT" NOISE

A silent vacuum cleaner which is technically feasible will not sell with the housewives who demand a reassuring "whoosh" from their cleaners.

In a similar vein, truck drivers often remove mufflers because they believe that they are not getting sufficient power from their engines, an idea that is more psychological than factual.

Detroit works long and hard to make sure car doors close with a solid "clunk" which is one of the first things a cagy car buyer looks for.

And young people not only like their music at full volume but have found that impaired hearing isn't always such a set back, especially when it comes time for a draft physical.

The list is infinite and the problem is a growing one. But what few people realize is that noise, like smog and waste, is deteriorating the environment, a fact that makes noise everyone's problem, not just those who live near airports and freeways.

William H. Stewart, who resigned as Surgeon General at the beginning of August, has compared present attitudes concerning noise as a health hazard with attitudes toward air pollution in 1958.

"Then there were a number of voices saying in effect: 'Air pollution problems'? what air pollution problem? I don't smell anything.' Today there are apologists for some of our noisier phenomena in our society saying: I don't hear anything."

## A POEM WRITTEN BY PFC. GARY EVANS

### HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 16, 1969*

Mr. CARTER. Mr. Speaker, I have opposed the war in Vietnam while at the same time I have voted for all measures which would support our young men there. It remains inevitable, however, that all of us will continue to be touched by the cold realities of casualty lists.

On September 3, Pfc. Gary Lee Evans of Pebworth, Ky., was killed in Vietnam. Shortly before Private Evans departed from the United States to commence his tour of duty in Vietnam, he wrote a poem expressing his views on the social upheavals existing in our society and the effects they have on young men like himself who are entering the scene of battle for the first time.

I submit a copy of that poem in the memory of Private Evans and for the reading of my fellow colleagues:

A LETTER TO "PEACE BOYS" AND DRAFT CARD BURNERS

Take a man, then put him alone;
Set him 12,000 miles from home;
Make his heart of all but blood;
Make him live in sweat and mud;
And why my soul to those devils give;
You "Peace Boys" rant from your chairs;
But you don't know what it's like over there.

You have a ball without never trying;
While over here boys are dying;
You burn your draft cards, march at dawn;
Plant your signs on the White House lawn;
You call you want to ban the bomb;
There is no war in Viet Nam;
You use drugs to have your fun;
And then refuse to lift a gun.

I'll hate you till the day I die;
You made me hear my buddy cry;
I saw his arm, a bloody shred;
I heard them say, "This one is dead!"

It's quite a price he had to pay;
Not to live another day;
He had the guts to fight and die;
He paid the price he had to pay;
Not to live another day.

He had the guts to fight and die, he paid the price,
But what'd he buy?
He bought your life by losing his . . .
But who gives a damn what a soldier gives?

## JEWISH NEW YEAR A TIME OF JOY BUT SADNESS IN THE SOVIET UNION

### HON. ROBERT TAFT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 16, 1969*

Mr. TAFT. Mr. Speaker, this past Saturday marked the beginning of the new Jewish year.

Throughout the world, Jews celebrated Rosh Hashana with traditional services. It was a time of joy and a time of hope.

In Moscow, however, only 2,000 Jews out of a population estimated to be over 500,000 participated in the holy services.

Crowded into the Central Synagogue, the worshipers again faced a severe shortage of prayer books.

As I reported in 1967, following a Foreign Affairs study mission to Moscow, the oppressive attitude of the Soviet Government is taking its toll. The age of most of the congregation attending this year's services was over 45, and Soviet disfavor, as we said in 1967, limits attendance at services almost entirely to those elderly.

It is a tragic fact that while attempting to give the impression of religious freedom, the Soviet Government appears to be aiming at complete elimination of those freedoms.

The following article, from the September 15, 1969, Cincinnati Enquirer and the New York Times, gives an interesting picture of the Jewish New Year in Moscow. It is a story of brave men and women who are willing to risk persecution to practice their religion. I admire their courage.

Mr. Speaker, I include this article as a part of the RECORD:

JEWISH NEW YEAR A TIME OF JOY BUT SADNESS IN THE SOVIET UNION

Moscow.—More than 2,000 Jews were crowded into every corner of Moscow's central synagogue Sunday for the concluding Rosh Hashanah services marking the start of the Jewish new year.

Another 500 overflowed onto the steps and street that run past the white-columned buildings on Arkipov Street in one of Moscow's oldest downtown neighborhoods.

The fine weather and the fact that the holiday fell this year on a weekend brought large, spirited crowds to the services that began Friday night.

Inside the synagogue the male worshipers, mostly in the over-45 generation, chanted and swayed to the traditional orthodox Jewish prayers. From time to time they left their seats to pass a few minutes gossiping in Yiddish or Russian.

The women were shunted to the balcony and many an older grandmother was seen dabbing the tears from her eyes during some of the mournful-sounding prayers.

A special room off of the main hall was set aside for Sephardic Jews from Tashkent in central Asia who had their own service, their oriental features contrasting with the European visages of the Moscovites.

The synagogue was freshly painted and looked better than it had for years. But prayer books were still in short supply and only about three out of five worshipers seemed to have them. Some were of ancient Russian origin, others were printed in Vienna and had German translation of the Hebrew, some were from Israel or the United States.

Several worshipers had new prayer shawls and the ark in which the Torahs are kept was covered with a silk curtain given as a gift from the U.S. Rabbi Yahuda Leib Levin, the 75-year-old chief rabbi, was in charge of the worshiping, his white, flowing beard giving him added reverence in the eyes of his congregation.

The synagogue's regular cantor was sick so a substitute who usually handled only the Sabbath prayers was pressed into service.

The central synagogue is one of two in Moscow—the other is a small one that lacks a rabbi—that serve Moscow's population of about 500,000 Jews. A small group of Americans who had come for the services were surrounded often by local Jews on the street outside. They asked how Jews fared in the U.S.

"How many synagogues do you have in New York?" a grandmother asked.

"I don't know exactly," the American answered. "But I'd estimate at least 500."

"How many did he say?" someone asked. "Five?"

"He said 500," several said in correction.

A man wearing a chauffeur's cap asked: "Rockefeller, is he a Jew?"

When told he was not, the Soviet Jew shrugged and said "I heard he was. What about Roosevelt?"

Everyone wanted to know if American Jews spoke Yiddish and if they could read Hebrew. Were Jews in U.S. Government and how many Jewish astronauts are there and do Jews marry late in the U.S. and do they marry non-Jews.

"What about Israel?" a young man asked. "Will she survive?"

Waiting outside for the shofar to sound, an American tourist asked a stout man how many bar mitzvahs there are each year in the synagogue.

"Very few. Maybe one a year at the most," he said.

"There are none," his wife interjected firmly.

"The young boys have no Hebrew school. They have no interest in learning about being Jews until they're about 20 or 30," the husband said.

A dark-haired biologist who spoke English said she was an atheist but came to the synagogue often with her friends simply to meet other young Jews.

"It's our club," she said, pointing to the synagogue. "We have nothing else. I would like to get a Jewish husband, but so far no luck."

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## DEMANDS DISCIPLINE

### HON. ROBERT V. DENNEY

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 16, 1969*

Mr. DENNEY. Mr. Speaker, the numerous disturbances and violence on our college campuses have prompted new analyses of our higher education system. Quite obviously we are disturbed by students whose conviction is anarchy, and whose methodology is dislocation. But we are likewise concerned about shortcomings in our institutions of higher education, and are eager to make education relevant to the demands of our fast-changing society.

Some college and university administrators would placate those students unwilling to live within the rules of the institution, and in doing so only sow the seeds of further agitation; others would punish students who might have legitimate grievances without effort toward needed reform.

Between these extremes are college and university presidents who are taking a wiser middle course: listening and changing when student suggestions are worthy, yet firmly dispelling the notion that anarchy and dislocation are a part of university life.

One of these forward-looking educators is Dr. Vance D. Rogers of Nebraska Wesleyan University in Lincoln, Nebr. Realizing that many students are sincerely interested in the kind of education they are receiving, his door is always open to them for frank discussions of learning at NWU. But he has communicated the demands for discipline in no uncertain terms to those who would foment unrest rather than build a better university.

Dr. Rogers said the following to students and parents at the beginning of this school year:

Nebraska Wesleyan will guarantee freedom of inquiry and will embrace intellectual controversy. But if any students are here to start a riot, you may as well go home today. We will not tolerate the burning of buildings or taking over of offices . . .

You need to begin right now to study and discipline yourself. College is an expensive, serious and important undertaking and the individual must produce to succeed.

Mr. Speaker, such an attitude is needed by more of our leaders in education today.

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## A NECESSARY INSPIRATION

### HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 16, 1969*

Mr. TEAGUE of Texas. Mr. Speaker, today, the day when our Apollo 11 astronauts, Neil A. Armstrong, Michael Collins, and Edwin E. Aldrin, Jr., appeared before the Congress is another milestone in the flight of Apollo 11. Just as these outstanding Americans distinguished themselves in the epic-making journey to the moon they have equally distinguished themselves on their return to earth. The Apollo 11 astronauts exemplify the exceptional in achievement not only of the United States but of the world in a new environment. As we honor these men today, they honor us by their presence. An excellent editorial in the Tuesday, July 22, issue of the Boston Herald Traveler does much to place in prospective the success of Apollo 11 and the Apollo program as a whole. This editorial, written during the flight of Apollo 11 expresses well the contributions being made by our manned space flight program to our Nation and to the world. As this editorial points out:

Wise use of our resources should make possible sensible exploration of space without pushing aside society's needs. In fact, the kind of inspiration that the past few days have provided may be essential to give man the heart to do all that must be done.

The complete editorial follows:

THE ODYSSEY OF APOLLO 11—A NECESSARY INSPIRATION

The wonder of the journey to the moon grows. Now the American astronauts have not only landed and walked on it, but departed from it flawlessly and rejoined the command module. The last lap of the incredible odyssey of Apollo 11 is beginning.

No one can rest completely easy until the men and the spacecraft are safely returned to earth. Yet even at this penultimate stage, it is tempting to total the successes of the mission.

The accomplishments have been so many. Most striking is the sense of triumph and exaltation that Apollo 11 has imparted not only to Americans but to men the world over. The mission has proved to be one of these rare events in history that lends grandeur to human existence.

There are a host of more practical scientific achievements, of course. Our nation's capability for space travel has been further tested, expanded and refined. Technology has been pushed forward, and the advances will be seen in many fields of earthly endeavor as well as in space ventures. Astronauts Armstrong and Aldrin have demonstrated that men can move and work in an alien environment without excessive difficulty.

Eyewitness accounts from the two men, together with television coverage and still photographs, will give scientist and laymen alike a greater and more accurate knowledge of the satellite that has circled the earth through time, tantalizingly near yet defying close scrutiny. And the seismic station they left behind, if it has not been damaged, should continue to inform man about the nature of the moon.

Most important of all, no doubt, are the samples from the surface which the astronauts are bringing home with them. If these samples reach earth intact and uncontaminated, men of science will be better able than ever before to inquire intelligently into the history of the moon, our own planet, and the solar system.

More significant than all of these scientific gains, we suspect, is the sense of confidence and might that the moon mission has given to mankind, and to the society of this land in particular. The psychological value is immeasurable, but probably will surpass that of any other event within the recollection of humanity.

It has been said often in the past few hours and days, but it bears repeating: more than any other exploit that human intelligence could conceive, a successful landing on the moon gives man an assurance that what he sets his mind on doing, he can do.

There are those, of course, who even as they share the wonder that all men feel today say that we have chosen to do the wrong thing. More than exploration or exploitation of new worlds, they contend, what we need is to make our earth more livable.

The debate over priorities in this country will by no means be ended because of the triumph of the mission. Some will argue for expanding our space program, building success on quick success, while others will advocate a pause or slowing in our journey to other worlds while we concentrate on unfinished business in our own.

Apollo 11's success may in fact assist in an intelligent and moral ordering of our priorities. We are not likely to back away now from the beckoning space frontier, but it does not necessarily follow that we will at the same time neglect earth the more.

Only in the last decade has man considered seriously the possibility of going to the moon, or of eliminating poverty and hunger, or of rebuilding cities. At the start of the decade, most Americans would have said landing on the moon was the goal least probable of attainment.

Yet the moon has indeed been reached, and with seeming ease. This does not mean that the wrong goal was chosen or the easiest, but that perhaps discouragement and despair about problems close at hand led man to underestimate his own capacity to solve them. Surely other goals, if approached with the same imagination and energy that has been devoted to space, would also yield to man.

Perhaps Apollo 11 will bring to our society the pride, optimism and awareness of prowess that will inspire a fresh and final assault upon the ills that long have diminished earthbound man. It is not required that a nation as great as ours must choose between moon and man, between frontier and fireside. Wise use of our resources should make possible sensible exploration of space without pushing aside society's needs. In fact, the kind of inspiration that the past few days have provided may be essential to give man the heart to do all that must be done.

## DODGING SAFETY ISSUE

### HON. RICHARD D. McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 16, 1969*

Mr. McCARTHY. Mr. Speaker, as a member of the Subcommittee on Roads of the House Public Works Committee and an opponent of attempts to allow larger trucks on our Nation's highways, I was shocked by Highway Administrator Francis C. Turner's qualified support of H.R. 11870, a bill that has been called "antisafety" legislation by the American Automobile Association. As proposed, the bill would permit raising the weight limits on single axles from 32,000 to 34,000 pounds and the overall weight limit from 73,280 to 108,500 pounds and permit widening trucks from 8 to 8½ feet. It would also set a length limit of 70 feet on the total length of any truck.

The most disturbing aspect of Mr. Turner's testimony was his admission that insufficient information prevented a diagnosis of the effect on safety that larger trucks have with respect to the motoring public. At the same time, Mr. Turner maintained that economics obviously support such legislation. I cannot help but sense a "public be damned" attitude in this statement. Can the administration actually be taking the position that as long as the proposed legislation is "dollar wise" then the safety of hundreds of thousands of innocent motorists is immaterial?

An editorial in the Buffalo Evening News of September 8, 1969, points out this glaring weakness in the administration's position. I am including it in the RECORD for the information of my colleagues:

DODGING SAFETY ISSUE

The compromise position of the Department of Transportation on the controversial issue of oversize trucks on the interstate highways looks all too much like an effort to appease the economic interests of the trucking lobby at the expense of safety considerations.

The economic benefits of relaxed size and weight limitations, says Federal Highway Administrator Francis C. Turner, "would outweigh the economic costs to the public in terms of wear and tear on the highway network . . ."

But even if this is so—and even if these assurances satisfied the public concern about the additional wear and tear on local connecting roads—the administration's posture is a dismally inadequate response to opposition arguments on the score of safety hazards to motorists.

Mr. Turner recommends that if Congress relaxes present restrictions, it delay the effective date pending the adoption of amended regulations to strengthen safety and road repair provisions.

While these certainly will be in order if bigger trucks get a green light, it is just begging the basic safety question to confess that transportation officialdom doesn't have enough "sufficiently reliable evidence" for a judgment.

If pinning down the validity of safety objections isn't their job, whose is it? Mr. Turner acknowledges that, while larger trucks are not involved more frequently in accidents, those mishaps that do occur more often result in fatalities. And as to the psychological impact of larger trucks on many motorists, it is doubtful, he says, "that many motorists could detect the incremental change in truck dimension or weight" permited by the bill.

Sorry, but that kind of double talk won't do. Motorists who have had behemoths cut in on them, or play tag down the middle of the Thruway or other federal interstate links, need no tape measures or scales to calculate their psychological sense of defenselessness against highway Queen Marys. Their fears should be warning enough before Congress subordinates compelling safety considerations to pressures for still bigger road giants on already crowded highways.

## CERTIFICATE OF APPRECIATION

### HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 16, 1969*

Mr. DINGELL. Mr. Speaker, we in Congress are conscious that we work hard and do our best; it is heartening to find someone outside of this body who thinks so too. Recently the National Association of Wholesalers bestowed a certificate of appreciation upon the Select Committee on Small Business of the House of Representatives, with kind words for the chairman, Representative JOE L. EVINS of Tennessee.

I think Congressman EVINS richly deserves praise for his direction of Small Business Committee affairs, and I think his industry and acumen have brought encouraging rewards. Under Chairman EVINS' wise guidance the committee is making a meaningful contribution to the work of this Congress and to the welfare of small business in this country.

The Biddle Survey, a publication of the Biddle Purchasing Co. of New York, on August 26, 1969, commented upon the Wholesalers' Award as follows:

"NEVER TOO BUSY"—A COMMITTEE OF THE HOUSE GETS A TRIBUTE FROM DISTRIBUTION TRADES LEADERS

Writing in his journal, around the middle of the 19th century, Henry Thoreau, the American naturalist, once observed that nobody ever erects a statue to a committee. He was a strong advocate of individuality, of action by personal initiative rather than by conference. Yet in our complex society, with its intricate political structures, businessmen have been pretty well forced to put increasing dependence on group action.

One active business group, the National Association of Wholesalers, has recently tossed a bouquet into the lap of a committee: The Select Committee on Small Business of the House of Representatives. This committee is headed by Rep. Joe L. Evins of Tennessee.

The association gave it a Certificate of Appreciation for "distinguished service to the wholesale distribution industry." It ctied the fact that the records of hearings held by this Committee on Small Business "are often used by the Executive Departments and regulatory agencies as the starting point for *corrective or remedial* action." The NAW added that without such a forum as the House committee, there would have developed no remedy.

The wholesalers said that despite the committee's heavy schedule, it was "never too busy to give us its valuable attention." Congress and many of its committees are frequently in the line of flying brickbats; it is reassuring to learn of this recognition of group action for business which fulfills a purpose.

## OKLAHOMAN IS NEW NATIONAL COMMANDER OF THE AMERICAN LEGION

### HON. ED EDMONDSON

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 16, 1969*

Mr. EDMONDSON. Mr. Speaker, it was a great pleasure for me to recently

attend the 51st Annual National Convention of the American Legion, and to participate in the nomination and election of an outstanding Oklahoman, J. Milton Patrick, to the post of national commander of the American Legion.

Commander Patrick is a long-time resident of my congressional district and has established an excellent record of service in both the American Legion and other community affairs. It is a tribute to both the American Legion and all Oklahomans that a man with such an outstanding record of public service and remarkable leadership qualities has assumed this position of international responsibility. The new national commander has begun his term in office by starting a goodwill tour of American Legion activities in various countries around the world.

Commander Patrick set out the Legion's new theme of "USA—Unity and Service for America" in his acceptance speech at the convention, and at this time I include his fine speech in the CONGRESSIONAL RECORD:

ACCEPTANCE MESSAGE OF NEWLY ELECTED NATIONAL COMMANDER OF THE AMERICAN LEGION

It is with great pride and deep humility that I come to this platform to accept the honor you have just given to me—the office of National Commander of The American Legion.

This moment will stand forever as one of the true highlights of my lifetime, for few experiences in my past, and nothing which at this time I can visualize in the future, can measure up to this single honor you have conferred upon me.

The vote of confidence of one's comrades of a lifetime—the confidence of those with whom one has shared the searing reality of warfare—cannot help but arouse deep and mixed emotions, and such are the emotions which now consume me.

You have placed before me a monumental challenge to lead The American Legion during this crucial year when we embark upon our second half century of service to God and country. So, I am humble in the knowledge that the task confronting me is great; I am gratified that I approach this task with the loyal support of so many dedicated men and women of The American Legion and the American Legion Auxiliary, and I must confess to a certain amount of personal pride in the knowledge you have entrusted the mantle of leadership to me.

In return for your expression of confidence, I pledge to you my ceaseless, untiring and total effort to see that the obligations of this office are carried out in such a manner as to benefit this great organization and the nation which it serves.

My prime purpose will be to discharge the obligations of this office in a manner which will best serve the interests of America in promoting her unity and stability, and which will best serve the interest of The American Legion in the tradition of my predecessors who have served so selflessly to make and to keep this organization honored and respected.

On behalf of all Legionnaires, I take this opportunity to salute our retiring National Commander, William C. Doyle, for his efforts in the service of the Legion and in the service of the nation for The American Legion year now ending.

There have been great accomplishments during this past year as we have observed the golden anniversary of The American Legion, and we now must pledge ourselves to build upon the achievement of this year and to make it serve as our launching pad into a new era of golden service to America.

The first half century of the life of the Legion was concluded in a magnificient manner, and as we concluded it we witnessed with reverent prayer and awe the thrilling and inspiring spectacle of men—our fellow Americans—setting foot for the first time upon another planet.

Here on this convention platform we have been honored with the presence of one of America's daring space pioneers and privileged to present, through him, a token of our appreciation to these brave men who help to keep alive the spirit of adventure in which America was born, and by which she has grown and prospered.

Even for those who felt it necessary to express dissatisfaction with America's space program on that historic occasion, it must have been difficult, if not impossible, for them to suppress their pride in being a citizen of the country that made this feat possible.

That is our country, my fellow Legionnaires. It is the country you and I served, and it is the country which stands today in need of our continuing services—not as soldiers, but as concerned citizens alert to the demands of our citizenship and responsive to those demands.

As concerned citizens, we are the keepers of a dream born nearly 200 years ago when the leaders of the young and struggling colonies realized their strength was in their unity. They pointed the way for us to follow and they did, in fact, incorporate the word which was the key to their success in the very name of the nation which they created. That word, of course, is "United".

The United States of America, the beloved U.S.A., is the nation that grew from the patriot's dream, and it is the intent of The American Legion this year, to bring new emphasis to those meaningful letters "U.S.A.", for during my term of office as National Commander we will pursue the theme, "Unity and Service for America," the principal letters of which are "U.S.A."

This theme, I will emphasize at every opportunity. This theme, I would ask you to live with and give emphasis to at every opportunity, for we visualize that this will become more meaningful than just a set of words, and that they will become words of positive action and fulfillment for you and for me, for The American Legion and for America during the year ahead.

With your help, and I am confident I shall have it, we can join forces with committed civic organizations in a truly substantial effort to unify this nation. Through the dedicated service of each of you, we can make the proud initials, "U.S.A.", the banner and the rallying cry of all Americans. We can, by united effort, persuade our fellow citizens that their personal involvement is essential if we are to serve our communities, our states, and the nation effectively.

Unity and Service for America! It had to be this spirit—bolstered by an unshakeable faith in a supreme being—which enabled the founding fathers to create a self-governing nation. That same spirit, and that same faith, are needed today to perpetuate and enlarge upon that which the founding fathers and all of our forebears insured for us by personal sacrifice, through love of country.

It was from the spirit of Unity and Service for America that you in this audience took the strength and the courage to accept the Spartan life of the armed forces to turn back the ambitions of power-mad dictators and totalitarian governments to preserve the freedoms, not only of Americans, but of America's free world allies. It is in that spirit that our men serve today in Vietnam.

Even as man has reached the moon and continues to reach for the stars, we recognize the need here on earth for a renewed sense of unity of purpose; of dedicated service; of love of country, and faith in God to help us find the answers to our more mundane problems of crime in the streets, riots that rock our major cities and campuses, and poverty, illiteracy and despair which hold sizeable segments of our population in bondage.

We will, under this program, continue to evidence our concern for that small segment of young citizens who are rebellious, ill-informed, ill-trained and often mislead. Some of them mistake license for liberty, and some of them reject the moral values of our society but fail to offer anything in place of those values.

The philosophy that rioting, mob action and anarchy are justifiable means to an end never has been acceptable to Americans, and it is not acceptable today. We dare not surrender the intangible restraints stemming from religion, and which prevent us from violating the laws of society, for this is a vital element of maintaining a government of self-rule.

F.B.I. Director J. Edgar Hoover, writing in a recent issue of the Knight Templar magazine, reminds us: "That when man forgets God and ignores the inexorable laws by which He rules the universe, he opens the door to license followed by chaos and anarchy with tyranny grinding along in their wake."

Mr. Hoover continued to say that all Americans share the obligation of proving that man is capable of continuing self-rule, and The American Legion accepts its share of that responsibility. We will, this year, continue to discharge our responsibility under the theme of Unity and Service for America, and will seek to teach our young the value of the great gift of liberty and the worth of the heritage that is theirs.

Volunteering is not unknown to America's veterans who have offered their lives in the service of God and country. I challenge you now to volunteer once more. I challenge you to do more than your share to bring a new unity among the people of these United States, and the best place to start is among the people you know back home.

I challenge you to do more than your share to help eliminate the breeding places of crime and delinquency and to restore kindness and decency to daily living. I challenge you to help your local post become the motivating source for improving conditions in your home communities. I challenge you to join me in making "Unity and Service for America" the theme of our daily lives as The American Legion moves into its second half century of service to God and country.

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## BOSTON, PA., TEA PARTY

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## HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 16, 1969*

Mr. GAYDOS. Mr. Speaker, over the past weekend I attended a tea party. But it was no social event. Tea was not served, although there was plenty of "hot water" available. You might even say the event was a little hair raising.

It was a re-creation of the famous "Boston Tea Party." Only this one was not held in Massachusetts but in Boston, Pa., a small community in my 20th District.

Several hundred persons attended it, some of them wearing war bonnets and war paint, symbolic of the original Boston braves. Gentlemen, they were protesting the tax program of Pennsylvania in general and a proposed State income tax in particular.

They made it obvious they are after the scalp of any State legislator who supports such a measure. They emphatically declared they will not stand for further increases in State taxes. They are demanding a cutback in the State's operating expenditures.

As I said, their targets were State legislators. But, I have no doubt Pennsylvania delegates of this House and the other body can expect to have their hair lifted at the polls if meaningful tax reforms are not soon forthcoming to their constituents.

The warning signs have been around for some time, just as they were in the days of the Pennsylvania Whisky Rebellion. Now the taxpayers have taken to the warpath en masse. Since Congress reconvened this month many of us have brought back scouting reports that other Americans also are demanding a stop to the tax take at any level of government.

They are thirsting for leadership from Washington, and the 1969 tax reform bill this House passed in August does not quench that thirst. The public wants to drink deeply, not wet their lips.

Some of us apparently have not yet read the signs. The tax reform bill, I admit, was a beginning, but it left much to be desired. Furthermore, the scant benefits the bill did give the moderate income taxpayer is being tomahawked at hearings before the other body's Finance Committee.

True, the Secretary of the Treasury did not call for a complete scalping of the bill. He merely said: "Take it off the top and trim the back and sides."

The House reform bill has been described as the major piece of such legislation to come out of Congress since before World War II. It did, I agree, try to ease the burden on most Americans. It did try to plug, to some extent, a few of the gaping holes through which some privileged individuals managed to escape paying their fair share of the tax freight in the past.

But, it was weak and if the Senate heeds the recommendations of the Secretary of the Treasury, its strength will be sapped even more. That half loaf of tax reform will be reduced to crums.

The Treasury is recommending removal of $2.5 billion in tax relief for individual taxpayers provided in the House bill. At the same time, it is restoring $1.6 billion back to business which the House had cut.

This could touch off smoke signals from every tepee in the Mon-Valley region of western Pennsylvania. It would create a byproduct of a controversy already raging there—air pollution.

However, as a seer once said, it is an ill wind that blows no good. In this instance, the additional smoke might be the ingredient necessary to have the Pennsylvania Air Pollution Commission adopt safer standards of air quality control.

Pennsylvania is rich in Indian lore. Perhaps that is why I got the message earlier than some Members here. In January of this year, I cosponsored a bill to increase personal income tax exemptions from $600 to $1,200. I did this after getting the signal from tens of thousands of my constituents. I even called their request to the attention of the man Indians used to call the Great White Father in the great white wigwam across the way.

Nothing happened. The bill passed without this provision and now is in the Senate, ready for carving like the turkey it is. I fear the bones may be picked clean. I foresee nothing to make the tribe of taxpayers smoke the pipe of peace.

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ARCHBISHOP BERNARD J. SHEIL

## HON. ROBERT W. KASTENMEIER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 16, 1969*

Mr. KASTENMEIER. Mr. Speaker, I was saddened to learn of the death, this weekend, of Bishop Bernard J. Sheil, former auxiliary archbishop of Chicago.

Bishop Sheil was a truly remarkable clergyman. At a time when few were involved in the urgent social questions of our time, Bishop Sheil was a leading social activist, being an outspoken critic of racial and religious discrimination. His interest in youth led to his founding the Catholic Youth Organization in 1930.

During the era of Joseph McCarthy, Bishop Sheil was one of the first church officials to denounce the phony brand of anticommunism practiced by McCarthy and his followers.

McCarthyism—

Bishop Sheil said—

mocks our way of life, flaunts our traditions and democratic procedures and our sense of fair play.

Mr. Speaker, an editorial in the September 16, 1969, Washington Post eulogizes the distinguished life of Bishop Sheil, and I commend it to the attention of my colleagues.

The editorial follows:

[From the Washington Post, Sept. 16, 1969]

ARCHBISHOP BERNARD J. SHEIL

One might say that Archbishop Bernard J. Sheil who died Saturday at 81 was born 30 or perhaps 60 years ahead of his time. He was a militant cleric who involved himself in the pressing social questions of our time when it was not considered good form for men of the cloth to be so engaged. He fought against racial and religious discrimination, he battled for organized labor when labor was still the underdog, and he took on Joseph R. McCarthy while the Wisconsin Senator was still riding high. He gave his support to Saul Alinsky's Back-of-the-Yards movement in Chicago and thereby helped in the improvement of that working-class slum community, providing a prototype for the community action program of today's antipoverty effort. An active worker on behalf of youth, he was the founder of the Catholic Youth Organization.

We believed that to accomplish things, "you have got to slug it out." In deciding to speak on behalf of the CIO drive to organize the packing-house workers in 1939, he was warned by a banker that "the minute you step on that platform, you lose your chance to become archbishop." He replied that he "wasn't ordained a Catholic priest in order to become an archbishop." He did not become an archbishop during his active ministry, but was given the personal title by Pope John XXIII in 1959.

Months following his denunciation of Joe McCarthy in 1954, he stepped down as head of his beloved youth organization in effect reprimanded for having spoken out too plainly. Senator McCarthy, he said, was a headline hunter, an advocate of "phony anticommunism that mocks our way of life." The McCarthy era is so long gone that many of us may have forgotten the intensity of feeling that the Wisconsin Senator's blasts aroused. Here's how Bishop Sheil put it:

I can't imagine what would please the Kremlin more than to turn America into a frantic, hysteria-ridden place, full of suspicion of an American for an American. If the Kremlin masters wanted to weaken us—and they do—I suppose that they would be delighted to see Americans lose confidence in the integrity of their political leaders, lose confidence in the stability of their Army, suspect clergymen and teachers. I imagine they would delight in seeing us lose faith in our Constitutional privileges, in seeing us ape their courtroom procedures and hound innocent little government clerks who are blown up to important spies and saboteurs as long as it is good for a front-page story. Congressional committees have done good work, are doing good work, and will do more. But when they are cynically used to trap headlines rather than spies, they mock themselves and they mock us too.

On racial and religious discrimination, Bishop Sheil told a public forum in the mid-forties, "No one but a naive child or an adult fool would claim that Negroes, Mexicans, Filipinos or Jews have the same opportunities as their fellow white Americans."

When Bishop Sheil started speaking out, he did not have as much company or support as he would have today. In his courageous and direct way, he helped prepare the way for those men of the cloth who have accepted the challenge to do something about the shortcomings of our society. Bernard J. Sheil did it at a time when it was much harder to do.

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RULE OF LAW IN SOUTH AFRICA

## HON. OGDEN R. REID

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 16, 1969*

Mr. REID of New York. Mr. Speaker, There is a very important and interesting struggle going on in South Africa over the preservation of the position of South Africa's traditionally strong and independent judiciary and the rule of law. Unfortunately, there has been clear and serious erosion of the rule of law, and the cooperation and support extended to those defending the rule of law in South Africa by groups in this country such as the Lawyers' Committee for Civil Rights under Law cannot be overemphasized.

Of particular interest in recent months has been the removal of the passport of a South African attorney, Joel Carlson, who at the time was acting on behalf of the Lawyers' Committee for Civil Rights under Law in an inquest into the cause of death of a detainee in the hands of the police and also on behalf of the International Commission of Jurists in observing the trial of Laurence Gandar, editor of the Rand Daily Mail. In addition, the Prime Minister has just established a commission of inquiry to look into South Africa's security framework in the light of widespread opposition on the part of members of the bar and the judiciary to the so-called boss legislation concerning the Bureau for State Secu-

rity. I believe that this is the first commission of its kind since the Nationalist Party came to power in South Africa in 1948.

I think that my colleagues will find of interest a report from the Johannesburg Star on this commission along with a very perceptive analysis of the legal situation in South Africa by George N. Lindsay, Esq., a distinguished New York lawyer who has just returned from a visit there on behalf of the Lawyers' Committee. I ask to include these articles in the RECORD at this point as well as reports from the South African press attesting to the widespread interest taken there in the visits of Mr. Lindsay and Mr. Edward Lyons, a member of the British Parliament who visited South Africa at the same time and for similar reasons.

In seeking in some small measure to help the bar and bench in South Africa continue to defend the legal rights of the individual and to put the facts to the courts, our own legal community fulfills an important and urgent professional responsibility for mutual support increasingly recognized by independent lawyers throughout the world.

The articles referred to follow:

[From the Johannesburg Star, Sept. 16, 1969]

BOSS LAW PROBE

(By Our Political Correspondent)

The Prime Minister's unexpected decision to appoint a commission of inquiry into South Africa's security framework is almost certainly a reaction to the unprecedented opposition to certain aspects of Bureau for State Security legislation on the part of South Africa judges, retired judges and Bar Councils.

Mr. Vorster announced last night that with the approval of the State President he had decided to appoint Mr. Justice H. J. Potgieter of the Appellate Division as a commissioner to inquire into South Africa's security framework.

"I do this because it is of vital importance that the Republic should have the best machinery at its disposal to guarantee its security and, secondly, to give all persons who have recently expressed misgivings or have launched attacks upon the Bureau for State Security and the legislation concerned the opportunity to lay their points of view and objections before the commission."

NEXT WEEK

The Prime Minister said Mr. Justice Potgieter would start his work next week, that the full terms of reference of the commission would be released next week and that the terms of reference would include permission to Mr. Justice Potgieter to make public as much of his report as "in his judgment does not conflict with the security of the Republic."

Political observers believe that the commission's report—which will reflect some of the most widespread criticism ever levelled at a piece of South African legislation—could lead to an amendment to at least one of the two controversial BOSS clauses.

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[From the Christian Science Monitor, Aug. 22, 1969]

U.S. LAWYERS CHECK REPORTS OF SOUTH AFRICAN LEGAL DETERIORATION

NEW YORK.—"The widespread and increasing deterioration of the rule of law in South Africa" is of deep concern to many American lawyers.

This is the view of George N. Lindsay, noted corporation and international lawyer, and brother of New York's Mayor John V. Lindsay. His recent visit to South Africa was designed to articulate this concern.

He represented the Lawyers' Committee for Civil Rights Under Law, a private, self-supporting group of lawyers. The group was formed in the early 1960's at the suggestion of the late President Kennedy to involve itself with legalities of civil-rights problems in the United States.

It has extended its purview to rendering financial support for legal defense of civil-rights victims in South Africa as well.

Among the Lawyers' Committee members are Arthur J. Goldberg, Cyrus R. Vance, Secretary of State William P. Rogers, and Eugene V. Rostow.

SEIZURES WITHOUT EXPLANATIONS

Mr. Lindsay, during his South African sojourn, appeared before government ministers, bar councils, and law societies to express the American legal community's intense shocks at some South African practices. He also met with beleaguered lawyers who have begun to feel intimidated by government actions.

Mr. Lindsay traveled in the company of Edward Lyons, a member of the British House of Commons, who was representing the similar interest of the International Commission of Jurists, a Geneva-based legal organization with consultative status to the United Nations.

In an interview, Mr. Lindsay said that his group's main point of concern is that a large number of extralegal actions have been authorized by the South African Legislature. These can be performed by government officials outside the jurisdiction of the courts, he said.

As an example, Mr. Lindsay asserted that a provision of the Terrorism Act permits the special branch of the security police to take persons into custody for examination for unlimited periods, often on no specific charge, without explanation, and without access to a lawyer, to his family, or to any person.

REPORTS OF TORTURE

He added that often the "prisoner" is allowed no reading matter and is placed in solitary confinement.

Mr. Lindsay drew attention to recent cases handled by liberal lawyers which have indicated, he said, that torture has been used. He also said the Legislature has ruled that courts cannot order the release of any person for any reason.

Under another act, he affirmed, the chief executive has the power to order a person placed under house arrest without a specific charge against him, without the duration of arrest being specified, and without the arrested man being permitted to see more than one person at a time.

Mr. Lindsay said that what shocks many U.S. lawyers is the General Amendments Law of 1969. He contended that it makes any action against the interests of the Bureau of State Security a crime, including publishing any material considered adverse to state security.

The Amendments Law also gives the prime minister power to exclude from the courts any information which he deems to be against the interest of the state.

HARSH PRACTICES

The catalyst of Mr. Lindsay's trip to South Africa was the removal some time ago of the passport of Joel Carlson, a South African lawyer who has led in the defense of political prisoners.

Removal of Mr. Carlson's passport, which makes difficult his leaving or returning to the country, is considered by some U.S. lawyers as another step of governmental intimidation against lawyers who dare to defend politically unpopular clients.

The U.S. Lawyer's Committee points out that several other lawyers who have defended political prisoners have had their passports removed or subsequently been exiled. It feels this type of government action is bound to have an intimidatory effect.

Mr. Lindsay cited other harsh practices. In one instance, he said, some prisoners were loaded into vans so tightly that three suffocated to death in transit. Shortly thereafter, he continued, the widows of those who died were evicted from their homes.

Mr. Lindsay asserted that all the South African lawyers with whom he talked agreed that these measures were contrary to any lawyer's concept of the rule of law. The conservative group of lawyers, and particularly Afrikaner groups, he said, defended them, as does the government, on grounds the measures were temporary and probably necessary.

He said the Afrikaner groups accept the judgment of the government when it says the measures are necessary for reasons of state security for which it cannot give details.

"Some of the liberal lawyers have protested a good deal of this legislation as it has come into being as unquestionably wrong, and that it should be fought. I'm afraid they are in the minority. Let me strengthen that statement. I know they are," he said.

Mr. Lindsay offered the opinion also that economic, trade, or investment boycotts against South Africa would not be effective.

"Nor are they wanted by the liberal core in South Africa," he maintained. "They feel they would be ineffective and would cut back valuable contacts.

"Support of liberal elements within a country is far better than disassociation," he concluded.

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[From the Johannesburg Star, July 24, 1969]

RULE OF LAW PROBE IN SOUTH AFRICA

Representatives of two famous legal organizations, the International Commission for Jurists and the American Lawyers' Committee for Civil Rights Under Law, arrived in South Africa this week because of recent South African legislation "adversely affecting the rule of law."

Mr. Edward Lyons of the I.C.J. and Mr. George Lindsay of the American Lawyers' Committee, have had talks with the Minister of Police and of the Interior, Mr. S. Muller, and the Deputy Minister of Justice of Mines and of Planning, Mr. G. F. van L. Froneman.

In a statement last night, the two men pinpointed three recent events which seemed particularly to contravene basic principles of law: "the Terrorism Act, the BOSS Act and the removal of the passport of Mr. Joel Carlson, a Johannesburg lawyer who has been active in the defence of political prisoners."

Referring to the withdrawal of Mr. Carlson's passport, the statement says: "This action against him, taken without any explanation, is considered to endanger the right of lawyers to represent clients without fear."

Mr. Lyons, a British M.P. and barrister-at-law, said today that it was to South Africa's credit that the Government had allowed both Mr. Lindsay and him into the country and had agreed to see them.

Mr. Lyons said that what perturbed the I.C.J. was not only the recent events mentioned in the statement, but the whole trend of increasing the State's power over the individual without giving him access to the courts to seek redress.

He mentioned banishment, banning and detention without trial, arbitrary confiscation of passports, and the extension of terms of imprisonment after the sentence imposed by the courts had lapsed.

Mr. Lindsay, brother of the Mayor of New York, Mr. John Lindsay, and vice-chairman of the Afro-American Institute, ex-

plained that the Lawyers' Committee was disturbed particularly by two facets of the Terrorism Act: the power to hold people in isolated detention for an unlimited period, and the provision which made the powers of the Act retroactive for five years.

In the statement last night, Mr. Lindsay said the Lawyers' Committee had supported Mr. Carlson's work for the defence during the South West Africa Terrorism Trial, the Mbindi case (in which Gabriel Mbindi alleged assault by the police and in which the State paid R3,000 towards the costs of the application without admitting that the allegations were true), and the inquest into the death of a political detainee, Mr. James Lenkoe.

"The committee intends to continue to instruct and support Mr. Carlson . . . and hopes he will not be interfered with and that his freedom to travel, particularly while engaged in counselling clients, will not long be infringed."

The committee includes Mr. Arthur Dean, United Nations peace negotiator during the Korean War, Mr. Louis Oberdorfer, former Assistant Attorney-General and Senator Bobby Kennedy's personal lawyer, and Mr. William P. Rogers, United States Secretary of State.

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[From the Johannesburg Star, July 24, 1969]

A REMINDER FROM THE WORLD

One cannot help being rather pleased that a section of Nationalist opinion is reacting sensitively to the visit to South Africa of two distinguished lawyers from, respectively, England and the United States.

Mr. Edward Lyons, M.P., represents the International Commission of Jurists and Mr. George Lindsay of New York represents the Lawyers' Commission for Civil Rights.

They have come here to investigate at first hand—which is surely preferable to doing it by hearsay—reports of invasions of the rule of law in this country.

Their inquiry is, nonetheless, being represented as an "attack" on the South African legal system and it is being asked why they do not turn their unwelcome attention to, for example, Zambia where there is a serious clash between the Government and the courts.

At first sight it is difficult to see why there should be this resentment at their visit. The reputation of our judiciary is high. We are constantly assured that the invasions of the rule of law by the security legislation are justified by the threat of subversion. There should be much to boast of and nothing to hide. The fact that these lawyers were allowed to come (Mr. Lyons has been refused permission to visit Russia on a similar mission) and were received by a Minister and a Deputy Minister, are surely compliments in themselves to our judicial reputation.

It is, in any event, the conventional job of the bodies these men represent to keep track of the erosion of rights all over the world, and they have by no means neglected Zambia.

But, on second thoughts, one can see that a visit of this kind does serve to make Nationalists aware of the international anxiety with which their treatment of the rule of law is being watched. And to that extent their sensibility is welcome. Nationalists are fond of vindicating their invasions of rights by saying that the people cannot be free if the State is not safe. A visit like this reminds us all of the converse, which is equally true: the State is not safe if the people are not free.

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[From the Rand Daily Mail, July 24, 1969]

OVERSEAS BARRISTERS TALK TO MULLER

Two top-ranking overseas lawyers—one from the United States, the other a British M.P.—this week had talks with the Minister of the Interior and of Police, the Deputy Minister of Justice, and leading members of the Bar, about recent events viewed overseas as "adversely affecting the Rule of Law in South Africa."

Their visit, they said in a joint statement last night, "reflects the deep concern widely felt by lawyers in America, Europe and elsewhere at what is regarded outside South Africa as the removal of essential legal safeguards."

The two lawyers are Mr. George Lindsay, of New York, and Mr. Edward Lyons, a British barrister and Labour M.P.

Mr. Lindsay, whose brother John Lindsay is the Mayor of New York, is in South Africa on behalf of the prestigious Lawyers' Committee for Civil Rights Under Law.

CONFERENCE

Members of this committee—formed after a conference called in 1963 by President John Kennedy—are distinguished lawyers from all parts of the United States who have been concerned with civil rights, primarily in the United States but also internationally.

Mr. Lyons is representing the International Commission of Jurists, the Geneva-based organisation which works to uphold the Rule of Law throughout the world and which has consultative status with the United Nations.

Revealing what they call their "separate missions with a common purpose," they list as recent South African events which seemed particularly to "contravene basic principles of law":

The enactment of the Terrorism Act.

The so-called "BOSS" legislation.

The removal of the passport of Mr. Joel Carlson, the Johannesburg lawyer who has figured prominently in the defense of political prisoners.

"FEAR"

This action against Mr. Carlson, taken without any explanation, was considered to endanger the right of lawyers to represent clients without fear, they said.

"The International Commission of Jurists was distressed that such action was taken against Mr. Carlson at a time when he was its appointed observer at the Gandar (Prisons Act) trial," said Mr. Lyons.

"The Commission fears also that other South African lawyers might draw the conclusion that it is safer not to defend too vigorously certain cases."

Mr. Lindsay said the American Lawyers' Committee had supported Mr. Carlson and the work of the defence in last year's South West Africa trial, the Mbindi case and the recent inquest into the death of a detainee, James Lenkee.

(The Mbindi case involved an urgent application in 1967 for a court order to protect a detainee, Gabriel Mbindi, from alleged assaults by the police. A month before oral evidence was to have been heard, the matter was settled. The State paid R3,000 towards the legal costs of the application without admitting to the truth of any of the allegations.)

"The Committee intends to continue to instruct and support Mr. Carlson in carrying out his professional responsibilities," Mr. Lindsay said.

"The Committee hopes that he will not interfere with and that his freedom to travel—particularly while engaged in counselling clients—will not long be infringed."

The two visiting lawyers had a lengthy talk earlier this week with the Minister of the Interior and of Police, Mr. Muller, and the Deputy Minister of Justice, Mr. Froneman.

The Minister of Justice, Mr. Pelser, is overseas at present.

They also met officers and leading members of the Bar Councils of Johannesburg and Pretoria and of the Incorporated Law Society of the Transvaal.

While not revealing any of their discussion with the Minister, they said in their statement that they were grateful for the courtesy extended to them by the Minister and Deputy Minister, and by the lawyers they met.

The American Lawyers' Committee which Mr. Lindsay has been representing, is headed by Arthur H. Dean and Louis F. Oberdorfer.

Mr. Dean was the United Nations negotiator in Korea and negotiated the peace settlement for the Eisenhower Administration.

Mr. Oberdorfer is a former Assistant Attorney-General on civil rights and acted for the late Senator Robert Kennedy.

Other eminent members are:

William P. Rogers, the present Secretary of State in the Nixon Administration.

Whitney M. Seymour, former President of the American Bar Association.

Erwin N. Griswold, the present Solicitor-General and a professor of law.

Eugene V. Rostow, former Under-Secretary of State for Political Affairs and Dean of the Yale Law School.

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[From the Sunday Express, July 27, 1969]

FOREIGN LAWYERS SLATE WITHDRAWAL OF PASSPORTS

Recent political legislation in South Africa and the withdrawal of lawyers' passports were condemned in Johannesburg this week by two prominent foreign lawyers, representing the International Commission of Jurists and the American Lawyers' Committee for Civil Rights Under Law.

In interviews just before they left the Republic yesterday, Mr. Edward Lyons, a British Labour M.P. and barrister, and Mr. George Lindsay, brother of the Mayor of New York, expressed concern at the possible effect of passport withdrawals on lawyers and their duties.

"The major matter which got the Lawyers' Committee interested in sending someone to South Africa was the Terrorism Act," Mr. Lindsay said.

"It has features which are quite shocking to us because it provides for unlimited detention without any charge. This we consider an extraordinary violation of what lawyers stand for.

"We are also completely against the retroactive action of the law, as well as a lot of other features we won't go into.

HIGH REGARD

"People in America relate this to exposures of maltreatment of detainees. I am told this was not the purpose of the Act, but it is my impression it can be used in this way."

Mr. Lindsay, who represents the American lawyers' association, and Mr. Lyons, who represents the International Commission of Jurists, saw the Acting Minister of Justice, Mr. G. F. Froneman, and the Minister of Police and the Interior, Mr. S. L. Muller. They also met prominent representatives of the legal profession.

"I think your lawyers were interested in my views and to hear how very much our lawyers are concerned," Mr. Lindsay said. "We have a high regard for your Bar and your courts. Our complaint is not against these but against legislative action which takes away their powers."

Mr. Lindsay said his association—which has as members the United States Secretary of State, Mr. William P. Rogers, and Erwin N. Griswold, American Solicitor-General—was deeply disturbed by the withdrawal of passports of lawyers whose cases were of a political nature.

OBSERVER

The association has instructed and supported in such cases a Johannesburg attorney, Mr. Joel Carlson, whose passport has been withdrawn.

"The withdrawal of passports may have an intimidatory effect on lawyers," he said. "They would continue to take the 'unpopular' cases, but whether they would be prepared to continue taking the initiative to dig up these things is another matter."

Mr. Carlson was official observer for the International Commission of Jurists at the Prisons Act case. The withdrawal of his pass-

port during the trial was the primary reason for the commission sending him, Mr. Lyons said.

"There is concern that lawyers may be deterred from fighting these cases courageously by the treatment meted out to Mr. Carlson and indeed other attorneys in similar cases," he said.

"There is an increasing number of punishments which can be given administratively, without recourse to the courts." These included passport withdrawal, 180-day detention, detention after completion of a prison sentence and detention before a trial under the Terrorism Act.

Mr. Lyons added: "We have asked why Mr. Carlson's passport was withdrawn, but we have not been told."

He denied the commission was attacking the South African courts, or that it was singling the Republic out for attack. "I am here really as a result of the concern of Mr. Sean MacBride, the secretary-general. He has a link with South Africa as his father was leader of the Irish-Boer contingent.

"He was Irish Foreign Minister for four years and is certainly not a Communist or Left-orientated.

"What concerns us in South Africa is not what happens in court but what is happening outside the court. We would love the courts and judges to have more power. We want all these matters to go before them.

"Our visit is in defence of the South African judiciary. Our interest has nothing to do with apartheid or the South African Government's policies. We are lawyers and our interest is in law in all countries, not just South Africa."

Mr. Lindsay and Mr. Lyons will report their findings to their organizations.

## NIH RESEARCH CUTS

### HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 16, 1969*

Mr. JACOBS. Mr. Speaker. May God forgive.

[From the Washington Post, Tuesday, Sept. 16, 1969]

THE FISCAL KNIFE ON NIH RESEARCH

The fiscal knife which the administration says it is forced to wield because of inflation and Vietnam cut into medical research last week. Taking its place among the agencies whose funds are either being cut or pared by President Nixon's call for a $3.5 billion reduction in 1970 budget requests is the National Institutes of Health. Total spending on medical research—in hospitals, universities and the NIH Bethesda labs—will be down from $1.93 billion to $1.64 billion, a cut of $290 million.

Although medical and scientific researchers are often inclined to be a wolf! wolf! crowd whose sheep are not only under no attack but are often overfat to begin with, the abruptness of the present NIH cut does suggest that a wolf is near. Most immediately affected by the cut will be 19 clinical research centers. In a style similar to its closing of 59 Job Corps centers earlier this year, the administration expects to save money. But savings aside, where will the doctors go who have been conducting the research at the 19 centers? What about the diseased patients who will be phased out because money has run out? Or the millions of future sick people who will not benefit tomorrow because research into their particular disease was cut off today? In one area alone, an estimated 30,000 infants die every year in the period immediately surrounding delivery because basic research is not fully advanced in this area.

Aside from the research that is to be stopped without waiting for results, medical schools—with a heavy leaning on the government for research grants—will also be hit, both students and faculty. The danger of turning off the medical research motor is that it is not so easily started again. It is true, the 19 centers to be closed have only a handful of patients, but this is where basic biomedical research begins. It then fans out to advance research and, often, eventual use in the medical community.

It has long been a question whether medical schools and research clinics should have let themselves become so dependent on federal funds in the first place; but few other resources exist, either among foundations, which generally do not support medical research, or the drug companies, which by the nature of things are in the business more for profit than public service.

Although the Senate can appropriate more money for NIH than the administration requests, this does not mean the administration must or will spend it. Aside from the medical research programs themselves, what suffers also in this abrupt fund cut is the administration's sincerity in facing the health crisis. "The nation is faced with a breakdown in the delivery of health care," it said only two months ago in a major White House report. Now, it seems, in order to save money that could be saved in, say, cutting back on aircraft carriers or bombers, the administration is helping, not relieving, the breakdown. In putting the fiscal knife to medical research, the recovery may take a lot longer than the original cutting.

## IN PURSUIT OF DOMESTIC PEACE

### HON. SHIRLEY CHISHOLM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 16, 1969*

Mrs. CHISHOLM. Mr. Speaker, on September 4, 1969, our distinguished colleague from Washington, Mr. ADAMS, addressed a meeting of the International Association of Chiefs of Police.

Mr. Speaker, this speech was notable in that, despite the popular use of phrases such as "law and order" and wars on everything from "rats to crime," Mr. ADAMS did not once resort to negative phrases of that ilk. He did this in spite of the fact that he was addressing an audience that might have been extremely receptive to such phrases. Mr. ADAMS chose to speak in positive terms, "In Pursuit of Domestic Peace."

Second, Mr. ADAMS made another comment that is quite appropos to this august body; one that many of our colleagues in their zeal would do well to heed. Mr. ADAMS reminded us that "Fighting for human rights is not inconsistent with fighting crime."

Mr. Speaker, I would like to introduce both the speech itself and an editorial based on it that appeared in the Washington Post newspaper on Thursday, September 11, 1969, as inserts in the CONGRESSIONAL RECORD:

IN PURSUIT OF DOMESTIC PEACE

(Keynote address by Congressman BROCK ADAMS at a meeting of the International Association of Chiefs of Police, Dupont Plaza Hotel, Washington, D.C., September 4, 1969)

One of the greatest problems we face in our cities today is fear. Not fear of economic failure as it was in the 1930's, but fear of personal attack on the streets and in our homes. This fear, which has already led to increased apprehension and hostility even among neighbors, undermines the very quality of our lives. It has mushroomed so rapidly and spread so widely as to create a wall—as real and as terrifying as any Berlin Wall—around our central cities, isolating and separating the rich from the poor, and the black from the white. Each day the poor within this wall find life a tougher battle and escape more elusive. Penetration of this barrier by the affluent outsider becomes increasingly difficult and infrequent.

To break down this wall—to break this cycle of fear—is a task infinitely greater in scope than a journey to the dark side of the moon. Not alone an advancement in technology, this is in reality a voyage into man's soul. And the challenge confronts not only law enforcement officers, but all public officials and concerned citizens.

In our zeal to improve human conditions within the city, many of us have overlooked the devastating impact that crime and fear of crime have had, and will continue to have, in undercutting the social programs which we have so long championed. How meaningful is federal assistance to education when fear drives whites out of our cities and their children into geographically-segregated schools. What use are health programs to the elderly when they are afraid to travel the streets and sidewalks for medical treatment. And how realistic is the attempt to launch a low-cost housing program when vacant ghetto housing is ransacked by narcotics addicts for the resale value of the plumbing and fixtures.

But to say that we have been silent on crime is not true. In 1965, through the Law Enforcement Assistance Act, we in Congress passed a pilot program for federal assistance to local law enforcement agencies. In 1967 and 1968 we passed two comprehensive measures designed to attack lawlessness at all levels: the Omnibus Safe Streets Act and the Juvenile Delinquency Prevention Act. We have lent considerable support to the recommendations of the President's Crime Commission Report. Yet it is my personal feeling that we have not yet realized the extent to which lawlessness undermines our values and erodes our daily lives. It is my hope that we can use these legislative enactments—as well as the guidance and support which you gentlemen can offer—as a launching pad for the pursuit of domestic peace.

It is readily apparent that demagoguery provides no answer. Demagogues are too visible when the chance arises to shout about crime but too scarce when it is time to make the hard decisions on the financial and social commitment necessary to control crime.

Nor will slogans deter or arrest lawbreakers. To damn the Supreme Court, to call for repression of minority groups, or to see wholesale wiretapping as a solution for all crime is simply unrealistic. On the other hand, lawlessness will not be eradicated by condemning all police action as "brutal", looking the other way when campus violence strikes, or extending leniency to all youthful offenders simply because of their age.

What is needed is a total commitment of resources—energy, finances, and manpower—toward the eradication of fear, control of crime, and restoration of domestic peace. In this effort we need both your support and the support of all elements of the community.

Let me make it very clear that those of us who have carried the torch of social justice will be no less zealous in our pursuit of domestic peace. We do not intend to sit by while those who wistfully dream of a time gone by snuff out the light of human progress with their slick slogans and oppression-bent solutions. Fighting for human rights is not inconsistent with fighting crime. I hope we can embark together on the pursuit of domestic peace. Our proposals—some of which I intend to sketch here—are not the

first nor the last recommendations for improvement in the criminal justice and law enforcement systems. We intend to open, not close, the door for future proposals.

In this effort, we intend to deal particularly with the problem of fear caused by violent crime. We include in this category such crimes as burglary, assault and purse-snatching as well as the traditional crimes of violence. While we must not overlook non-violent crime, our concern must be primarily with the protection of the lives and well-being of our citizens.

A VISIBLE AND MOBILE POLICE

The first answer to violent crime in or around our homes is to produce a visible and mobile police force—visible enough to reassure and protect our citizens, mobile enough to deter and apprehend criminals. This will, of course, require many more officers in our major cities as well as greater use of improved techniques. This means money. Here in Washington, D.C., where we have recently authorized 1,000 more police officers, it will cost roughly $10 million per year in salary, equipment, uniforms, quarters, and supporting services. This cost is similar in other cities.

This expanded police presence will mean a greater use of the foot patrolman, especially in areas of high crime. In the District of Columbia the entire increase in authorized strength will go toward provision of footmen and the use of motorized scooters. I would hope this trend will be continued elsewhere.

Getting more police officers into the central city requires that our departments place top priority on improved community relations. This means both better recruitment of inner-city residents and better training for the entire force. Our record in the nation's capital has not been especially impressive in local recruitment. The force here is composed of only 25% District residents and is only slightly better than 25% black. While we have in the last three years started to improve this—and I am especially encouraged by such programs as the Adams-Morgan project for local recruitment—we must do better.

To insure that our police officers demonstrate a presence in, and relate to, the community, we must constantly review the relevance of recruitment standards to society's need. Should we necessarily exclude all applicants under the age of 21 or over 29? Should we refuse to consider applicants simply because of childhood histories of viruses or allergies? And should limitations on height of 5'7" or 5'8", in cities with heavy concentrations of Puerto Ricans or Mexicans who are thereby excluded, continue to persist in the face of attempts to recruit more minority group members?

Today police work is highly technical and complex. It requires professionals. Yet to recruit and retain professionals we must be willing to pay salaries commensurate with professional status. This means that starting salaries for patrolmen must be at least $8,000. I would hope that in a city like Washington, where the crime problem is so pressing and our law enforcement officials so harried, we could do even better—and I fully support proposals currently pending for an increase to the $8,500 to $9,000 range. To retain professionals we must be willing to offer incentives for college credits and a chance for early promotion and fair retirement.

As crime rises the citizens who have supported social progress and human betterment will begin to withdraw while those who would destroy a cultured civilization will take over. No policy of social reform, no checklist of domestic programs, alone can now stop this process of social decay.

THE JUDICIAL SYSTEM

No matter how many police officers we have and no matter how many arrests are made, criminals will not be deterred unless speedy justice is dispensed. This means that the entire criminal justice system—including prosecution, defense, bail supervision, and the supportive functions, as well as the courts themselves—must escape from the bonds of tradition and move to keep pace with what has apparently become a "crime explosion."

That our courts have not been able to keep pace with the growth of criminal activity is obvious. In the nation's capital, for example, the Court of General Sessions, despite an increase in output over last year, reported this July it had over 1,500 criminal defendants awaiting trial. In the U.S. District Court for the District of Columbia there are 1,795 criminal cases pending, of which 1,236 involve defendants currently awaiting trial. The average time elapsing between indictment and disposition in the District Court is 254 days and in the Court of General Sessions an estimated 17 months. The average time consumed by criminal cases through completion of appeal in the U.S. District Court is an astonishing 22.7 months.

Too often we talk about court backlogs solely in terms of how these backlogs result in a great number of criminals loose on the streets. Yet we overlook the equally harmful effect which this development has on the lives of the innocent. How can we expect inner-city youths to respect laws when those they see around them are lawbreakers who somehow seem not to be punished. How can we expect citizens to break the cycle of poverty through legal means when it is more profitable, and sometimes less risky, to engage in criminal activity. And how do we combat growing resentment and hostility by the innocent when the guilty seem to go free.

Court logjams will not be eased, as some have argued, by simply increasing manpower. Too many continuances are granted to lawyers. Too many out-of-date motions are filed, especially by civil lawyers eager to assist but unskilled in criminal law. And too many witnesses, suspects, and even policemen arrive late, or not at all, at trial each day. As you gentlemen well understand, when policemen fail to arrive, charges are often dismissed and suspects freed.

The answer is not a temporary patch-and-bandage-job on a system beleaguered with basic ills. This is one of the reasons why so many of us cannot support proposals, such as preventitive detention, which do not go to the root of the problem of our failure to provide swift justice. Neither detaining nor freeing suspected felons will have the deterrent effect which a speedy trial, with appropriate conviction or acquittal, brings.

Nor can we see the solution to crime control in wholesale wiretapping or greater reliance on confessions. In the U.S. District Court, D.C., only one major case in the last few years has involved wiretapping. That one, breaking just two weeks ago, dealt with a heavy volume of narcotics traffic. And although confessions, along with statements and admissions-against-interest are used in the preparation of many criminal cases presented in District Court, confessions are seldom relied upon in court. Other, more reliable evidence is generally used.

The answer lies in full support, through additional manpower and resources, together with improved administrative management in the courts, for all elements in the criminal justice process. We must be willing to pay the necessary price for improvement of the component parts of the criminal justice system.

Let it be understood that court reform and increased judicial manpower will not, without assistance, eradicate crime. And let it be clear that the court serves as neither a rehabilitative agency nor a trap for the unwary. Nor is it an institution designed to discipline the police department. It must be counted upon simply to carry its share of the burden which is to determine guilt or innocence and then sentence the guilty and free the innocent.

THE INSTITUTIONS FOR REHABILITATION

Most penologists will agree that there are very few institutions which actually "correct" criminals. Most are mere "holding tanks" or "graduate schools" for future criminal behavior. Some are so adept at serving as breeding grounds for crime that they mix juveniles in cells with hardened offenders. Some institutions are as troubled with the distribution of narcotics within their walls as are other agencies with such distribution on the outside.

Nor are our alternatives given a fair chance to succeed. Probation, that extra chance to avoid a life of crime, is seemingly regarded as a joke, rather than the serious matter that it is. Here in Washington, for example, the seventeen Court of General Sessions probation officers with supervision responsibilities carry an unbelievable caseload of 122 probationers each. The sixteen officers attached to the District Court fare little better, each carrying a caseload of approximately eighty probationers.

The parole system wallows under similar conditions. Parole officers in the D.C. Department of Corrections average 130 inmates within the institution, for guidance and counseling, and 51 parolees out on the streets.

The capacity of the D.C. Jail is 593. Its current population is a startling 1,033. The Youth Center at the Lorton Correctional Complex has a capacity of 340. It is populated by nearly 400 youths. The Women's Detention Center holds 80. It now has slightly over 100.

Does anyone wonder why criminals return to the only life they know?

Yet alternatives to incarcerating all offenders do work. One of our judges in the King County Superior Court, in the State of Washington, has recently claimed "at least 85 per cent success" with probationers. Deferred or suspended sentences for first offenders have demonstrated their success. And part-time residential supervision of offenders in small centers within their own communities has helped to break the physical and psychological isolation of institutional life. This is being successfully demonstrated by the Bureau of Rehabilitation's half-way houses here in Washington, D.C.

There is no doubt that we need an expanded use of community-based corrections. For youthful and early offenders, greater provision must be made of personal and group counseling, therapy, tutoring, and perhaps occasional short-term confinement. For those who have served time in correctional institutions, additional emphasis must be placed on securing pre-release centers or half-way houses. Graduated release and furlough programs should be expanded.

This will require determined effort and hard cash. In Washington, D.C., it is estimated that it will take $25 million for a new jail and $10 million for a new correctional institution. It will take additional finances to expand the half-way houses and to reduce the parole caseload.

Yet we must take these steps. To stop the revolving door which merely returns hardened felons to the streets will take more than rhetoric. I think we are willing to make that commitment.

CONCLUSION: THE COSTS OF CRIME

The personal and social costs of crime are staggering—and too often unacknowledged. The personal anxiety caused by fear and the personal suffering from being a victim of

crime are costs for which there can be no dollar figures. The millions of dollars spent by businesses and individuals for protection through insurance, and the expenses required by added security guards and burglar alarms, go largely unrecognized. And the pennies which merchants continually add to the price of goods and services to cover losses incurred through shoplifting, or the costs of "protection" imposed by organized crime, amount to millions of dollars. We may complain about the costs necessary to provide additional policemen or probation officers but we ignore the hidden costs which we everyday are forced to pay.

The costs of incarcerating offenders are generally estimated at double or even triple the costs of community-based supervision. In Washington, D.C., it costs twenty dollars a day to incarcerate an offender at the Youth Center, twenty-three dollars at the Women's Detention Center, and thirteen dollars at the main Correctional Complex. For a man on work release, it costs $9.80 per day. And that man, in addition, contributes to the tax base. As the Bureau of Prisons has estimated, inmates from these institutions—once released—have earned a total of over five million dollars in salaries during the last three years. Yet we are reluctant to spend money on half-way houses and pre-release programs.

It is time in this nation's history that all of us realize, as I hope I have pointed out we do, that immediate action must be taken to deter crime and restore domestic peace before any of our social programs can truly succeed. We must spend more than the $5 billion per year which is the current estimated expenditure for police, courts and corrections at all governmental levels. If we can spend $24 billion to put a man on the moon we can certainly afford to spend the amount necessary to provide safety and security in our own homes.

If we fail, the urban culture of America will darken, asphalt jungles of anarchy will spread through our cities, and our citizens will be nothing more than armed warriors.

The fear that exists in our communities has created a limitless void between human beings. I would hope that this great nation, founded in adventure and matured in exploration, will again find purpose and unity by charting the unknown in the pursuit of domestic peace.

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THE WAR ON CRIME (CONTINUED)

An attack on crime, akin in magnitude and determination to the launching of a major campaign in the course of a war, is more than ever a domestic imperative. The need for such an attack, mobilizing all the resources at the community's command, has long been evident. But despite the sounding of an alarm by President Johnson and an equally insistent call by President Nixon, the necessary nationwide sense of urgency simply isn't evident except perhaps in the trenches, where outnumbered, under-equipped police forces battle on against impossible odds. In the command posts however—in Congress, in the federal bureaucracies, in many statehouses and city halls—the war is still being waged, in the main, rhetorically; the needed resources are not being mobilized on anything like the necessary scale.

The inadequacy of the effort is nowhere more evident, or more deplorable, than in the District of Columbia, not only because this is the Capital of the United States but because violent crime in the streets has grown here to appalling proportions. The official police disclosure that 714 armed robberies occurred in this city during the month of August gives a grim foundation to the fear that has become an epidemic in the community. Washington is a city under siege. It must be liberated.

"What is needed," Congressman Brock Adams said in a most distinguished speech last week to a meeting here of the International Association of Chiefs of Police, "is a total commitment of resources—energy, finances, and manpower—toward the eradication of fear, control of crime, and restoration of domestic peace." But the congressman is not content to attack crime with the crude, cheap weapons of demagogy—slurs on the Supreme Court, contempt for civil liberty and for the rights of privacy, sheer sloganeering. "Fighting for human rights," Mr. Adams observed wisely in defense of his libertarian colleagues, "is not inconsistent with fighting crime." Indeed, it is not. Respect for human rights is the indispensable condition of a respect for the law.

Some of the sensational proposals in the Justice Department's crime bill—wiretapping, for example, or the wresting of confessions from ignorant suspects—have little to commend them save theatricality. They are expressions of panic. One might as sensibly suggest combating crime by declaring a state of martial law or imposing a permanent curfew on the community. Such remedies entail prohibitive social costs.

Mr. Adams' approach is more pragmatic. He begins with advocacy of an enlarged, more mobile, better-educated and better-paid police force for the District—and with a willingness to face and foot the bill for such a force. Congress, as he observes, has not been entirely inactive on this subject. It passed comprehensive anti-crime bills in 1967 and 1968 providing assistance to local law enforcement agencies. But it takes time to recruit and train police professionals. The process needs the utmost acceleration now. Visible police officers unmistakably deter crime.

But this isn't the only answer by any means. "No matter how many police officers we have and no matter how many arrests are made." Mr. Adams went on to say, "criminals will not be deferred unless speedy justice is dispensed. This is why the proposed court reorganization and expansion now pending in the House is of such vital importance. The District Court of General Sessions acknowledged recently that it had more than 1,500 defendants awaiting trial in July. The U.S. District Court here has more than 1,700 criminal cases pending. It is an appalling fact—an appalling reproach to the conscience of the community—that the average time between indictment and disposition of a case in the District Court, as Mr. Adams has pointed out, is 254 days, and twice as much in the Court of General Sessions. If time for the completion of an appeal in criminal cases is added to this, the average span of a criminal proceeding comes to almost two years.

This is a travesty on justice. There is no good reason or justification for such delay. It is unknown in the criminal courts of England. It can be abated in part by increased personnel throughout the judicial system here—not on the bench alone but in the U.S. Attorney's office, in the defense services available to indigent defendants, in the marshal's staff—and, perhaps above all, in the parole, probation, counseling and correctional forces.

The whole correctional system is in disrepair—antiquated, overloaded, operating to corrupt rather than to cure the offenders consigned to it. "Holding tanks," Brock Adams calls the city's jails. What kind of supervision and guidance can the 17 probation officers of the Court of General Sessions give the offenders assigned to them when they carry a caseload of 122 probationers apiece?

In the costly correction of these dramatic defects—and not in assigning policemen to sit for hours on end monitoring telephone conversations at random on the chance of picking up something juicy—lies the real hope of effective attack on crime. Justice delayed is triply destructive. It breeds a sense of helplessness and hopelessness in beleaguered citizens. It breeds cynicism and disheartenment in conscientious police officers who see the offenders they risked their lives to arrest set free by lags and loopholes in the law; see them intimidating witnesses; see them continuing to prey on the community. It breeds contempt and derision in criminals, especially in young punks, who see the forces of law and order frustrated and demoralized. The very heart and center of a realistic attack on crime must be a determination to make the law take its course swiftly and sternly—and with the goal not of sterile retribution but of redemption.

When all this is done—and it all must be done to meet the realities of a condition caused by persistent neglect—it remains essential to remember that such measures deal only with the consequences, not with the causes, of crime. These causes—slums, inadequate schools, squalor, human wretchedness, poverty—will continue, until they are ameliorated, to breed criminals faster than cops can catch them, faster than courts can condemn them. The cost of ignoring these causes is far greater, in terms of money and public safety and human happiness, than the cost of conquering them.

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## HAWAII YOUNGSTERS SHOW CLASS AND SPIRIT TO WIN BASEBALL CHAMPIONSHIP

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### HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 16, 1969*

Mr. MATSUNAGA. Mr. Speaker, we of the 50th State have much to be proud of—our breathtaking scenery, our ideal climate, our splendid heritage of aloha, and our progressive institutions. But now the Nation's youngest State can also boast of another unique achievement—its first international baseball championship.

This world championship was won by the Honolulu All-Star PAL Americans who returned home victorious from the annual PONY World Series, held last month in Washington, Pa.

The title game for the islanders, the Pacific region representatives in the eight-division tournament, was a "come-from-behind" affair. The youngsters trailed 4 to 3, before winning the crown sought by teams from the United States, Canada, and Latin America.

I know that you, Mr. Speaker, and the other Members of Congress, would wish to join me in applauding these outstanding teenaged boys and in commending them on their championship spirit which reflects such great credit on their parents, their State and the Nation.

A recent editorial from the Honolulu Star-Bulletin summed up our feeling of pride in the world series winners this way:

It was a representative Hawaiian team—made up of that glorious mixture of the Islands' races. And, as seems to be the case with all teams we send to these athletic competitions abroad, it was as much a winner in the fans' hearts as it was on the field.

Warmest congratulations to these players and their proud parents, their coaches, and the estimable Police Activities League, which sponsored the team as part of its productive youth sports program.

The editorial from the Honolulu Star-Bulletin of August 30, 1969, and a related article from the August 28 issue follow for the CONGRESSIONAL RECORD:

WORLD CHAMPIONS!

Through scores of seasons and thousands of games, with teams of elementary school boys up to the Triple A professional Islanders, Hawaii tried without success to win a baseball championship.

This week success came when the PAL Americans of Honolulu won the PONY League World Series at Washington, Pa. These boys of 13 and 14 swept through four games undefeated in the final series among eight teams from the United States, Canada and Latin America.

It was a representative Hawaiian team—made up of that glorious mixture of the Islands' races. And, as seems to be the case with all teams we send to these athletic competitions abroad, it was as much a winner in the fans' hearts as it was on the field.

Warmest congratulations to these players and their proud parents, their coaches, and the estimable Police Activities League, which sponsored the team as part of its productive youth sports program.

PONY TEAM WINS HAWAII'S FIRST BASEBALL TITLE

WASHINGTON, PA.—Hawaii can now boast of its first international baseball championship, thanks to the PAL Americans, who defeated Arcadia, Calif., 8-5, last night and won the annual PONY World Series.

The victory was the fourth straight for the unbeaten PAL team from Honolulu in the double-elimination series, while Arcadia had been defeated once going into last night's final.

The title game for the Islanders, the Pacific Region representative in the eight-division tournament, was a come-from-behind affair. They trailed, 4-3, before clinching the crown sought for by teams from the United States, Latin America and Canada.

Three home runs, two by Mosilua Tatupu, who drove in four runs, and the fine relief pitching of Keith Tamayoshi, who relieved starter Craig Nakagawa in the third inning, were the major factors in the victory.

After the California team scored a run in the second, Hawaii scored three runs in the top of the third, two on Tatupu's first home run of the game.

Arcadia then regained the lead in the bottom of the third with three runs before Tamayoshi came in to strike out an Arcadia batter with two out and runners on second and third.

Hawaii settled the contest in the fourth with four runs. Neal Ane singled, Howard Nakata doubled in Ane, Bill Barrett singled in Nakata and Tatupu, a 5-10, 175-pounder, who is headed for Farrington High School, crashed his second two-run homer.

Ane, grandson of former Honolulu Mayor Neal S. Blaisdell, hit a solo homer in the sixth inning to cap the game's scoring.

"The kids are just overjoyed," said Hawaii Coach Ed Higa in a telephone interview with the Star-Bulletin today. The players (13-14 year-old All-Stars from the American League of the Honolulu PAL) were just great. I told them Hawaii is proud of them.

"The home runs were really hit. I'd say Tatupu's first one traveled about 280 feet and his second over 300. Ane's was a sharp 280-footer. We're real proud of the boys. Their spirits were high and they had the confidence and will to win."

Pep Toyofuku, Pacific Region director of PONY baseball who accompanied the team to Pennsylvania for the series, told the Star-Bulletin:

"I'm so happy for the boys. After trying for nearly a decade, we're the champions of the world in our class. The way the kids fought back after being behind is something I'm writing home about."

Toyofuku said the Hawaii contingent will return home Monday after visiting with Hawaii's Congressmen in Washington, D.C.

The victory was the second for lefty Tamayoshi, a 5-8, 140-pound Kawananakoa School student. He and Nakagawa were credited with all Hawaii's victories.

The Islanders collected 11 hits and Arcadia 10. Nakawaga allowed seven hits and was charged with four runs.

Tamayoshi was touched for only four hits in his relief role. He struck out four and walked three as he relied on his cracking fastball.

## GREECE: A COMMUNIST GOAL

### HON. J. HERBERT BURKE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 16, 1969*

Mr. BURKE of Florida. Mr. Speaker, the Pan Arcadian Society of America, an American-Greek organization, invited Mrs. Burke and myself, together with nine other Congressmen and their wives, to be their guests to tour Greece during the 2-week congressional recess period which just ended.

This being a trip which would not cost the Government anything, I accepted for several reasons. First, because it gave Mrs. Burke and myself the first opportunity to have a vacation with our younger daughter, Kelly, since I was elected to the Congress. During the past several summers, Congress has remained in session during the summer vacation period when Kelly was out on school vacation.

Second, I accepted because I felt it would give me an opportunity to see Greece first-hand and to make a determination regarding conditions under the present Greek military government.

Although there have been recent stories of the Greek people being harassed and their rights being suppressed by the existing military government, my experiences in traveling in Greece and mixing with the people seemed to belie this.

Everywhere I traveled, from Athens to the rural towns, to most of the Greek islands including Rhodes, Crete, Santini, Hydra and others, the people seemed busy, happy, and even prosperous in comparison to other nations I have visited.

The Greek economy, with the city of Athens leading the way, appears to be on the rise, and the recordbreaking number of tourists traveling there this summer was much in evidence.

I can truthfully say that one of the most striking observations during my visit was the lack of crime in the streets. Although there is a military government in power, I saw less soldiers or police in public than I do in Washington, D.C., or any of our large cities.

This element of safety stuck with me as I contrasted the major cities of Greece with cities in our country such as Washington, D.C. and New York where crime is running rampant.

I do not condone any dictatorship whether it be the paternal style of Franco in Spain, the heavy suppression of the Communists, or the military dictatorships that exist in many countries of the world. Yet to me, I would rather have a dictatorship friendly to the United States than a Communist regime such as we have in Cuba today.

As I sat through talks by some Greek government officials I kept in mind the fact that it is a dictatorship that controls the Greek people, but I also kept in mind the fact that Communists are itching to cause trouble and to gain a foothold in this strategically located country that borders three seas in southern Europe and is only a few miles from Bulgaria, Hungary and other Iron Curtain countries.

Those in our country, who are calling for the overthrow of the present Greek Government, do not point out in their speeches of criticism that Greece underwent a disastrous civil war in 1947–48, which the Communists instigated, and which brought it perilously close to being taken over by a Communist regime. The truth of the matter is that this threat still exists today.

There are those that would like us to forget that during the 1940's, the Soviet Union stepped up its revolutionary activity in Europe and elsewhere, and brought its boot down on nations such as Czechoslovakia and others that were weak and reeling from the effects of World War II.

History now shows that Greece would have gone under communism had it not been for the tremendous military and other aid given to it by the United States.

The threat of communism in Europe was so strong that all the freedom-loving nations of the Western Hemisphere joined, as a matter of mutual defense, the North Atlantic Treaty Organization, which was created for the sole purpose of fighting communism.

Greece has always been a member nation of NATO and at this time it might be wise to note that the 20th anniversary of this organization just passed recently—August 24—without fanfare, and with many critics still talking of disbanding the anti-Communist force.

Through the years, America has invested literally billions for the upkeep of NATO and foreign aid programs to rebuild Europe and keep the pro-Western nations free.

It would seem to me that those who propose the disbandment of NATO and those that propose ultraliberals take over Greece forget too easily the perilous positions of some European nations in regard to Communist takeovers.

Is not the lesson of Czechoslovakia and the other eastern bloc nations clear enough? Why cannot the ultraliberal critics and "do gooders" see the Communists for what they really are?

All Communist nations are dictatorships, but for some reason the Government in Greece is painted as a horror story which simply is not true.

I said previously that I do not condone dictatorships, including the one in Greece, but on the other hand, I am sure that for the time being at least, the present leadership in Greece is needed if the Greek people are to eventually have a free government.

From all I can detect, economic and educational advancement have been made under the present Greek regime and it is a capitalistic nation where free enterprise still exists.

Greece is the cradle of democracy and the Greek people have always cherished freedom, and after visiting and seeing the Greek people, I feel they will ultimately select their leaders through democratic processes without a hammer and sickle hanging overhead and ultimately without the fear of a uniformed dictator tribunal checking the balloting.

## CONDEMNATION OF SDS AT SOCIALIST CONFERENCE

### HON. RICHARD H. ICHORD

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 16, 1969*

Mr. ICHORD. Mr. Speaker, the current investigation of Students for a Democratic Society by the House Committee on Internal Security has already produced considerable evidence of violent disruption by SDS members for antidemocratic goals.

It is interesting to observe that individuals closely associated with SDS in the past are today uttering rather harsh judgments with respect to the nature and orientation of SDS activity.

A New York Times correspondent, covering a Socialist conference held in Hopewell Junction, N.Y., recently, interrogated Socialist Party Chairman Michael Harrington on the subject of SDS. The correspondent observed in his account in the Times of September 8, 1969, that Harrington had attended the 1962 national SDS convention at Port Huron, Mich., which is often referred to as the founding conference of the youth group.

That convention, by adopting a set of principles largely written by Tom Hayden and also electing Hayden president, actually served as a kind of rebirth for an organization which had a long and not too successful history as the youth section of the Socialist-Liberal League for Industrial Democracy.

Harrington was chairman of the board of the league in 1965 when the parent organization severed the umbilical tie with SDS. Policy differences at that time included LID disapproval of an SDS decision to admit Communists to membership.

SDS today, Harrington told the New York Times, is "suicidally moving into a sectarian Maoist-Leninist cul de sac."

Harrington was also in agreement, the Times reported, with a blistering condemnation of SDS delivered at the conference by the national chairman of the Young People's Socialist League. The assessment of SDS in the speech of YPSL Chairman Josh Muravchik is quite revealing.

Muravchik declared that "what has been known as the New Left—S.D.S., its fellow-travelers and hangers-on—has now completely established itself as the Old Left."

SDS has adopted all "the most grotesque stupidities which have characterized the failure of American radicalism," the Socialist youth leader explained "It was bad enough when the Communist Party tried to apply to America the revolutionary program of the Soviet Union," he said," but to apply to America the revolutionary program of China and North Vietnam just staggers the imagination."

The entire text of the New York Times article detailing the views of the Socialist leaders is as follows:

YOUNG SOCIALISTS DENOUNCE S.D.S.; LEAGUE LEADERS CALL STUDENT GROUP "STUPIDLY IRRELEVANT"

(By William E. Farrell)

HOPEWELL JUNCTION, N.Y., September 7.—Leaders of the youth wing of the Socialist Party, U.S.A., today denounced the faction-ridden Students for a Democratic Society as "stupidly irrelevant" and said the campus organization's "physical and mental ill health make it unattractive to socially idealistic students."

As an alternative, the leaders of the Young People's Socialist League, which numbers about 1,000 members in 25 chapters, most of them on the East and West Coasts, called for the league to recruit more members to "radically transform America in a democratic way."

Standing at an outdoor lectern at the Workmen's Circle Lodge here, Josh Muravchik, a 21-year old senior at City College, who is national chairman of the league, told 275 Socialists that "what has been known as the New Left—S.D.S., its fellow-travellers and hangers-on—has now completely established itself as the Old Left."

He accused the S.D.S. of having adopted "all the most grotesque stupidities which have characterized the failure of American radicalism."

"It was bad enough when the Communist party tried to apply to America the revolutionary program of the Soviet Union," Mr. Muravchik said, "but to apply to America the revolutionary program of China and North Vietnam just staggers the imagination."

DELEGATES RECEPTIVE

The receptive throng of delegates—middle-aged teachers and trade unionists, young couples, and youths of high school and college age—laughed when the youthful leader said of S.D.S. "Their mission is completed; they've abolished classes—at Columbia City and California."

He said liberal parents and the mass media had accepted S.D.S. and black nationalists groups as the chief spokesmen of students and Negroes, without bothering to ascertain that they did not reflect the views of the majority who wanted social change.

The criticism of S.D.S. as well as a plan for the league to try to recruit many of the students who were active in the campaigns of Senator Eugene McCarthy and the late Senator Robert F. Kennedy received affirmative nods from most of the delegates, including Michael Harrington, the author, who is chairman of the Socialist party.

Mr. Harrington was interviewed just before the two-day conference—which mingled discussions on tax reform and environmental pollution with swims and a cocktail party—drew to a close.

One of those present at Port Huron, Mich., in 1962 when S.D.S. was formed, Mr. Harrington said it was now "suicidally moving into a sectarian Maoist-Leninist cul de sac."

Speaking generally about the Socialist party, whose most famous member was the late Norman Thomas, Mr. Harrington said that it no longer posed as "an electoral alternative."

"We retain the name Socialist party because it's a historic identification," he said, but putting candidates on the ballots was no longer "the way to move America to the left."

The party, which numbers about 3,000 active members, now seeks to form "a majority coalition out of the liberal wing of the Democratic party," Mr. Harrington, who is vice president of the New Democratic Coalition steering committee said.

One of the last speakers was Bayard Rustin, director of the A. Philip Randolph Institute, who told the assemblage that he was "pessimistic" about the next few years.

The Young Socialists were making "grave mistake if they think something's going to happen quickly," the civil rights leader and pacifist said.

"We're in a period like the Red Queen described to Alice in Wonderland—it takes a great deal of running to stand still here."

## WHAT MAKES A "BARGAIN"?

### HON. JOHN H. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 16, 1969*

Mr. DENT. Mr. Speaker, in all the discussion which has taken place in recent months with regard to the impact of textile and apparel imports on our domestic economy, there is one aspect of this problem which has not received as much attention as it deserves.

I am referring to the stake the women of this country have in reasonable regulation of imports.

Because so many jobs in the textile and apparel industry can be performed by women, this industry has become a haven for the hundreds of thousands of women who are the full or partial breadwinners in their families.

One of the Nation's leading women columnists, Margaret Dana, recently explained why regulation of textile and apparel imports is so important to the women of this country. She pointed out that 80 percent of the employees of the garment industry are women and that their jobs are being threatened by so-called bargain garments which are flooding this country from low-wage nations in the Far East. She warned that if the present uncontrolled flood of imports continues the women employed in the apparel industry will be the first to suffer through lost jobs, lost income, and deterioration of the standards of the apparel products they buy.

Her thought-provoking column, which appeared in the Sharon (Pa.) Herald, is well worth reading, and I ask that it be printed at this point in the RECORD:

BEFORE YOU BUY: WHAT MAKES A "BARGAIN?"

(By Margaret Dana)

Almost the first thing the experienced shopper learns is that a bargain is more than a low price. And the more competent the buyer becomes, the more critically she asks how that low price got that way.

Is it low because the merchandise is left over, undesirable for some reason to the majority of shoppers? It can still be a real bargain. But if that low price is there because the goods were "specially bought" for the sale, the quality may have been badly cut along with the price.

There are other reasons, some of them international, for low prices on some things. One area getting a lot of attention these days is textiles and garments. There has been an astounding growth in recent years of imported fabrics—by the yard and as clothing. Some of it is of good quality, some is poor, but the prices are low. The question is: Are they bargains? Shall we continue to welcome unrestrained floods of foreign fabrics and garments, especially from countries

whose standards of living are very low and whose wage scales are incredibly below those in the United States? Responsible consumers should be asking themselves: Who gets hurt to make these bargains?

If the wage scales were competitive, only fair competition would probably result, even if inferior goods managed still to come through. As it is, many a garment worker, whether in Hong Kong or in some other area, may be paid around 17 cents an hour, as compared with $1.83 an hour in this country, with about 30 cents in fringe benefits an hour. The garment industry here has raised its wages 21 per cent in the last three years, which was right and proper. But it brings serious problems of competing with increasing floods of merchandise produced at the primitive wages of some other countries.

There are various ill-advised spokesmen, some purporting to speak for the consumer, who insist there should be no quotas set on fabrics or garments and no restraints on this competition. Some say that if imports were controlled, the textile and garment industries in this country would immediately have a field day, inflating prices further and generally taking a bite out of the hard-pressed consumer.

The actual facts do not justify any such conclusions. When cotton apparel and textile controls were set, back in the early 1960s, to regulate orderly marketing, there was no increase in cotton apparel prices as a result. If wool and man-made fibers and their products were similarly controlled to prevent a runaway flooding of our markets, there is no reason to suppose there would be any more of a price increase.

The fact is the textile and the garment industries are and always have been highly competitive within themselves. The garment industry is one of the largest employers in our manufacturing industry, with 24,500 plants competing against one another. Many of the companies are tiny, and struggle constantly to keep afloat. They need no outside prodding to keep their prices competitively low.

As a matter of plain fact, the garment industry has managed somehow to keep the increase in prices for their goods below just about every other segment of the economy. In the past 10 years, for instance, while nondurable product prices rose 18.4 per cent, and food prices rose 19.3 per cent, while health and recreation costs rose 30 per cent, apparel prices rose the smallest percentage—16.8 per cent. At that the manufacturer's price increase was lower than the retailer's, even while he absorbed increased wages, overhead, taxes, etc.

Women should also look carefully at this fact about employment in the garment industry: 80 per cent of the personnel in garment factories are women. If uncontrolled imports force a competition that is unfair, women will be the first to suffer—through lost jobs, lost income, and a deterioration of standards.

Shall we let imports continue to rise without any controls whatever, or shall we ask our Congressmen to support reasonable, orderly marketing to prevent further damage to fair competition? This is one "bargain" area where women's voices are needed.

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## THE ARMS TRADE—PART V

### HON. R. LAWRENCE COUGHLIN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 16, 1969*

Mr. COUGHLIN. Mr. Speaker, the Soviet Union, like the United States, Britain, France, and other industrialized nations, is deeply involved in the international trade in the weapons of war.

Since 1955, when it first entered the arms trade in a significant way, the Soviet Union has distributed nearly $7 billion worth of arms to some 35 nonbloc countries.

Egypt alone has received approximately $2 billion of this total, and Indonesia—before the fall of Sukarno—another $1 billion in arms. The remaining $4 billion worth of weapons has gone to such countries as Algeria, Guinea, Somalia, Syria, Iraq, Iran, Pakistan, India, and Morocco. The last four countries named also receive arms from the United States.

One of the better newspaper articles describing the Soviet postwar arms aid program appeared on Sunday, September 14, 1969, in the Washington Star.

I believe that it deserves to be reprinted in full for the benefit of my colleagues. It points out, as I have tried to do in the past, the desperate need for a conventional arms control agreement between the world's great industrial powers.

Fueling regional arms races and catering to the weaknesses of unstable and unsophisticated nations, as the Soviet Union has been doing with its arms aid for the past 14 years, will inevitably lead to a rise in the incidence of conflict and in the spread of de facto wars. Eventually, one of these conflicts or wars will lead, as several have in the past, to a confrontation between the world's two super-powers from which there may be no escape.

A nuclear war could break out as the result of a conventional war escalating out of control, yet there are absolutely no international control agreements in force. Once again, I call on the United States to take the lead and seek to have the question of conventional arms control included on the agenda of the forthcoming strategic arms limitation talks in Geneva.

The article follows:

EXPANDING SOVIET MILITARY AID REACHES 35 STATES

(By Howard C. Reese)

Since 1945 trends in international politics have resulted in an acceleration of foreign policy by nondiplomatic means. The reason lies in the sudden appearance of 61 newly independent states and 93 less developed countries, none of whom possessed the techniques of modernization in any definitive form.

To enable these states to reach acceptable standards of national proficiency required economic, technical, and military assistance from countries more advanced or at least more fortunate than the recipients. The United States, Britain, France, Israel, Canada, West Germany, and the Soviet Union as well as East Germany and Czechoslovakia became involved and continue to participate in this process.

Economic and technical assistance are reasonably straightforward. More complex because of self-evident political overtones, and often difficult to distinguish because of corollary economic use is military aid of which the United States and the Soviet Union are the chief donors. The United States started its program in 1946; the Soviet Union did not begin its counterpart until 1954. Until 1967 the United States gave military assistance to 29 countries in the amount of about $19.9 billion. Russia provided the equivalent to 35 incumbent governments and numerous insurgent movements at a cost of about $6 billion from 1955 to 1967, the latest year for which figures are available. The aid is continuing on an increased scale.

To some extent what has followed has been a competition between the United States and the Soviet Union in extending this kind of aid. The existence of the newly independent countries have provided incentives and opportunities for the two major powers.

Smoldering issues such as the Arab-Israeli dispute and the Kashmir question between India and Pakistan cause the protagonists to look for arms to fight or to replenish weapons lost in seeking resolution of these problems. When the suppliers seek to maintain equilibrium in a critical area, as the United States tried to do vis-a-vis Egypt in 1955 and Iran in 1967, both countries turned to Russia.

Military assistance, therefore, has become a sensitive instrument of foreign policy. As for the United States there also are difficulties for the Soviets. Active in the Middle East, Africa, South and Southeast Asia and Cuba, the Soviets are not only concerned with the United States, but also with Communist China, a competitor, as in Pakistan and Tanzania. A survey of Soviet military assistance in these regions can be useful to determine the nature of this kind of aid, and whether it constitutes a threat, actual or potential, to the United States.

Military assistance is a nonrestrictive category. Under its heading come such items as weapons and weapons systems, logistical support, spare parts and production plants for the manufacture of arms and ammunition, and the provision of advisers, training personnel and facilities.

Military aid, however, can also assume an economic character with port and airfield construction, because projects of this type are frequently used by civilian agencies as well as military. The port of Hodeida in Yemen, built under Soviet military auspices, is an example.

TWO MAIN FUNCTIONS

Military assistance serves two main functions. One, along with economic and technical aid and cultural exchanges, it seeks to promote a framework of trust between the donor and the recipient. The military adviser is one more element in the involved and continuous process of political communication.

Through him another channel is available to the donor for projection and emphasis of policies whose support by the client government at critical junctures in world affairs can be useful. In countries where the military rules the country, as in many less developed states, the close ties which the military mission can expect to establish with the host government has obvious advantages.

Two, military assistance sometimes allows the suppliers to test their weapons in actual combat.

At little cost in material and with no commitment of manpower, the Arab-Israeli wars of 1956 and 1967 provided the French and the Soviets with opportunities to learn about the performance of weapons furnished to their respective clients. In the more recent conflict, for example, the French were able to find out about firepower and maneuverability of the Mirage 3-C and the Super Mysteries against Soviet-built MIG-21s. The Israelis recommended changes in the Mirage 3-C that were later useful in designing the Mirage-5. Significant recommendations were made for improving aircraft cannon and the MATRA air-to-air missile mounted on the Mirage.

The prolonged combat conditions in Southeast Asia also enable the Soviet to gain information about their equipment in the hands of the North Vietnamese, including the AK 47 automatic rifle, latest designed

PT-76 tanks, surface-to-air missiles, and 37 mm to 100 mm radar-directed antiaircraft guns.

Military assistance cannot avoid certain problems in common with its sister medium, economic aid, particularly in such matters as obsolescence of equipment. To be sure, most less developed states recognize that they cannot have everything they want, but when their officers study abroad, it is perhaps natural that they press for purchases of these items.

Keeping abreast of regional rivals is the reason given to justify these expenditures. Experience, however, has amply revealed the incongruities between economic means and political realities with unrestricted arms sales.

Under Stalin, the Soviets remained aloof from giving military assistance, but his successors began to see the opportunities in this component of foreign aid. In it they perceived a vehicle to conform to the independent spirit of the new states and a device to encourage their nonalignment from any Western-inspired bloc.

With Soviet military assistance recipients could avoid temptations to join the Baghdad Pact (the Central Treaty Organization since 1958) and the Southeast Asia Treaty Organization. In acceptance of Soviet aid some new states saw a chance to snub the former colonial powers.

The Soviets also found that military aid could be useful in advancing Soviet political goals through the support of so-called wars of liberation.

The wars in South Vietnam, Korea, Laos, and the revolts in Angola and Mozambique are illustrations. The positioning of medium-range ballistic missiles in Cuba showed how the recipient of Soviet military aid could be used as a forward strategic base for Soviet objectives.

Once given, military assistance continues as long as political conditions permit.

The Middle East is the main effort of the Soviet program, and has remained so since it started in September 1954 with a shipment of reconditioned World War II tanks to Syria. A year later this assistance was overshadowed by the sale of $200 million worth of tanks, aircraft, and naval vessels through Czech channels to Egypt (United Arab Republic). In so doing the Soviet Union had outflanked the Baghdad Pact, organized to defend the Middle East against Soviet encroachment and composed of Britain, Turkey, Pakistan, Iran (and, until July 1958, Iraq). At the present time the Soviet Union can count 7 clients of its military aid in the Middle East. Besides the United Arab Republic, Afghanistan, Cyprus, Iran, Iraq, Syria, and Yemen are included.

CRITICAL REGION

From a U.S. and Western point of view generally the Middle East is the most critical region in the distribution of Soviet military assistance for at least two reasons. One, along with Southeast Asia, this aid has been used in actual conflict. In the Arab-Israeli Wars of October 1956 and June 1967 Soviet weapons in Egyptian hands played a significant, if inglorious role. Before the June 1967 War, Soviet assistance to the United Arab Republic amounted to $2 billion.

On the eve of that conflict the arsenal of Soviet equipment gave the United Arab Republic the appearance of a formidable, even a superior striking capability over the Israelis. The poor use of this equipment is one purpose for the current stationing of nearly 3,000 Soviet advisers at battalion and squadron level. By the late spring of 1969 the Soviets sent approximately $700 million worth of tanks, aircraft, and missiles to replace what had been destroyed in the brief war two years before.

Two, in addition to this aid for the UAR, Moscow's assistance to Iraq, consisting of late model ground weapons, aircraft, and advisers, is a potential threat to Western access to oil fields in that country and to the Western oil supply route in the Persian Gulf.

Soviet military assistance in the Middle East has also been extended to Syria, the Republican forces in the civil war in Yemen and Iran. Syrian troops took part in the June 1967 War using Soviet artillery and tanks. In a rare instance the Israelis captured (and quickly released) a small number of Soviet advisers serving with the Syrians in the field.

In May the Syrians sent a military mission to Peking, headed by Major General Mustafa Talas, the army chief of staff, to discuss assistance from that quarter. This move was motivated by a desire to put pressure on the Soviets whose shipments of antitank guns and aircraft were disappointingly slow according to Syrian needs. The Chinese turned down a request for rockets which the Syrians said were required to protect Damascus and Aleppo against Israeli planes. On the other hand, the Chinese promised more weapons for Palestinian guerillas operating from Syria against Israel.

Aid to the Republican side in the civil war in Yemen is another example of the interrelationship of military and economic assistance. To this small and backward country close to the southern terminus of the Suez Canal, the Soviets have furnished modern ground arms, and Soviet pilots have flown occasional combat missions.

ATTITUDE REVISED

In certain instances, a combination of political, economic and military factors can modify the original source of military aid, as illustrated by Iran. In 1965 the Soviet Union began to be the major importer of Iran's non-oil exports, taking about 20 percent of the total.

Two years later, in late 1967, the nearly $1 billion U.S. economic aid program ended. The circumstances seemed to suggest a revision in Iranian attitudes toward the Soviets.

The tenseness of the Stalinist era that had embittered Soviet-Iranian ties had long since passed. Moreover, the Iranians began to be worried about President Nasser, whom they began to look on as a threat to Iranian interests in the Persian Gulf. Cairo, Baghdad, and Damascus called for the "liberation" of Khuzestan in northern Iran as part of the Arab homeland, and insisted that the Persian Gulf was, in fact, the Arabian Gulf.

The Iranians asked the United States for more military aid, but were refused on the grounds that additional assistance would disturb whatever regional equilibrium was being maintained. When the Soviets offered $100 million worth of antiaircraft guns, armored personnel carriers, and trucks in exchange for national gas, the Iranians became interested.

From the military point of view, reliance on a single source of supply risks interruptions of shipments because of changes in political trends. The stoppage of French aircraft to Israel is an example. On the other hand, additional sources of supply runs counter to the old military axiom of standardization of equipment and parts. A variety of materiel means stockage of parts for more than one type of truck, tank, or aircraft with appropriate records and maintenance procedures to go with them.

The Soviet Union gives military aid to India and Pakistan, and until the fall of President Sukarno in February 1967, provided assistance, largely air and naval, to Indonesia. Through this experience the Soviets have probably come to recognize the almost unavoidable difficulties associated with military assistance programs.

In the case of India and Pakistan military aid cannot be separated from the suspicions between the two countries, engendered by the territorial disptue over Kashmir and persistent Hindu-Moslem enmity. The Kashmir quarrel resulted in a 17-day war in August 1965 that opened an eventual door to Soviet military assistance to Pakistan. Soviet aid to India began during the brief Indian-Chinese conflict of October 1962.

When the Chinese attacked in force in the high altitude regions of Ladakh and the North East Frontier Agency in October 1962, the United States, Great Britain and the Soviet Union responded to India's need for arms much to Pakistan's displeasure. Initially, however, the Soviets paid lip service to Peking, but soon demonstrated support for India by furnishing aircraft and other equipment. After hostilities India took advantage of the developing Sino-Soviet rift to negotiate an arms agreement with Moscow that included the manufacture of the MIG-21 jet fighter under license (thus far, the Soviets have denied permission to build the more modern MIG-23 version, surface-to-air missiles, SU-7 bombers, light tanks, and naval craft.

SALE SUSPENDED

Some of this equipment was used during the Indo-Pakistan War, in which the Indians fired only two surface-to-air missiles.

The United States suspended the sale of lethal weapons to both sides after the war to prevent an arms race from developing between India and Pakistan. Pakistan felt this move acutely, because of high tank losses involving U.S. M-47s. Having only minimal relations with the Soviet Union at the time, Pakistan turned to China for replacements for aircraft as well as armor.

The Chinese, anxious to embarrass India, took advantage of the situation, sending enough Chinese-built Soviet T-54 tanks to equip two divisions and about 50 MIG-19s. Interestingly enough, Pakistan received no help from its sister Moslem states.

The Chinese, however, were unable to furnish the necessary spare parts to keep the equipment they had furnished in good working order. One of the reasons why former President Ayub visited Moscow was to be assured of a supply of not only the Chinese-built weapons of Soviet design, but to explore possibilities of getting newer arms. For their part, the Soviets were concerned about increasing Chinese influence in Rawalpindi. Moreover, they were anxious to woo Pakistan from its commitments to the Central Treaty Organization and to the Southeast Asia Treaty Organization, the U.S.-inspired regional alliances to contain communism in northwest and southeast Asia, respectively. Pakistan's technical needs and Soviet political necessity had found common ground.

The Indians made known their fears about anticipated Soviet deliveries of late model tanks to Pakistan to Marshal Andrei A. Grechko, Soviet Minister of Defense, when he visited New Delhi in April of this year. Grechko said that the tanks would not be used against India, and that Soviet arms to Pakistan were meant to limit Chinese influence in the subcontinent.

His hosts reminded him that the same promises had been made with respect to the U.S. tanks that the Pakistanis had employed in the war of August 1965. The Soviets were not deterred, however, from moving ahead with their military assistance to Pakistan by Indian protests, flaunting Soviet criticism of the United States for giving military aid to Pakistan in the 1950s.

After all the Soviets were in a position that had been denied to Russia for two centuries. Soviet mediation scored a diplomatic success at Tashkent in ending the Indo-Pakistan War. Now they had two grateful recipients of Soviet arms. The political effects were demonstrated in late 1968 when neither India nor Pakistan voted to condemn the invasion of Czechoslovakia in the United Nations. Pakistan's acknowledgement of Soviet assistance could be noted even before, when in May 1967 Rawalpindi decided that the U.S. lease on the Peshawar air base would

not be renewed. Due to close in July of this year, the base was used for high altitude reconnaissance flights of the Soviet Union.

BEGAN IN 1961

Soviet military aid to Indonesia began in 1961 and focused on the navy with the apparent aim of making the country a naval power of some standing to accommodate Soviet regional interests in case of need. Soviet assistance to Indonesia increased steadily; in 1963, a third of Soviet arms exports reportedly went to this largest Moslem state. Until 1967 Soviet military assistance amounted to about $1.34 billion.

The naval component of this program entailed the transfer of about 60 Soviet warships to Indonesia.

Russia extends military aid to 11 African countries in amounts varying from $250 million to Algeria, to $10 million to Tanzania and to Uganda, and to less than $5 million to Mali and the Congo (Brazzaville). Of interest is the geographical distribution of this assistance.

With programs to Algeria and to Morocco, it is possible to suggest that the Soviets have been able to establish military influence in the western Mediterranean. The impact is difficult to gauge, but certain inferences can be made, particularly with respect to Algeria whose military connections with the Soviet Union had their origin during the Algerian war of independence with France (1954–62). During that period Russian arms to the National Liberation Front (FLN) were a significant factor in the combat operations of the Algerian rebels. The psychological framework was therefore laid for Soviet military assistance when it was instituted in 1963. Large numbers of Algerian officers have been sent to Soviet service schools, and about 3,000 Soviet advisers have assignments with the Algerian armed forces.

Soviet aid to Morocco antedated military assistance to Algeria, having begun in 1960. Shipments of T–54s enabled Morocco to take a strong stand in a boundary dispute with Algeria in 1963.

To the southeast the Soviets began a military aid program to Sudan in 1963. In 1968 the Soviets reportedly negotiated assistance valued at about $60 million. With influence in the United Arab Republic and also in Sudan, the Soviets could be in a favorable position to press for military privileges in case of need.

On the Horn of Africa, Somalia, a triangular-shaped country, with one shoreline astride the Indian Ocean, another along the Arabian Sea, has received Soviet aid since 1963. For the five-year period 1963–1967 this program has amounted to about $30 million.

This objective, however, was not easy for at least two reasons. One, the Chinese were there and had made political inroads. Two, Ethiopia was concerned because of a dispute with Somalia over the Ogaden area. Nevertheless, the Soviets proceeded with their program which initially comprised 65 T–34 tanks, 65 armored personnel carriers, quantities of infantry weapons and antiaircraft and field artillery pieces, and a squadron of MIG–15s.

PORT MODERNIZED

The Soviets modernized the port of Berbera and later shipped about 150 MIG–17s and provided 1,200 military advisers. Reportedly, Somalia has received more aid per person than any other country in Africa.

Soviet military aid to Guinea, Mali, and Nigeria illustrates promptness in adjusting means to policy. When Guinea became independent in 1958, the Soviets at once offered help to train the state's armed forces. Assistance has come to about $10 million. In doing so, the Soviets could demonstrate that they had the basic interests of the newly independent countries at heart.

The same could also be said for Mali which achieved independence in 1960: Soviet military assistance began the following year. The military connection with Guinea enabled the Soviets to tranship arms to the Congo during the crisis of 1960 and thereafter; it also allows the Soviets presently to assist the insurgents in Angola.

In the civil war between Nigeria and Biafra, the Soviets have sold MIG–21 jet fighters as well as SU–7 and Ilyushin bombers to the former. These aircraft, on occasion with Egyptian pilots, have been used in combat operations. In Tanzania, the Soviets are overshadowed by the Chinese who have sent Chinese-built 14 T–54 tanks and have helped with the development of a marine police force. The Soviets did not begin their activities until 1964, and are apparently only working with the security forces.

Soviet military aid to North Vietnam is largely a continuation of the assistance that was granted to the Viet Minh during the long war against the French (1946–54) that resulted in the independence of the former states of Indochina, Laos, Cambodia, Annam and Cochin China (South Vietnam) and Tonkin (North Vietnam). When French rule ended, both the Soviet Union and the United States undertook military assistance to North and South Vietnam respectively. In 1966 the Soviets sent five MIG–17 jet fighters, part of a small assistance program.

Economic and military assistance to North Vietnam comes from the Communist bloc generally, but it is the Soviet Union that provides the heaviest share. Military aid constitutes 60 percent of the total assistance received by North Vietnam, but in 1968, for the first time in four years economic assistance made up more than half of the total aid. From 1965 to 1968 Communist aid amounted to $3 billion, of which Moscow furnished two-thirds; Peking took up most of the remainder. It is estimated that 12,000 military and other technical bloc specialists are in North Vietnam.

Most of the Communist economic aid is seaborne; all of the military equipment is shipped, it is believed, via rail across China.

Virtually all of the advanced weaponry in the North Vietnamese armed forces is Soviet-made.

The air defense of North Vietnam, considered to be the most formidable system yet encountered in war, consists of an aggregation of Soviet radar-controlled automatic guns (reportedly in the thousands) and surface-to-air missiles modified to counter U.S. electronic jamming techniques and to be more effective against low-flying aircraft. As a consequence of this heavy assistance and having demonstrated the ability to use it effectively, North Vietnam is a formidable enemy.

AID TO CUBA

Soviet military aid to Cuba began some time in 1960. Since that time the 90,000 man army, 6,000-man navy and smaller air force have improved in quality and are presently thought to be the best trained armed forces in Latin America.

Soviet equipment includes about 200 T–54 tanks, some of which took part in the Bay of Pigs operation, upwards of 130 MIG–17, 19, and 21st and about 60 assorted ex-Soviet Navy craft, including 18 Komar-type guided missile boats. Large numbers of Cuban officers have received specialized training at Soviet service schools and Soviet advisors have been on duty with the Cuban armed forces.

Is Soviet military assistance a threat to U.S. security? In that it is competitive with its U.S. counterpart, the answer is yes, but more so because of the use to which this aid can be put. There are the examples of Cuba in allowing itself to be a Soviet forward strategic base in 1962 and the United Arab Republic as a transshipment point for Soviet arms to the Congolese rebels in the early 1960's. Soviet military aid to Cyprus, about $30 million since the program began in 1965, is suggestive of possible demands the Soviets could make on this strategically located island in the eastern Mediterranean. Whether the national pride of the recipients could resist such demands without outside support has yet to be demonstrated.

The question of military assistance must ultimately be reckoned with the capacity of the two major powers to extend this kind of aid. Obviously, there are limits in manpower and materiel resources despite the usefulness perhaps of fobbing off obsolete equipment on second class military forces. The complex nature of military assistance suggests that some form of restraint would make a useful item on an arms control agenda.

On the other hand, the desire to satisfy the parochial aims of many newly independent states promises only limited success for such an altruistic aim. Now in its fifteenth year, Soviet military assistance has given impressive evidence of its ability to furnish equipment and training to countries seeking this form of aid. For the indeterminate future, it can be expected to be a continuing instrument in support of Soviet regional objectives.

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## JOB CORPSMAN A HERO

### HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 16, 1969*

Mr. PICKLE. Mr. Speaker, with the Gary Job Corps Center in my district, I have more than a passing interest in the future of the entire Job Corps program. Continually, I get reports from the Gary personnel of success stories that have great emotional appeal. It is very rewarding to know that these young men are winning in an uphill struggle for an honest living. They are largely a bunch of scrappers who have finally had someone direct their energies and emotions into worthwhile work.

A recent report from Camp Gary, I think, should be shared in Congress.

Mrs. Robert Mitchell of Port Huron, Mich., this year lost her heroic son in combat in Vietnam. He was a Gary Job Corps graduate, a fact which Mrs. Mitchell points out so well in this letter to Gary officials. I commend this wonderful mother's letter to all Members for it shows the courage and dedication of our citizens. The letter is as follows:

PORT HURON, MICH.,
*August 22, 1969.*

MY DEAR SIR: I am using some of the stationery my son had in Basic Training. I use it with reverence in memory of my boy.

I lost my son last March 5 as he gave his life very heroically for his country.

David Paul Jacobs was one of your boys in Welding. He was there in 1966.

David was very seriously wounded on Feb. 3, 1968 and was returned to the United States where he was hospitalized in Valley Forge Hospital, Phoenixville, Penn. In October of 68, he volunteered and returned to Viet Nam. Again, 1 year to the day, he was wounded again in the eye. He was in the hospital at Cu-Chi Base for a short time. Upon recovery and returning to duty, they were caught in a fire-fight while on night defensive duty and he was killed by penetrating wounds to the abdomen by missile and mortar fire.

In my letter from the Army it stated that he had gone directly to the danger perimeter and was checking enemy movement, going

from position to position, with no regard to his own safety.

I am enclosing a picture from our paper that tells of David's Medals. It did not mention the V for valor that can be seen in the upper left corner on the Bronze Star.

Please excuse the lengthy letter. It is difficult to speak about my wonderful son in less words.

I felt you would like to know about one of your former boys who died so bravely.

Sincerely,

GWENDOLYN (JACOBS) MITCHELL.

Mr. Speaker, David Paul Jacobs very eloquently repaid the faith that his parents and that Job Corps had in him.

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## UNION SUPPORTS REPEAL OF EMERGENCY DETENTION ACT

### HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 16, 1969*

Mr. MATSUNAGA. Mr. Speaker, more than one-fourth of the membership of this great body has joined with me and Congressman CHET HOLIFIELD in sponsoring legislation to erase one of the most repugnant laws ever to appear on our statute books—title II of the Internal Security Act of 1950, the so-called Emergency Detention Act.

In addition to this strong support, there is a growing national awareness of the need for expeditious action on this important legislation. This is evidenced by a resolution unanimously adopted at the August 20, 1969, meeting of the Office & Professional Employees Union, Local No. 29, AFL–CIO, endorsing my bill, H.R. 11825, and similar legislation pending in both bodies of Congress.

I have requested the House Internal Security Committee to schedule early hearings on the title II repeal legislation, in order that this legislation may be brought before the House for consideration during the present session of Congress.

The resolution adopted by the Office & Professional Employees Union, Local No. 29, of Oakland, Calif., is submitted for inclusion in the CONGRESSIONAL RECORD:

RESOLUTION TO REPEAL TITLE II OF INTERNAL SECURITY ACT BY PASSAGE OF SENATE BILL 1872 AND HOUSE RESOLUTION 11825

Whereas: The Internal Security (McCarran) Act of 1950 was enacted in the McCarthy era, over the veto of President Truman, who declared "the Act would strike blows at our liberties"; and

Whereas: Title II of the Act, known as "The Emergency Detention Act" gives power to the President or his agent to detain persons "if there is reasonable ground to believe that such person will engage in or *probably* will with others engage in acts of espionage or sabotage"; and

Whereas: A person so detained will not be brought to trial, but must prove his innocence before a Hearing Officer, however the government is NOT required to disclose or produce witnesses to justify the detention; and

Whereas: With the knowledge of the experience of the more than 110,000 citizens and non-citizens of Japanese ancestry, who were incarcerated, in 1942, in 10 concentration camps without hearing or due process of law because of racism and war hysteria; and

Whereas: Senator Daniel Inouye of Hawaii, at the behest of the National Japanese American Citizens League (JACL) Committee To Repeal Title II, has introduced Senate Bill #1872 to repeal the Emergency Detention Act, and 23 Senators, including Alan Cranston and George Murphy, are co-sponsors; and

Therefore be it resolved that Local 29, Office and Professional Employees Union, AFL–CIO go on record to support passage of SB 1872 which eliminates Title II—the Emergency Detention section; and

Be it further resolved that we make public this action through every means at our command; and

Be it further resolved that copies of this resolution be sent to the Senate Committee on Judiciary and Senators Inouye, Cranston and Murphy; and

Be it further resolved, that the Senate consider SB 1872 and enact as separate legislation and not attached to pending and/or contemplated legislation; and

Be it finally resolved that similar resolution be sent by our Local on HR 11825, simliar legislation introduced by Congressmen Matsunaga, Holifield and many other Congressmen.

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## APOLLO 11 REPORT TO UNITED NATIONS

### HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 16, 1969*

Mr. FULTON of Pennsylvania. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following report on the flight of Apollo 11 on September 8, 1969, by Dr. Thomas O. Paine, Administrator of the National Aeronautics and Space Administration, to the United Nations Committee on the Peaceful Uses of Outer Space, September 8, 1969:

REPORT BY MR. PAINE

Mr. Chairman, members of the United Nations Committee on the Peaceful Uses of Outer Space, distinguished guests:

I am particularly appreciative of the remarks by the distinguished representatives of Sweden, the Union of Soviet Socialist Republics, India and Brazil at the meeting this afternoon.

It is an honor and a pleasure to have this opportunity to report to this distinguished committee at your opening session. This occasion is especially appropriate because this most dramatic extension of man's capabilities in space is indeed an achievement by and for all men everywhere.

This event has implications for mankind far richer and more meaningful than a landing on the moon in the narrowest technical sense. If men properly develop and exploit these advanced capabilities, they can surely be directed to a great expansion of those practical benefits which we have only just begun to reap in space in the fields of communications, weather prediction, navigation, earth resources and other fields.

And man will be able, in time, to extend his domain beyond the confines of his home planet earth. From our small 8000 mile diameter planet we have set forth in this first step upward and outward into the 8000 million mile solar system around us.

When I say that the success of Apollo 11 is a step forward of all mankind, I do not use these words without thought. The variety and extent of foreign contributions to the Apollo 11 flight are real and they are impressive and they are appreciated by all Americans.

It is most appropriate that we express our appreciation in this forum to so many of the countries represented here for accommodation and, in many cases, operation of tracking facilities: Australia, the Malagasy Republic, Mexico, Spain and the United Kingdom.

And particularly we are grateful for the use of a special 210-foot diameter radio astronomy facility in Australia which made it possible to bring back the movies of the surface of the moon to all television watchers everywhere.

We appreciate the cooperation in the staging of our search and rescue aircraft and range instrumentation aircraft from Australia, Brazil, Chile, Japan, Libya, Mauritius, Netherlands, Peru, Portugal, South Africa, Spain and the United Kingdom. And we appreciate the overflight privileges which were granted to these aircraft by 47 different nations.

And we appreciate the cooperation in the scientific experiments that were carried on Apollo 11 to Switzerland for Professor Geiss' solar wind detector; and to Australia, Belgium, Canada, Finland, Germany, Japan, Switzerland and the United Kingdom for supporting the work of 36 scientists who are now receiving lunar surface samples for analysis in their laboratories.

Brazil has cooperated in a sounding rocket program that was coordinated with Apollo to monitor radiation hazards to our astronauts in space.

Other countries, including France, are now utilizing the laser reflector left on the moon for scientific experiments.

Sweden and Germany furnished the Hasselblad cameras which brought back the magnificiently detailed photos of the lunar topography.

And we are grateful to 73 different nations who sent a memorable series of messages which we etched onto a small disc and carried to the moon and left behind.

And, finally, I want to acknowledge the United Nations Outer Space Committee's constructive work in confirming in the Outer Space Treaty the status of astronauts as envoys of all mankind; and for providing for the safe return of astronauts who might land under emergency conditions.

I know that you are all interested in the preliminary scientific results which even at this early date have provided extremely valuable insights into the lunar surface. There will be a more detailed report in a press conference in about a week but the following can already be said in a tentative fashion:

The passive seismometer experiment operated within a few minutes of its deployment. It recorded astronaut footsteps and the lunar landing module and possible surface slides on the moon. It was successfully commanded to a standby mode during the lunar night and then switched back on. The long-period seismic element lasted until August 26 and the short period element until August 28. None of the long-period seismic data resembles earth data, but it is not certain whether the signals are caused by instrumentation changes or natural phenomena. If natural, the moon would be structurally very different from the earth, a far more heterogeneous body than our home planet. This we will explore further in the next landing which is now scheduled to set forth on November 14 when additional seismic instruments will be deployed.

We have found as yet no evidence of any previous life on the surface of the moon. But all of you have seen men walking on the surface, men who will be the precursors of terrestial life as it moves outward to our twin planet.

The minimum age of the Sea of Tranquility area in which we landed is about three

billion years, much older than believed earlier and possibly indicating that the moon formed at the same time as the earth.

The length of time that the materials had been lying on the surface which we collected as our samples indicate that the surface of the moon is very ancient and has changed very slowly.

The average density of the rocks is very high, 3.2 to 3.4 grams per cc. This is near the average density of the entire moon.

The lunar material that we collected shows an igneous origin, possibly volcanic, but it is chemically different from volcanic material here on earth with a higher percentage of heavier elements.

We have detected no evidence in any of the samples examined to date of the presence of water. In fact, it appears likely that the rocks were formed under conditions with little oxygen or water present. They are typically crystalline and glass. The lunar surface dust is composed of a very high percentage of small round glass spherules, apparently the product of impact by meteorites.

The laser experiment which is still being conducted has already refined our measurement of the lunar distance down to a few tens of meters and we hope in time to get it down to within a few centimeters.

If man's reach should exceed his grasp, the fact that we have been able in the Apollo program to grasp the moon shows that man has perhaps not been reaching far enough. We can dare and we can win far more for man than we have ever thought possible. And, we should not only in science and technology but in all the affairs of men.

It is very proper that men everywhere around the world are asking us if man can indeed go to the moon, why can't we do a far better job here on our planet earth in ordering the affairs of man? This is a question which is indeed appropriate and a question which those of us concerned with space programs should welcome.

There is much to be learned in space and it is relevant to our total environmental knowledge here on earth. We are opening a whole new field—that of planet ecology. We should not assume that an environmental fact close at hand here on earth is necessarily more significant to us than an environmental fact at lunar distances or even at the surface of the sun or in the atmosphere of Venus or the surface of Mars. We may find the most critical facts and conditions that determine our terrestial environment in the atmospheres and conditions of other planets, perhaps at the boundary of the earth's magnetosphere or in the surface of the sun. We may find critical insights into our own atmospheric processes in the atmosphere of Jupiter or other planets. We can and we must pursue this increased knowledge and we must turn it increasingly to the benefit of man.

To equip ourselves for this task, we should continue the work we have begun and should increase our capabilities till further, but above all we should do it as much as possible together.

After the Apollo program we see a very rigorous opportunity to press forward. We believe that the Apollo 11 astronauts have opened a trail that many men will follow. Their flight is a beginning, not an end. We stand at the start of a new era which will see space flight become as safe, as reliable and as economical as aircraft flight through the atmosphere is today.

We see lying ahead of us now the task of developing reusable spacecraft and permanent space stations in orbit that will greatly reduce the cost of space operations and will open space travel to men and women of all nations. The future space programs will consist of equipment that will be multipurpose, it will be used many times and will bring back in many areas far more information than we have been able to acquire in the first dozen years of space.

These future programs can and should be carried forward with far greater international participation than has yet been the case. That participation will be as rewarding to all nations who take part as it has been to those nations which have started down this trail. The character of the space effort in the name of all mankind will surely be more rewarding to every person on this planet and will well repay the energies and the resources required. Certainly, we in the United States will, as we have in the past, make increasing opportunities available to people of all nations who wish to join with us in the pressing forward of this great human endeavor.

The great explorations of history, carried out by many nations, have always opened up new vistas of the possible. And the sights of all men have been raised and their hearts inspired. The exploration of space is in that great tradition, and yet it extends by orders of a magnitude the past explorations. Where before Apollo exploration was a challenge in itself, its successful beginnings now stand as a challenge for our children and for all future generations as we open up this limitless frontier. Certainly the greatest challenge of all is that the world which is seen as one from space, should also be seen as one from the earth itself.

Mr. Chairman, this concludes my remarks, and with your permission I would like to present to you for this committee during the recess a lunar globe which contains all of the lunar features which have been mapped by the lunar probes to date.

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## SUPPORT GROWS FOR CONSUMER PROTECTION ACT OF 1969

### HON. FLORENCE P. DWYER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 16, 1969*

Mrs. DWYER. Mr. Speaker, yesterday I introduced the Consumer Protection Act of 1969, H.R. 13793, which would establish by law a permanent Office of Consumer Affairs, in the Executive Office of the President, create an independent Consumer Advisory Council, and provide in numerous ways for more effective consumer protection, representation, and information at the Federal level.

A detailed explanation of my bill, together with the text of the legislation, appears in the CONGRESSIONAL RECORD of September 15 at pages 25407–25411.

I have been greatly encouraged, Mr. Speaker, by the fact that within these first 24 hours considerable support has been evidenced for H.R. 13793. Not only have several of our colleagues expressed an interest in cosponsoring the legislation, but at this morning's opening of hearings on H.R. 6037—to establish a Cabinet-level Department of Consumer Affairs—and on H.R. 13793 before the Subcommittee on Executive and Legislative Reorganization of the Committee on Government Operations, two distinguished former Federal officials indicated strong support for my proposal.

Dr. James Goddard, the highly effective and very consumer-minded former Commissioner of the Food and Drug Administration, specifically stated his endorsement of H.R. 13793, and Mrs. Esther Peterson, the first Presidential Assistant for Consumer Affairs, clearly expressed her preference for the approach embodied in my bill.

In her testimony before the subcommittee, Mrs. Peterson said, in part:

I do not think a single Department could withstand the combined opposition of the powerful economic forces which would be marshalled against it. More could be accomplished by well-administered programs in different agencies coordinated by a single office with statutory mandate and a will to do the job.

There is also the time element. The consumer can't wait for a major administrative reorganization to solve his problems. He needs help now. A consumer office with statutory authority should have the responsibility to propose new legislation. It should be a think-tank for the consumer, anticipating needs. It should oversee enforcement of existing legislation and coordinate existing consumer programs, open dialogues between business and consumers, and build community consumer organizations.

* * * * *

The consumer office should restore the consumer's presence before regulatory agencies and be his voice before committees of Congress. It should intervene in the consumer interest whenever and wherever the consumer voice needs to be heard.

Obviously, Mr. Speaker, I wholeheartedly subscribe to Mrs. Peterson's views, and I am delighted to know that this very wise and talented champion of the consumer interest is in accord with the major purposes and provisions of my proposed legislation. For H.R. 13793 would do precisely what she has contended should be done.

Mr. Speaker, I invite others among our colleagues who share a concern for the needs of American consumers to join me in sponsorship of this legislation.

As a part of my remarks, I include the text of my testimony this morning before the Subcommittee on Executive and Legislative Reorganization:

STATEMENT OF REPRESENTATIVE FLORENCE P. DWYER (REPUBLICAN, 12TH DISTRICT, NEW JERSEY) IN SUPPORT OF HER "CONSUMER PROTECTION ACT OF 1969" BEFORE THE SUBCOMMITTEE ON EXECUTIVE AND LEGISLATIVE REORGANIZATION OF THE COMMITTEE ON GOVERNMENT OPERATIONS, TUESDAY, SEPTEMBER 16, 1969

Mr. Chairman, I greatly appreciate this opportunity to appear before the subcommittee on behalf of my proposed "Consumer Protection Act of 1969."

Inevitably, Mr. Chairman, my bill will be seen as an alternative to the other legislation pending before the subcommittee, the bill to create a Cabinet-level Department of Consumer Affairs. And this is appropriate, for my bill is intended to be such an alternative.

But more important, this bill is a positive effort to meet a problem which is recognized by the sponsors of both bills: the problem of inadequate Federal attention to the needs of American consumers in a highly complex, rapidly changing technological society.

I am greatly encouraged by the apparent awareness of most people and most Members of Congress that more effective consumer representation and protection is necessary at the Federal level. This objective is not seriously disputed. Our purpose, therefore, is to determine the best means of safeguarding the legitimate interests of consumers—their right to safety, quality, honesty, and maximum freedom of choice, with only the minimum necessary restrictions on the suppliers of goods and services.

I believe very strongly that the basic approach of my "Consumer Protection Act of 1969" provides a more effective means of achieving this objective.

It does so for this reason: it recognizes the basic facts that consumer protection requires

commitment, coordination and leadership, and that these qualities can only be made effective, ultimately, at the Presidential level. My bill, therefore, would institutionalize this responsibility in the Executive Office of the President. It would place leadership for consumer protection, permanently and by statute, where it belongs. It would unite the President and the Congress in a new determination to assure consumers that their rights will be recognized and enforced.

My bill, Mr. Chairman, consists of four major provisions:

First, it would create in the Executive Office of the President a permanent, statutory Office of Consumer Affairs, equipped with broader jurisdiction and strengthened authority to lead, to coordinate, to initiate, to educate, to intervene, and to assure enforcement.

Second, it would establish an independent Consumer Advisory Council empowered to provide the critically important component of fresh ideas, detached evaluation, and practical recommendations from *outside* the Government, from those most directly concerned with consumer protection—consumers themselves and their representatives.

Third, it would authorize Federal departments and agencies which test consumer products for the Government's own use to make public the results of such tests, and it would further authorize the National Bureau of Standards to conduct tests on other consumer products which are voluntarily submitted for this purpose by their manufacturers, on condition that the manufacturers pay the cost of such testing and publicize the results truthfully and completely.

Fourth, it would heighten the consumer-mindedness and strengthen the accountability of the 33 or more departments and agencies which have consumer responsibilities by requiring each such agency, in taking any action substantially affecting consumer interests, to report publicly the extent to which it considered the consumer interest and the manner in which its action would advance the consumer interest.

By implication, Mr. Chairman, there is a fifth major provision to my bill, though it appears nowhere in the text of the legislation. It would retain the operating and regulatory responsibilities for consumer protection in the agencies to which they have historically been entrusted, agencies which possess, at least potentially, the experience and expertise required for an effective job—but under conditions which will provide more vigorous leadership and stimulate a higher level of performance.

It is evident, Mr. Chairman, that the central feature of my bill is the proposed Office of Consumer Affairs. The broader powers and responsibilities which I propose to give this Office, in addition to its permanent status, will demonstrate its significance.

Under the bill, the Office would:

Coordinate Federal consumer programs and resolve agency differences;

Present consumer viewpoints before appropriate agencies and represent consumer interests in agency proceedings;

Receive, evaluate and transmit complaints about practices harmful to consumers;

Coordinate the collection and dissemination of information, test results, data, etc. of value to consumers;

Initiate hearings on its own motion, and collect consumer information itself where such functions are not duplicative;

Establish offices in major population centers to receive complaints, render assistance, and disseminate information;

Encourage and coordinate research leading to improved products, services and information;

Encourage, initiate and participate in consumer education programs;

Cooperate with and assist State and local governments and private enterprise in the promotion and protection of consumer interests.

Given these powers, Mr. Chairman, I suggest that the advantage of a White House Office of Consumer Affairs rests in the unique character of consumer protection. Unlike housing, or transportation, or health or education, consumer protection is not a separate commodity which can be regulated or promoted by a separate agency of government. Consumer protection is virtually all pervasive. The consumer interest is present and involved in almost all that the Federal Government does, including housing, transportation, health and education. But consumer protection is only one aspect—though a most important one—of these and other programs. It cannot be separated from other, equally important, aspects.

For example, the consumer's interest in reasonably priced air travel is dependent on the rate-making functions of the Civil Aeronautics Board. But the Board is also responsible for promoting an economically healthy air transportation industry, and this, too, involves a rate-making function. The two responsibilities cannot be separated. A single rate decision affects both. They must, therefore, be kept in balance and the consumer interest represented at the point of decision if the public interest, which includes the consumer interest, is to be advanced.

The same principle, I believe, applies to most of the programs and functions which would be transferred to the proposed Department of Consumer Affairs by the bill, H.R. 6037. The Department approach would either separate consumer protection from related functions or would upset the necessary balance between those functions.

In brief, it makes more sense to me to strengthen consumer protection where consumer decisions are being made, and to do this in the two places which count most: the agency which makes the day-to-day decision and the White House where basic policy is established and where the required leadership and coordination can be exercised.

Despite its laudable purposes, Mr. Chairman, a Department of Consumer Affairs would only complicate—indeed, weaken—the Government's task of protecting consumers. On the other hand, the weakness of the Department approach reflects the strength of the White House Office approach. For example:

Where an Office of Consumer Affairs could coordinate *all* Federal consumer protection activities, a Department could coordinate only those, at most, which came within its own jurisdiction. As we have seen, notably with the Department of Housing and Urban Development, one department or agency cannot successfully coordinate another. That job must be done at a higher level.

Where the Office could provide needed leadership and policy direction throughout the Executive Branch, the Department, again, would be limited to its own domain, thereby tending to downgrade consumer protection activities outside the Department.

Where a new Department would predictably become prey to the pressures of special interests, the Office—having no operating responsibilities—would be better able to preserve its independence.

Where a new Department would bring into being a new and costly bureaucracy, the Office would entail only a modest added expense.

Where the proposed Department could be expected to increase duplication, arouse inter-agency antagonisms, and stimulate wasteful competition, the proposed Office would clarify responsibility and encourage superior performance.

Mr. Chairman, there is no easy way to protect consumers. Advances in technology and marketing and the proliferation of consumer products and services have made the consumer's right to quality and safety, to truthfulness and choice, more difficult to assure. The appearance of protection, therefore, without the substance would only make matters worse.

Consumer interests are too varied to be centralized in a single operating Department. It would solve nothing to force agencies with consumer responsibilities to give them up or transfer them or downgrade them. They need to be improved where they exist. And, at the same time, consumers need one central place in the Executive Branch entrusted with the sole function of protecting, informing, speaking for, representing and listening to consumers.

My "Consumer Protection Act of 1969" will do both. It will provide the leadership, and it will place a new spotlight on agencies' consumer activities, make it easier to evaluate their performance, and serve as a challenge to greater effectiveness. It will make consumers and their interests more visible than ever before and, as a result, better served.

With the subcommittee's consent, Mr. Chairman, I should like to append to this statement the text of my remarks in Monday's Congressional Record which provides a more detailed explanation of my bill.

Thank you very much.

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## GENOCIDE IN UNITED STATES INDICATED BY WORLD OPINION

### HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 16, 1969*

Mr. RARICK. Mr. Speaker, busing of schoolchildren to impose racial balance, forced race-mixing, and assignment of schoolteachers according to race are being inflicted upon an unwilling American people to obliterate racial, religious, national, and ethnic identities.

The act of forced busing to break down minorities as groups is clearly denounced by the Genocide Convention in article 2, subsection (e) which provides that one act of genocide is "forcibly transferring children of the group to another group" with "intent to destroy, in whole or in part, a national, ethnic, racial, or religious group, as such."

The Genocide Convention further indicts destructive acts "causing serious bodily or mental harm to members of the group."

Irrefutable examples of such mental harm are manifest in the tragic denial of freedom of choice in the schools growing out of destruction of dual school systems under a program to eliminate a multiracial society.

In New Iberia, La., with the opening of school, hundreds of Negro youths demonstrated against closure of their school and being compelled to attend the previously white school, protesting what they called attempts to "de-Africanize" them.

At Amite, La., a Negro youth confessed to a $500,000 arson of a formerly white high school believing that the Federal judge who had abolished his school would then re-open the all-Negro school so he could play football.

Elsewhere in my area, which had been harmonious under freedom of choice,

such extremist measures as forced compliance to busing and to other involuntary race-mixing has provoked homicide, lock-up of schools, demonstrations, and a general breakdown in community relations. All of these chaotic conditions can only be regarded as outward manifestations of mental harm—genocide—occasioned by the thoughtless efforts of those in Government determined to destroy ethnic, national, religious, and racial groups as such.

Ironically, the Genocide Convention, ratified by 67 foreign nations, is pending before the U.S. Senate where many of the Senators expected to favor ratification—based upon their previous public statements of enthusiastic endorsement—have already violated the principles and language contained in the convention, condemning the horrors of genocide.

Especially of concern is the possibility that under the Genocide Convention, Robert Finch, Secretary of Health, Education and Welfare, is guilty of complicity by calling upon the Senate to kill that portion of the HEW appropriations bill known as the Whitten amendment, which expressly prohibits the use of taxpayers' money for that form of genocide, "transferring of children of one group to another group."

If the world opinion is in any way reflected by the United Nations Organization, then these punitive acts are not only immoral and unjust but are criminal under the Genocide Convention treaty.

No perpetrators of heinous crimes against humanity can expect to be absolved of personal culpability. Article 4 of the convention provides for punishment, "whether they are constitutionally responsible rulers, public officials or private individuals."

Nor can the HEW guideline writers, Federal judges, and Justice Department enforcers hope to escape their guilt with a plea that they were simply obeying orders from the power structure. The convention definition of the crime of genocide includes "complicity" or "conspiracy."

Ratification of the Genocide Convention would have the effect of repealing the Civil Rights Act and other similar genocidal legislative enactments. Still, I would not support it. For I have confidence that Americans, left to their own political devices, can right these wrongs and solve our own problems.

Mr. Speaker, so that our colleagues may be apprised of the extent of the international crime of genocide, I include the full text of the treaty and news clippings in the RECORD following my remarks:

TEXT OF THE CONVENTION

THE CONTRACTING PARTIES,

HAVING CONSIDERED the declaration made by the General Assembly of the United Nations in its resolution 96 (I) dated 11 December 1946 that genocide is a crime under international law, contrary to the spirit and aims of the United Nations and condemned by the civilized world;

RECOGNIZING that at all periods of history genocide has inflicted great losses on humanity; and

BEING CONVINCED that, in order to liberate mankind from such an odious scourge, international co-operation is required:

HEREBY AGREE AS HEREINAFTER PROVIDED:

*Article I*

The Contracting Parties confirm that genocide, whether committed in time of peace or in time of war, is a crime under international law which they undertake to prevent and to punish.

*Article II*

In the present Convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

(*a*) Killing members of the group;

(*b*) Causing serious bodily or mental harm to members of the group;

(*c*) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;

(*d*) Imposing measures intended to prevent births within the group;

(*e*) Forcibly transferring children of the group to another group.

*Article III*

The following acts shall be punishable:

(*a*) Genocide;

(*b*) Conspiracy to commit genocide;

(*c*) Direct and public incitement to commit genocide;

(*d*) Attempt to commit genocide;

(*e*) Complicity in genocide.

*Article IV*

Persons committing genocide or any of the other acts enumerated in Article III shall be punished, whether they are constitutionally responsible rulers, public officials or private individuals.

*Article V*

The Contracting Parties undertake to enact, in accordance with their respective Constitutions, the necessary legislation to give effect to the provisions of the present Convention and, in particular, to provide effective penalties for persons guilty of genocide or of any of the other acts enumerated in Article III.

*Article VI*

Persons charged with genocide or any of the other acts enumerated in Article III shall be tried by a competent tribunal of the State in the territory of which the act was committed, or by such international penal tribunal as may have jurisdiction with respect to those Contracting Parties which shall have accepted its jurisdiction.

*Article VII*

Genocide and the other acts enumerated in Article III shall not be considered as political crimes for the purpose of extradition.

The Contracting Parties pledge themselves in such cases to grant extradition in accordance with their laws and treaties in force.

*Article VIII*

Any Contracting Party may call upon the competent organs of the United Nations to take such action under the Charter of the United Nations as they consider appropriate for the prevention and suppression of acts of genocide or any of the other acts enumerated in Article III.

*Article IX*

Disputes between the Contracting Parties relating to the interpretation, application or fulfillment of the present Convention, including those relating to the responsibility of a State for genocide or for any of the other acts enumerated in Article III, shall be submitted to the International Court of Justice at the request of any of the parties to the dispute.

*Article X*

The present Convention, of which the Chinese, English, French, Russian and Spanish texts are equally authentic, shall bear the date of 9 December 1948.

*Article XI*

The present Convention shall be open until 31 December 1949 for signature on behalf of any Member of the United Nations and of any non-member State to which an invitation to sign has been addressed by the General Assembly.

The present Convention shall be ratified, and the instruments of ratification shall be deposited with the Secretary-General of the United Nations.

After 1 January 1950 the present Convention may be acceded to on behalf of any Member of the United Nations and of any non-member State which has received an invitation as aforesaid.

Instruments of accession shall be deposited with the Secretary-General of the United Nations.

*Article XII*

Any Contracting party may at any time, by notification addressed to the Secretary-General of the United Nations, extend the application of the present Convention to all or any of the territories for the conduct of whose foreign relations that Contracting Party is responsible.

*Article XIII*

On the day when the first twenty instruments of ratification or accession have been deposited, the Secretary-General shall draw up a *procès-verbal* and transmit a copy thereof to each Member of the United Nations and to each of the non-member States contemplated in Article XI.

The present Convention shall come into force on the ninetieth day following the date of the twentieth instrument of ratification or accession.

Any ratification or accession effected subsequent to the latter date shall become effective on the ninetieth day following the deposit of the instrument of ratification or accession.

*Article XIV*

The present Convention shall remain in effect for a period of ten years as from the date of its coming into force.

It shall thereafter remain in force for successive periods of five years for such Contracting Parties as have not denounced it at least six months before the expiration of the current period.

Denunciation shall be effected by a written notification addressed to the Secretary-General of the United Nations.

*Article XV*

If, as a result of denunciations, the number of Parties to the present Convention should become less than sixteen, the Convention shall cease to be in force as from the date on which the last of these denunciations shall become effective.

*Article XVI*

A request for the revision of the present Convention may be made at any time by any Contracting Party by means of a notification in writing addressed to the Secretary-General.

The General Assembly shall decide upon the steps, if any, to be taken in respect of such request.

*Article XVII*

The Secretary-General of the United Nations shall notify all Members of the United Nations and the non-member States contemplated in Article XI of the following:

(*a*) Signatures, ratifications and accessions received in accordance with Article XI;

(*b*) Notifications received in accordance with Article XII;

(*c*) The date upon which the present Convention comes into force in accordance with Article XIII;

(*d*) Denunciations received in accordance with Article XIV;

(*e*) The abrogation of the Convention in accordance with Article XV;

(*f*) Notifications received in accordance with Article XVI.

*Article XVIII*

The original of the present Convention shall be deposited in the archives of the United Nations.

A certified copy of the Convention shall be transmitted to each Member of the United Nations and to each of the non-member States contemplated in Article XI.

*Article XIX*

The present Convention shall be registered by the Secretary-General of the United Nations on the date of its coming into force.

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[From the Washington Post, Sept. 12, 1969]

FINCH ASKS SENATE TO KILL "FREEDOM OF CHOICE" BILL

The Nixon administration announced its opposition last night to a controversial bill supporting "freedom of choice" school desegregation.

The measure, now pending in the Senate, passed the House as an amendment to the Health, Education and Welfare Department's appropriations bill. It was drafted by Rep. Jamie Whitten (D-Miss.). Whitten was not available immediately for comment last night. HEW Secretary Robert H. Finch pronounced the administration's first formal word of opposition to the amendment, which forbids the federal government from withholding aid to school districts that have freedom of choice plans.

Finch said in a statement that the Whitten amendment would prejudice the ability of the department to carry out its mandate.

The administration voiced no opposition when the amendment passed the House.

Finch said in the statement that HEW is currently completing a "thorough report" on its civil rights activities since the administration took office last Jan 20.

"I am confident that this report, which I expect to release shortly, will show that remarkable progress has been made during the past eight months," Finch said.

HEW has a broad range of responsibilities, he said, adding, "We are proud of the progress made in all these areas, even as we recognize the job still to be done.

"Since January, we have taken significant new strides, including greatly increased use of the courts through the Department of Justice to end segregation in schools," Finch said.

He said the report is expected to show significant progress in ending racial discrimination in higher education, health and social services, and employment.

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[From the Morning Advocate, Sept. 12, 1969]

TANGIPAHOA SCHOOL FIRE SUSPECT HELD

(By John Morris)

AMITE.—A youth who felt his act would lead to his being able to return to another school and play football this fall set fire to Amite High School last week, Sheriff Frank Edwards said Thursday.

Another youth was also arrested as an accomplice.

Carl Randolph, 17, Amite, was booked with the "arson of Amite High School" Thursday, Det. Capt. Charles Bender told a press conference in Sheriff Edward's office. Bond on the charge had not been set yet, he added.

Randolph, the sheriff said his investigation revealed, played football for West Side High School in 1968. This summer, he was one of the students assigned to Amite High under the new full integration orders of the federal courts.

Randolph's grades at West Side last spring, however, did not come up to minimum standards to allow him to join the Amite High squad.

Edwards said the youth told his department—and polygraph operators from the state fire marshal's office—he thought if Amite High was closed he would be allowed to return to West Side, where academic standards were not as high and he could play football this year.

Randolph "conned" Hill into entering Amite High with him last Friday night, said Edwards, on the pretense of burglarizing coin machines in the school. Instead, Randolph went straight to the auditorium, where he set fire to the stage curtains, Edwards said.

Randolph allegedly entered the school through a restroom window and opened an outside door for Hill to come in. Proceeding to the auditorium—located almost in the center of the bulding—Randolph then told officers he set the curtains aflame. He stated he did not use any inflammable liquids or such, only matches.

The fire started slowly and the youths left.

Randolph then re-entered the building via the same route as the first time to see if the fire was still lit. However, he told officers, he was unable to get back to where he started the fire because of heavy smoke.

Hill apparently did not re-enter the building, according to Bender, and went on to Perry's Drive-In—one of the business establishments the boys are accused of burglarizing.

Randolph is supposed to have arrived at the drive-in about 10 minutes after Hill.

Bender said Randolph said in a statement the thought of burning down the school first came to him about 1:30 p.m. Friday during school. After classes were out, he eventually went back to the school stadium and stayed there until the football team departed for a game in Franklinton.

Ironically, Friday was the day of the team's first football game of the 1969 season.

It was after going several places during the early evening that Randolph, Hill and the others, who were not involved in destroying the school, were passing back in front of Amite High that the two suspects entered the school.

Following setting the fire, the pair allegedly burglarized Schumacher's Drive In after leaving the school.

The blaze was discovered about 10:40 p.m. Friday and a call went out from the Amite fire department to other firefighting units in the parish.

Students returning from the ballgame at Franklinton hurried into the building, coming out carrying books, desks, trophies and other school belongings until authorities stopped them for fear of being injured by falling debris.

Saturday, schools Supt. Dewitt Saulis estimated the damage would reach $500,000. Amite High students were sent to West Side High to attend classes, with that group and the ones previously assigned to West Side platooning under a plan worked out by Ward 3 boardmen.

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[From the Washington Star, Sept. 10, 1969]

ALLEN FEARS UNREST OF YOUNGER PUPILS

(By John Mathews)

U.S. Education Commissioner James E. Allen Jr., today warned school administrators that student unrest this year may be centered more in the nation's junior and senior high schools than in its colleges.

In an unusual message to the chief education officials of all the states, Allen endorsed "black, brown and other ethnic studies" programs as one immediate method for dealing with the causes of student disaffection.

He also detailed ways of involving students in decisionmaking—including the drafting of dress codes and student bills of rights.

TRACK SYSTEM PROBE

In long-range terms, Allen said that school systems should examine grouping and track systems that can result in "racial and socioeconomic segregation" of students. School systems also should eliminate inequities in allocation of resources such as teachers, books and equipment," he said.

"Educational leaders have an obligation to confront the issues which underlie unrest and to plan actions which reduce avoidable tension in our school districts," Allen said. "We can bemoan current conditions or we can seize upon them to improve the educational opportunities for all of our young people."

The education commissioner appears to be taking the same approach to unrest in secondary schools that he has taken toward college disturbances—namely that punitive measures do not confront the basic causes of the problem.

PUBLIC DANGER ADMITTED

But he did acknowledge that student unrest in the schools can become a public safety problem. He suggested establishment of committees, including students, administrators and members of the community, to set up guidelines on personal safety and to "spell out carefully how and under what conditions law enforcement agencies will be used during disorders."

In a message earlier this week to the nations school principals, made at the request of the National Association of Secondary School Principals, Allen said that high school unrest has attracted less attention than in the colleges, but it is likely to increase this year.

"The potential is there," the commissioner said. "Just in terms of numbers, there are approximately 26,000 public secondary schools in the country compared to 1,600 four-year public and private colleges and universities, and these secondary schools enroll three times as many students of a younger, more volatile age."

MORE THAN 340 INCIDENTS CITED

During a four-month period last school year, Allen said, more than 340 secondary schools in 38 states experienced "serious student disturbances." Incidents will probably increase, he added, "as junior and senior high school students join in the general activism which has become so characteristic of our times."

Lack of communications with students and student distrust of disciplinary systems are among the causes of unrest, Allen said.

He suggested establishing "ombudsmen" in the schools and "provisions of appeals or review procedures on disciplinary actions as a means to increase confidence both in schools and in the community."

CHEERLEADER SELECTION

If school administrators feel dress codes are necessary, Allen said, students and parents should participate in designing the codes to "promote intergroup respect rather than conformity to a single value system with its implied superiority."

Black or other minority group studies, incorporated in existing courses or as new curriculum offerings, would "increase understanding, rather than fear of cultural differences," Allen said.

In another suggestion for short-range action, Allen noted a common source of friction between white and black students, and said that policies for special recognition such as the selection of cheerleaders and prom queens, should be "equitable and unifying of school spirit rather than divisive."

Schools should also widen their extracurricular activities to make certain no students are excluded, he added.

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[From the Washington Post, Sept. 4, 1969]

WHITE PUPILS BUSED TO SCHOOL IN BOSTON GHETTO

(By Nancy L. Ross)

BOSTON, September 3.—For the first time in this city's history, white pupils were brought into the predominantly black sec-

tion of Roxbury today to achieve racial balance in a public school.

More than 1,000 black neighborhood children had sought entry into the $4 million William Monroe Trotter Elementary School—the first school built in this section in 32 years. But a majority had to be turned away to meet the requirements of a 50-50 racial balance required under a 1965 state law.

A minor incident marred the otherwise peaceful first day at school. A fist fight between a handful of black militants and two white parents and their children broke out in the cafeteria.

On the national level the Roxbury experiment will be watched as one method to end inner city school racial imbalance caused by segregated housing patterns.

The new school building stands scarcely four blocks from the only partially reconstructed center of Roxbury, damaged in the 1967 riots.

Trotter is the first in a series of racially balanced new schools planned in a multimillion-dollar school construction program.

This morning, at a sometimes angry meeting in the auditorium, some Negro parents complained about an administrative mixup that resulted in 64 black children being refused admission to Trotter. The children had been accepted for the new school last June, only to be informed a few days ago that they could not attend because the black quota was filled. Parents of 90 additional children, who wanted to attend the new school, joined the meeting.

Trotter's capacity is 740 pupils. Today, 370 blacks and 290 whites registered. The 80 empty seats will be held for white students until Monday and then assigned to blacks if more whites do not apply.

Failure of the 80 whites to show up today was attributed in part to parents' second thoughts about transportation to Roxbury (suburbanites must provide their own), fear of violence, and hesitation at taking away "black seats."

Under the 1965 state law, funds can be withheld for construction if a school does not meet the racial balance requirement. The Boston School Committee, under the leadership of plump ex-mayoral candidate Louise Dayl Hicks, fought the law, but it finally was forced to submit a plan for integration.

At Trotter, white students are being bused from the center of Boston and from the suburbs. Some black parents felt the white children are occupying space that should go to their children. Some students who live within walking distance of Trotter are forced to attend older schools in the neighborhood.

Black residents also pointed to the new school which opened today in neighboring West Roxbury. It is a predominantly white school in a predominantly white community. Because it was constructed with only 40 per cent state funds as compared to the 65 per cent state funds for Trotter, it does not have to comply with the racial balance law.

Parents taking part in the project speak about the value of interracial experience for their children. For others the attraction of the school is its new facilities, curriculum and low pupil-teacher ratio.

"We have done a lot of thinking about it over the weekend and have really mixed feelings about it," said Dr. James R. Mahoney, a Harvard faculty member, who entered four children at Trotter.

"If integration can't work here, I don't think it's going to work anywhere. We have chosen to live in the city, not the suburbs, and we hope our children will grow up in the new city."

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[From the Baton Rouge (La.) Morning Advocate, Sept. 12, 1969]

FBI ARRESTS THREE IN SCHOOL DELAY

Three Livingston Parish men were arrested by FBI agents Thursday on Justice Department complaints that they interfered with federal court school desegregation orders.

U.S. Dist. Judge E. Gordon West also issued orders late Thursday for the West Baton Rouge Parish School Board to re-open schools no later than Friday morning, and ordered West Baton Rouge Parish school officials to explain why they should not be held in contempt of court for closing the schools.

Judge West also signed another order denying Iberville Parish school officials permission to open two elementary schools for Negroes, explaining that "freedom of choice" would not apply to either white or Negro parents and students.

The temporary restraining order Judge West issued to West Baton Rouge Parish school officials was similar to one in which he ordered Ascension Parish school officials to reopen schools in East Ascension earlier this week.

After the order was distributed by deputy marshals, school officials rushed to notify teachers and other school personnel to report Friday morning. Supt. L. C. Lutz announced the schools will open at the regular time, and school buses will operate as in the past.

Lutz was served with the restraining order at 3:30 p.m., and summoned school board members to a meeting at 5:30 p.m., where the board voted to comply with West's order.

The three Livingston Parish men—Eugene Ballard, Jimmy Sims and Edward Lynn McDowell—were escorted to the federal court building in Baton Rouge late Thursday, where they posted bonds of $2,500 each before deputy commissioner Hubert Banta.

The Justice Department complaint accused them of interferring with a Negro teacher at the Live Oak School in Watson. The complaint alleged the three threatened to pull the teacher, Pleasant Self Jr., out of his car twice, and blocked Self's entrance to the school before they were ordered away by a Livingston Parish deputy sheriff.

The complaint said one of the men—McDowell—was seen to bend down near the left rear tire of Self's car as Self entered the school. The tire was cut with a knife.

In the Iberville order issued last Thursday, Judge West denied a joint motion by the Iberville Parish School Board, the Justice Department and the NAACP to re-open the two predominantly Negro elementary schools.

In a brief explanatory note, the judge explained he could not deny white parents the right to send their children to the school of their choice, and then turn around and grant Negro parents the same right he denied white parents.

The desegregation plan for Iberville Parish approved last month by Judge West calls for the closure of Seymourville Elementary School and Iberville Elementary School this fall.

The Seymourville school may be used later for special education purposes—adult education purposes—adult education, and possibly a year-around Head Start center, according to the school board's plan. The plan calls for Iberville Elementary to be used as a storage facility for educational materials.

U.S. Marshal Tom Grace confirmed Thursday he dispatched deputy marshals to five parishes in the Baton Rouge area in connection with school integration strife.

Grace said the deputy marshals will be present in West Baton Rouge Parish schools Friday when schools reopen.

Other parishes where marshals have been dispatched are Washington, St. John the Baptist, Ascension and Pointe Coupee.

Judge West Thursday signed an order removing a petition for an injunction against the West Baton Rouge Parish School Board to his court, and continued the case indefinitely, annulling an order signed by state Dist. Judge Daniel P. Kimball setting a date for a hearing on the petition.

The order issued on a petition filed by attorneys of the Civil Rights division of the U.S. Justice Department.

ROSEDALE

A school teacher was arrested on the complaint of white pickets at Shady Grove High School in Iberville Parish at the end of the school day Thursday.

Marshal Curtis Hendricks said he arrested J. W. Perry, a white teacher at the integrated school, on a complaint charging reckless driving.

The Rev. Don Turner, a Citizens for Quality Education official, said the teacher intentionally ran into a woman picket at the school. He said there were no men picketing at the time. He said several witnesses would testify the teacher "did not intend to stop."

Hendricks said about 15 women pickets were at the school and as the teacher started to leave, the women ran to his car saying they wanted to ask him something. "He kept going and brushed into one," Hendricks said. He said the picket, identified as Mrs. Hubert Blanchard, was not injured.

VACHERIE

Community Organization on the Move for Equality, a civil rights group in St. James Parish, petitioned the sheriff Thursday for protection of members who plan to attend football games Friday night.

The petition referred to the game between St. James High School and the Louisiana School for the Deaf Friday night at St. James High, which will be the first home game for the Wildcats since St. James schools were integrated.

The group also asked citizens to use common sense and restraint at the game. A spokesman said the organization was trying to keep the schools open at all costs.

OPELOUSAS

A permit for Concerned Citizens of Evangeline Parish and Citizens for Quality Education of St. Landry Parish to parade in Opelousas Monday between 8 and 11 a.m. was issued Thursday by Mayor Wilford Cortez.

Route of the parade, stipulated by Cortez, completely bypasses the federal court building where a hearing is scheduled for 10 a.m. for the Evangeline Parish School Board to defend against contempt of court charges.

The Evangeline board closed schools in that parish Sept. 2.

The hearing was scheduled to be in Lafayette and was changed to Opelousas by Judge Richard Putnam.

Area of the parade, as designated by the mayor, is from South City Park to Court Street to Belleview Street, east to Main Street, south to Jefferson, then to Court and back to South City Park.

Mayor Cortez said the permit was issued under a city ordinance that provides for any peaceful parade.

"We hope we won't have any problems with this parade but we will be prepared," he warned.

Meanwhile, an uneasy calm settled over St. Landry Parish Thursday as it geared itself for opening of 40 public schools under court order Friday.

The St. Landry Parish School Board last week was pressured into closing the schools by a crowd of 2,000 which attended a board meeting.

Tuesday night, Judge Putnam, who presides in U.S. District Court for the Western District, ordered the schools open not later than 9 a.m. Friday.

Judge Putnam, on Aug. 8, ordered guidelines devised by the Health, Education and Welfare Department for complete integration implemented.

Dist. Atty. J. Y. Fontenot of St. Landry Parish said Thursday Jeris Leonard, assistant attorney general of the United States, promised there would be adequate federal marshals in St. Landry Friday to see court orders are implemented.

Fontenot said there is no doubt that the federal government is going to see that the orders of the court are carried out.

In addition to federal prosecution, violators will be prosecuted at the local and state levels, he said.

This does not mean that peaceful picketing is prohibited, the district attorney said. Persons cannot block, roads, driveways or walkways and cannot interfere with persons going to and from the schools, he continued.

Leslie Schiff, U.S. Commissioner in Opelousas, announced that he had been instructed by the marshal's office and the attorney's office to make himself available Friday in the event of possible arrests in connection with carrying out Putnam's orders.

LAKE CHARLES

The Westlake Citizens Committee Thursday canceled a meeting in which it was to have proposed a white boycott of two Westlake schools.

The committee issued a statement which not only called off the Saturday meeting but also dissolved the committee.

"After carefully reconsidering and upon the advice and counsel of responsible citizens in our community, it is the opinion of the majority of the citizen's committee that to call a boycott of the Westlake schools would not only be ineffective but would also serve no useful purpose.

"Therefore for the sake of our children's educations we have decided to abide by the school board proposal, even though we consider it unfair," the statement said.

The Calcasieu Parish School Board Tuesday bypassed the request of some 100 Westlake Citizens to redraw districting lines in the area. The citizens wanted the dividing line between Sulphur and Westlake high schools moved so as to take Mossville Negro students from Westlake and reassign them to Sulphur.

The board said it proposed to redraw the line for the 1970–71 school year. The board proposed to leave students where they are this year except to force about 10 Westlake students, who should have registered at Sulphur, to attend that school. Westlake High School was closed for two days last week because of disciplinary problems in connection with the integration of students from the closed Mossville High School.

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[From the Dan Smoot report, Aug. 4, 1969]

PARTICIPATORY DEMOCRACY

On March 11, 1969, the Faculty Council of Ohio State University (Columbus) announced an "open housing" rule, prohibiting students (on pain of being suspended or put on probation) from living in discriminatory off-campus housing. *Discriminatory* means refusal (on the basis of race, religion, color, or national origin) to rent housing to *any* OSU student.

The rule created an Open Housing Panel as a "tribunal" to decide what off-campus housing is discriminatory. The panel will consist of six faculty members (selected by the Faculty Council) and five students. Its decisions to blacklist off-campus housing will be made on the basis of investigations conducted by designated student investigators.

The Faculty Council submitted its open-housing rule to the Board of Trustees for approval.

Negro militants, the pro-communist Students for a Democratic Society (SDS), and other leftwing radicals (supported by students who call themselves "moderates") demanded immediate approval. The trustees, uncertain about the legality of the open-housing rule, sent it to the Ohio attorney general for his official opinion.

It took the attorney general (Paul W. Brown) almost two months to make up his mind. Radical leftists, on and off campus, were so noisy and insistent in their demands for instant approval of the open-housing rule that tensions mounted and riotous conditions developed. SDS was rumored to be planning a major uprising at Ohio State if the trustees did not approve the open-housing rule.

Ohio attorney general Brown gave his opinion on May 2, 1969: the OSU Board of Trustees had "the requisite authority" to adopt the open-housing rule.

On May 8, OSU trustees met to make up their minds. About 200 leftwing militants (and a considerable number of their "moderate" followers) gathered outside the meeting place to exert pressure for approval. They shouted threats and obscenities, and one 19-year-old male student performed a nude rain dance. Members of Young Americans for Freedom (an organization of conservatively-oriented students) gathered to register opposition to the open-housing rule and to the leftwing demonstrators. A few fist fights occurred, and a full-scale riot seemed imminent.

The trustees yielded to the leftwing pressure and approved the Faculty Council's open-housing rule, without a dissenting vote.[1]

Robert R. Soltis, a Cleveland attorney, has prepared and mailed to the Ohio attorney general, and to all members of the OSU Board of Trustees, a brief on the open-housing rule. Citing Ohio and U.S. statutes, and state and federal court decisions, Mr. Soltis shows that the OSU open-housing rule violates U.S. laws and Ohio laws as well as U.S. and state constitutions; that it is arbitrary, tyrannical, and ridiculous; that it violates not only the rights of OSU students, but also the rights of off-campus homeowners who have no connection with OSU; and that it will intensify rather than decrease ill will and racial tensions on the OSU campus and in the surrounding community.

OSU faculty members, administrative officials, and trustees, who have imposed the illegal and dictatorial open-housing rule on students, are themselves exempt from it. The president of OSU can continue living in his exclusive (and, of course, "segregated") mansion. Other administrative officials, faculty members, and trustees can continue enjoying the freedom to live where they please.

Before OSU trustees approved the open-housing rule, attorney Soltis, in an open letter to all of them, asked some cogent questions which the trustees never answered.

Is it not insulting to Negroes as a racial group (as well as being constitutionally and legally repugnant) to *compel* whites (by force, threats, and economic pressure) to associate with Negroes?

Advocates of compulsory "open housing" (and other forms of forced racial mixing) intemperately condemn as a "racist" everyone who opposes the use of force to make whites mingle with Negroes; but are they not themselves guilty of what Bayard Rustin condemns as "reverse racism"? Rustin (a Negro civil-rights activist with a communist-front record) says "reverse racism" is a conviction that Negroes are inferior to whites and will, therefore, benefit from forced association with the "superior" white race.

Academicians, who imposed the open-housing rule on OSU students, claim to be passionately devoted to what they call "participatory democracy"; but are they not actually holding themselves up as elitists"? Elitists, according to Bayard Rustin, are people who "think they have the right to make decisions for thousands of people when no vote has been taken." The thousands of vitally affected OSU students (and off-campus homeowners) were given no voice (no "participatory" role at all) in making forced-housing decisions which do not apply to the "elitists" who made the decisions.

By exempting themselves from rules imposed on students, has not the OSU official heirarchy given credence to violent student protestors who accuse the university "establishment" of hypocrisy because it does not practice what it preaches?

Concerning the OSU trustees' behavior in adopting the open-housing rule, in surrender to the demands of a mob of obscene and violent left-wing militants, attorney Soltis said (in a memorandum to the trustees):

Concerned Americans with an awareness and sense of history will see many parallels between an event which occurred on March 23, 1933, in Berlin, Germany, and an event which occurred on May 8, 1969, in Columbus, Ohio. To be sure there are differences, but in degree rather than in essence and kind.

While a mob of brown-shirted totalitarians were creating an aura of tension and fear by assembling outside, on March 23, 1933, the Reichstag passed an edict euphemistically called an "Enabling Act" for "Removing the Distress of People and Reich." By that Act, the Weimar Republic was killed.

While a totalitarian mob of about 200 leftwing militants were gathered outside the OSU administration building in Columbus on May 8, 1969, creating an aura of tension and fear, the Board of Trustees passed an edict euphemistically called the "Open Housing" rule. By that action, freedom of choice and the right of association were killed at OSU.

In both instances, reason and faith in democratic principles and processes gave way in the presence of the threat of force—only the language spoken and the color of the uniform (except for one young man who was completely "out of uniform") were different.

How do I answer people who, knowing of my devotion to the Constitution, ask me what we can do to prevent our cherished rights from being taken away from us by those who use threats and force to get their own way? Perhaps there is a pervasive, inbred sense of freedom in the major portion of the American spirit which will eventually peacefully reject the current orgy of neo-fascism.

But remember Dryden's warning: "Beware the fury of a patient man." Will those whose rights are taken away at the behest of obscene-talking subversives and their dupes be patient and pursue peaceful resistance when they see threats and force getting results?

The following analysis of the Ohio State University open-housing rule is adapted from (or suggested by) attorney Soltis's brief:

The people vest judicial power in courts created by the Constitution and in courts created by law. Legislative bodies cannot legally confer judicial power upon a private citizen or upon a group of citizens dubbed, or calling themselves, a tribunal. The only tribunal upon which judicial power can be lawfully conferred is a *court* created by statute or by the Constitution. The OSU Board of Trustees, therefore, has arrogated to itself authority to do what the Ohio state legislature or even the Congress of the United States could not lawfully do: it has given an Open Housing Panel (comprised of 11 OSU faculty members and students) judicial power over home-owning, tax-paying citizens of Ohio.

The Open Housing Panel will presume to conduct public hearings to determine whether private homeowners, landlords, or their agents, discriminated against OSU students because of race, religion, color, or national origin. No rules of evidence are prescribed. The homeowners can be found guilty and blacklisted, without even being represented at the hearing. Since the tribunal is not legally constituted, there is no way to appeal its decisions. The Open Housing Panel

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[1] Cleveland, Ohio, *Plain Dealer*, May 9, 1969.

at Ohio State University is, in short, a kangaroo court.

Any OSU student living off campus with friends, guardians, godparents, stepparents, relatives other than parents, or his own spouse, can be forced to move if the Open Housing Panel blacklists his place of residence. This could impose a heavy financial burden on some students.

Suppose a white girl is living off campus in the home of an aunt who charges the girl only a fraction of the rent anyone else would be charged. The aunt has one other room for rent, but refuses to let a Negro girl student have it, in order to reserve it for a white girl who is the niece's closest friend. The Open Housing Panel could (and no doubt would) blacklist the aunt's home, and make the niece move. The niece would be forced to leave family and take up lodgings with strangers—lodgings which might not be nearly as desirable as those she left, but which would cost her a great deal more.

Suppose an Ohio State student marries a woman (not a student) and moves into an apartment she is already occupying. The woman manages the apartment building and, for her services, gets her own rent free. A Negro student tries to rent an apartment but is refused, not because he is a Negro but because he is a known trouble-maker. He alleges, however, that he was refused because of his race. Student investigators (selected as such *because* they believe in forced housing) support the Negro's false allegation. The Open Housing Panel holds a hearing attended only by the complaining Negro, the student investigators, and witnesses (who consist of SDS revolutionaries and other violent radicals). The housing-panel tribunal blacklists the apartment house, and orders the newlywed white student to move. He then has three choices: leave the university, leave his wife, or force his wife to leave the apartment with him and take up quarters where he must pay rent and where his wife will have no gainful part-time employment.

It is pertinent to note that the OSU Faculty Council which proposed this open-housing rule, providing harsh discipline against students for choosing to live with their own friends and relatives, is the same Faculty Council which, not long ago, passed a resolution urging amnesty for OSU students who rioted and interfered with the rights of others. It is also pertinent to note that the Warren Court (in *United States vs. Robel*) held that a communist may not be excluded from a defense facility because he believes in communism or associates with others of like belief.

Is a white student preferring to live with white friends, or with his own wife, more reprehensible in the academicians' "participatory democracy" than a rioter or a communist?

Technically, the same kind of stupid injustice could be imposed on an Ohio State Negro student; but everyone knows it would not be. Remember the case at Northwestern University in 1968 (and many similar cases at other universities). Northwestern faculty members and administrators force "open other universities). Northwestern faculty and lobby for laws to enforce it on all residents of the surrounding community; but they granted Negro students' demands for segregated housing and other facilities. The Negroes enforced their demands by seizing Northwestern's administration building and holding it 36 hours. When surrendering to the demands, Northwestern officials praised the Negro militants for not destroying property during the illegal occupation of the building.[2]

Ohio State academicians are obviously the same kind of totalitarian liberals as those at Northwestern. They are doubtless among the lobbyists for Ohio H.R. 432 (already passed by the House of Representatives and pending in the Senate), which will enable the state to fine or jail a citizen for insisting on his right to choose who lives in his own home.

Attorney Soltis says:

"Since OSU adopted open housing, the situation in Ohio has deteriorated rapidly. A new forced-housing law (covering all housing—even a single sleeping room in a private home) has passed in the House of Representatives and is expected to pass handily in the Senate.

"Most disturbing of all is the appalling apathy of the people, complacently playing golf, and, like lemmings, dashing into the water, oblivious to the death of their freedoms."

[2] *Dan Smoot Report*, Aug. 5, 1968.

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## A MODEL LETTER FROM A MAIL CARRIER'S WIFE—FULL OF INFORMATION AND PERSUASIVE

## HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 16, 1969*

Mrs. SULLIVAN. Mr. Speaker, citizens are constantly urged to "write to your Congressman," and with good reason. Most of us read all of our mail from our districts, looking for information which will help us do a better job on legislation.

I recently received a letter from the wife of a St. Louis mail carrier who expressed, in a remarkably effective manner, some of the problems in the Post Office Department which I think deserve the attention of every Member of Congress. It is one of the best letters I have ever received on this subject. I believe it is also the first letter she has ever sent to me. She asked that she receive no publicity and, of course, I respect that request. But the facts she called to my attention deserve the widest possible publicity.

I urge my colleagues to read this letter because I know they will be as impressed as I was by its contents. The letter is as follows:

ST. LOUIS, MO.

DEAR MRS. SULLIVAN: "I think we must hear from every postal worker, his neighbor and everyone on his route", says Rep. Leonor K. Sullivan. For many years the postal employees and wives have been urged to let their representatives know how they feel. Several times I *have* taken the time to do so only to receive a polite reply. Condensed its answer is "Yes, you are right and we sympathize but what can we do?" About 2 weeks ago my husband contributed $5 for 2 ads—one in the Globe, one in the Post Dispatch—to educate the public. As if you could! No one wants the true facts. It seems to be a national pastime to complain about the Post Office. There is a difference between healthy criticism and blind brainwashed prejudice. Last month in New York the telephone company suffered the same dilemma the Post Office does when the volume is too heavy for the equipment, manpower and facilities available. For some reason the papers were strangely silent about the situation. The telephone company—that paragon of private corporations—was suffering exactly the same kind of crisis that we have been told could *never* happen to the mails if the Post Office were only transformed into a corporation. The American people's criticism is based on what they hear and read not what they have personally experienced. The mail service is not good. The service can be improved only through thoughtful reformation such as that proposed in the Dulski Bill (H.R. 4).

In commenting on the lack of opportunity for upward mobility in postal jobs, the President's Commission on Postal Organization said in its report of June 1968 that a single startling statistic postal career prospects: 8 out of every 10 postal workers enter and retire from the service at the same grade level. It further pointed out that about 85% of all postal workers are in the lowest 5 levels with top annual pay of $8,094 after 21 years of service. That the letter carrier has even fewer opportunities for upward mobility. Well over 90% begin and end their career as letter carriers.

Recently charts showing the salaries and length of time to reach maximum salary appeared in the Postal Record. It dealt with truck drivers, policemen, firefighters, airline passenger ticket agents, railroad ticket agents, newspaper delivery drivers in major cities, REA Express drivers, office employees, unskilled workers and semi-skilled workers. *None* were as low salaried as the letter carrier. None took as long to reach maximum. Where it takes the mail man 21-25 yrs. to reach top pay the airline ticket agent reaches his at 4-6 yrs, and 10 yrs. at the most. If you will glance at the names of the new 15 regional directors appointed by the new administration perhaps some light will be shed on why the post office is run so badly. Are these political debts marked paid? *One* director was taken from the postal ranks. What company would like to reach in and pick a postal employee to run their company? Is this what we can expect if the great Postal Reform as suggested by the administration takes place? Are you aware of the new computer clocks that were installed for greater efficiency? It is of course a coincidence Secretary Laird's interests lie in computers? This is the second change of time clocks, the third change in uniforms in my husband's nineteen years of service. We secretly believe "some one up there" acquired a clock factory or a uniform company. Why weren't these computer clocks installed in government offices? Why isn't the Department of Agriculture, which is a service as is the postal service, attacked for going in the red? Several years ago 2 surveys consultants were hired, at a goodly sum, to cut expenses in the post office. Each time the answer was cut salaries. My husband makes $7800. We have five children—one in college. Would you suggest I invest even $500 to find out why it doesn't supply our needs? May I also suggest anyone, caring enough, ought to do some field work alongside the carrier before they judge the post office.

Experience and dexterity and knowledge of the route scheme is needed 3 hours before he reaches the street. He manages to deliver misspelled names, partially addressed and almost illegible handwritten mail. Friendliness—an important characteristic. A carrier is obviously a great asset to the post office and government because he represents the most tangible contact they have with the government. Carrying mail also demands good physical condition. If you accompanied the carrier up and down those steps and hills you'd think you were being introduced to the President's Physical Fitness Program. On the other side of the coin—some people leave the snow heaped up until it melts. Sometimes it melts and freezes, leaving a thin almost invisible strip of ice on painted steps. Consequently the mail carrier, if he is lucky, falls clear, the mail cascading up in the air in every direction. He could fall and break his back. Last week the station had 2 would be experts on how to get more work done in less time. Now the carrier can't leave any change of address tags etc. on his case. He now spends 5 minutes to walk over to get one—5 minutes later he gets another and

another. Any office worker would be far behind schedule on outgoing mail if they had to travel to the supply room for one piece of typing paper, one paper clip, one rubber band, etc. I find I must close this long letter although I could write thrice this amount very easily.

If by chance, you do read this letter, I hope I receive no publicity as my husband is unaware of this letter. It was prompted by your quotation in the Post-Dispatch. I have followed your political career with interest—your concern for better food for the poor and your "fight" for the "Truth in Lending" bill—a true victory over big lobbies.

Sincerely,

——— ———.

## HIGHWAY SAFETY

### HON. SAMUEL N. FRIEDEL

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 16, 1969*

Mr. FRIEDEL. Mr. Speaker, the National Governor's Conference at its 1969 annual meeting recently held on August 31 through September 3, 1969, at Colorado Springs, Colo., adopted a resolution sponsored by the Committee on Transportation, Commerce, and Technology, which is of vital importance to the Nation. This resolution contained language requesting consultation by the National Highway Safety Bureau with the vehicle equipment safety commissioners of the States when determining minimum standards for vehicle equipment. This resolution was initiated by Mr. Ejner Johnson, executive assistant to the commissioner of the department of motor vehicles from the State of Maryland.

As a member of the Special Subcommittee on Traffic Safety originally authorized by the Congress in 1957, I was happy to bring about the creation of the Vehicle Equipment Safety Commission which has made tremendous contributions to the cause of highway safety.

I wish to especially commend Mr. Johnson for his initiative and foresight in introducing this noteworthy resolution.

The resolution is as follows:

HIGHWAY SAFETY

The National Governors' Conference views with alarm the tragic increase in preventable highway and traffic accidents. To further strengthen the intergovernmental effort to make our highways and streets safe, we urge the following action:

1. The Congress should resolve to give its full support to this national, intergovernmental program of highway safety by appropriating the funds necessary to accomplish the mandate of the National Highway Safety Act.

2. The Congress should amend the Act so that funds for Highway Safety will be allocated in a block grant directly to the appropriate State agency designated by the Governor.

a. This State agency should seek the views and recommendations of local general governments and traffic control and highway safety agencies in determining statewide priorities for action projects.

b. Funds shall be allocated to each State through its State agency after the National Highway Safety Bureau has approved a comprehensive highway safety plan developed and endorsed by the State agency (board and staff).

3. An incentive program should be developed, rewarding States with progressive highway safety programs. This would replace the present ten percent penalty clause of the Act.

4. The President should seek the advice and consent of the Governors when selecting representation from individual States for his National Highway Safety Advisory Committee.

5. There should be greater coordination of research conducted by the National Highway Safety Bureau, the Highway Research Board, the States and private industry. The Bureau should act as the clearinghouse and information source for such an exchange of information. The Bureau should consult with the Vehicle Equipment Safety Commissioners of the States when determining minimum standards for vehicle equipment.

6. The Bureau, together with the Governors, should encourage the efforts of the private sector within each State to develop public consciousness of highway safety.

7. Each State should act with full faith and good will to enact legislation that will provide for its citizens a sound, complete and effective program for highway and motor vehicle safety.

## ADDRESS BEFORE NATIONAL PRESS CLUB

### HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 16, 1969*

Mr. FULTON of Pennsylvania. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following address by Dr. Thomas O. Paine, Administrator of the National Aeronautics and Space Administration, before the National Press Club in Washington, D.C., on August 6, 1969:

ADDRESS BY DR. PAINE

The significance of man's first landing and exploration of the moon will take months, and even years to comprehend. History will be the final judge.

Everyone who witnessed the event has his own personal reaction. Each individual saw the first extraterrestrial step of man from his own perspective. What precisely it portends for mankind we cannot yet say, but Apollo 11 was clearly not an end, but a beginning.

We have answered the age-old question of life on the moon; whether life exists there turned out to be the wrong question. You have all now seen life on the moon: you've seen two very lively Americans leaping and cavorting on the lunar surface. Whether life in any other form was ever there or not, we know now that man can extend the domain of terrestrial life out to our twin planet, the moon, and eventually beyond that to more distant new worlds. Men working together with modern science and technology have thus opened a new era in the evolution of life. This is perhaps the most far-reaching significance of Apollo 11's dramatic voyage. But it has many other messages for mankind.

One of the question that we in NASA are delighted to hear asked increasingly now is: "If man can go to the moon, why can't we ——?" (You fill in your own thing in the blank, like better peas at the Press Club luncheons.) You have all heard this nonsequitur sentence.

It seems to me that this dissatisfaction with substandard performance in other parts of our society is something worthwhile that the Space Program is contributing to the United States. I hope we have spurred our society and our people to be less satisfied with the status quo, to demand higher performance, to set bolder goals, and then to have the gumption to stand up before the whole world and demonstrate whether or not the goals are achieved. President Nixon has spoken of the need for the "spirit of Apollo" in other areas; this is a contribution that we are very proud of.

How did NASA succeed in this bold program in the face of such great odds? This question is important, because I am convinced that Apollo has significant implications for other parts of our society. The need for leadership with the courage and vision to set very bold goals is certainly one lesson. NASA's successes are the direct result of leadership of Dwight Eisenhower, who established the principle of a peaceful open space program, and, working with Congressional leaders, like George Miller, Chairman of the House Space Committee and Speaker McCormack, who helped write the Space Act that has so well withstood the test of time.

We had the leadership of Jack Kennedy, who boldly set NASA's course to the moon—a goal that put a feeling of vigor, excellence and high aspiration behind NASA's programs.

This attracted to the space program some of the finest minds of our generation—not only in the United States, but around the world—to participate in this great adventure of mankind.

We had the leadership of Lyndon Johnson, who, first in the Senate, then as Vice President, and finally as President, vigorously supported a strong National Space Program in good times and bad. And we have now the leadership of Richard Nixon, who upon coming to office was willing to hazard the chance of failure, and allowed us to proceed as rapidly as we were able to mount this Apollo 11 mission to the Moon. His confidence was certainly essential to NASA's performance. I should also mention two other people that we're fortunate enough to have with us today. One of these is Senator Clinton Anderson—Chairman of the Senate Space Committee, whose leadership over the years has meant so much to this program. He is one of the unsung heroes, the kind of people that don't get the medals, or the notices in the press. Every one of the people in NASA and our associated contractors have enormous gratitude for the vision and persistent leadership that we have had in the Congress.

I would also like to single out for special mention the man here who led the Apollo Program through its vicissitudes, who got it on the track and kept it there to bring the program in on time—General Sam Phillips.

Jim Webb isn't with us today, but his skillful leadership of NASA as it was built up to today's capable organization is the other example of outstanding leadership that has been the great hallmark of America's space program.

The very boldness of the goal that leadership set was important to NASA's success. Some of our problems in other areas of society today may well relate to the fact that uncertain leadership has set goals too low without clearly defined measurable objectives whose attainment brings pride to the entire organization. Goals are needed to attract people and get popular support. NASA's bold goals inspired its people, focussed its efforts, and provided understood measures of performance for all to see.

Another lesson of the Space Program is the need for broadly enlisting not only American capability, but the best people from around the world willing to throw their competence and a portion of their careers into challenging endeavors.

NASA has benefitted from some of the finest talents in American industry and universities. It was a sound decision to enlist industry in our Space Program in a major way. Less than 10 percent of NASA's workers are civil servants on the government payroll. More than 90 percent are people who participate and contribute from universities and from industry. The best talents of our society worked in a smooth team under NASA direction to reach the moon. The first experiment that you saw deployed on the surface of the moon was from a Swiss university—the solar wind experiment. We literally went out and sought the very best ideas and scientific experiments that we could find around the world.

Our world-wide tracking stations, our global communications network, and the way in which the world press interacted with our open public affairs policy to bring this story to all mankind was certainly an important factor in its total impact.

Another vital ingredient in NASA's success was America's willingness to accept and sustain a national commitment to land men on the moon. Except in wartime, few programs have had such a strong national will to succeed as this endeavor. This didn't come easily; it takes a lot to jar this country into accepting a major commitment to press forward. In the space program we had our "Pearl Harbor" with Sputnik. We should be grateful to the Soviets for jarring us out of our complacency, and for challenging us to develop and carry out the excellent space program in the last decade that has benefitted all mankind. Once the United States is challenged, it's indeed a formidable nation, but our democracy often needs something dramatic to get it moving. Sputnik provided this, and our response was a national commitment, a national will, a national allocation of resources, not just monetary resources, but the talent and competence that was certainly primarily responsible for attaining our goals.

The space program unleashed in the 1960's the talents and energies of a technological generation. We must continue to put together bold programs that will release the creative energies of our people in productive channels. That is the challenge NASA's leadership now faces. We must not let NASA lower its sights and become bureaucratized.

The Space Agency owes a great debt to the press—not only to the American press, but to all media around the world. Through press coverage and satellite TV hundreds of millions of people around the world were able to ride down to the moon aboard our Eagle spacecraft, look over the shoulders of our astronauts, and share the wonder of those first tentative steps on the lunar surface. This human participation in a historic scientific event was unprecedented. Neil Armstrong and Buzz Aldrin's moon exploration was seen by the largest audience ever known. This world-wide participation was certainly appropriate for an event so meaningful for all men everywhere. Space exploration is indeed, a venture of, and for all mankind—a venture which it is my hope will become increasingly international in scope. The world's press has made an enormous contribution to help us move in this direction, as well as bringing to people everyhere a message of human aspiration and progress.

Finally, I would like to say a few words on where we're going.

There are nine planets in the solar system, and some 32 known satellites. The space program has brought man to the threshold of a new era—an era in which man will expand his domain from the tiny 8,000-mile-diameter earth on which he was born, outward into the eight billion-mile-diameter solar system, and beyond that perhaps some day to the stars. Modern space technology is opening a new frontier for man of infinite extent, an endless frontier. Our pioneering astronauts have blazed a trail for all future generations of men who want to set forth to conquer new worlds. I think history will record this as the great contribution of our generation. Through man's brains, energy and resources life can—and life will—extend itself throughout the solar system.

Turn your minds back ten years, to 1959, when the United States had labored mightily to put a little 30-pound grapefruit-sized satellite into low-earth orbit. Consider where we stand today with our ability to launch 250,000 pounds into earth orbit and 100,000 pounds to the moon. After one decade men can voyage to the moon across a quarter of a million miles of space land on that distant shore, explore the lunar surface and return. Certainly the 1960s have been a decade of remarkable progress. Yet we are still at the beginning. We can, in the 1970s, make even greater progress than we made in the first decade, our opportunities are limitless.

The question is always raised whether we should set the goal of traveling to Mars. There is no question that, just as the first decade of space has been the chemical decade, with chemical rockets, chemical fuel cells and solar cells—the second and third decades of space will be nuclear decades. We will use nuclear rockets and nuclear power sources, which will make it possible to plan a trip to Mars with a reasonable degree of safety, comfort and economy. We will have the technology in another ten years; when we choose to undertake a voyage to Mars will depend upon national will, not technical feasibility.

Another frequently asked question relates to the future of commercial space flights. Will men be able to buy tickest to fly into orbit? This will surely come to pass sometime. We can foresee reasonable prices (several thousand dollars) with a reusable rocket plane shuttle able to fly to orbit and back. Indeed, it should be possible for passengers to fly back and forth to the moon by the end of the century, if that becomes an attractive place for the jet set to visit.

I would remind you that only 40 years after Lindbergh's historic flight across the Atlantic 20,000 people a day are routinely making this flight. Space flight should be no more complex or demanding in the 1980's than air transport today; the space program is really creating a practical new transportation system.

The question of the immediate future of the American Space Program now lies before us. In my view it is a question of pace. The directions are clear. NASA will move ahead on several fronts in a balanced program, including science, application, exploration and new technology.

But how vigorously we want to pursue the space program is the question that is now the subject, very properly, of national debate.

We have many things to undertake and to accomplish in America today. But we are a mighty nation, the wealthiest and most powerful that has ever existed. The free world can and should look to us to take on major challenges, such as the exploration of space and to assume responsibility and leadership for this in the name of all mankind. I think that this is a responsibility that we should welcome, and a challenge that we should be proud to accept. And, if we do continue to move forward vigorously, America can indeed, in the second decade of space, even outdo our great space achievements of the 1960's. We should not aim at less.

Thank you.

QUESTION. First question, Dr. Paine: Do you think that the Russians, after having lost the race to the moon, will try to be the first to land upon Mars? And when can we expect a landing on Mars?

Dr. PAINE. It is difficult to say what the Soviet reaction is going to be to the American landing on the moon.

There is no question in my mind but that they are disappointed that Soviet Cosmonauts were not there first.

Chairman Khrushchev put it very well early in the space age during the initial Soviet triumphs when he said that space was serving as an international testing ground which would demonstrate to the world which society provided the better launch pad for science, technology, exploration, and human aspirations. Would it be capitalism? Or would it be the Soviet socialist system? He was satisfied that the winner would always be the Soviet system.

It has not come out that way. I think that we have demonstrated that the open American space program, which has enlisted the broad capabilities of the Free World, is now out-performing the closed Soviet program.

But I would be the last to take the position that we have "won the space race" in any permanent sense. The Soviets have undoubtedly experienced difficulties and setbacks in their program. So have we. We have painfully faced up to ours and recovered from them. The Soviets, in my opinion, are still in this process. But once they overcome their difficulties, I think we will see a vigorous Soviet space program. It will pursue bold, but unannounced goals. The question that they must answer for themselves is what direction they should now take.

In my opinion, they will put up a major space station in the not too distant future. Before most people now predict, they will first circumnavigate and then land on the moon and establish a lunar scientific station. And beyond that—someone has presented me with a record of a song now popular in Moscow, the title of which is: "And Little Apple Trees Will Bloom on Mars." The Russians make no secret of their interest in interplanetary travel. Within the next 10–15 years they will have the capability to do this, and they will exercise their capability.

The 1980's are very clearly the decade in which both we and the Soviet Union, with reasonable-sized space programs in the 1970's, will develop a technological capability for landing on Mars.

The question is really one of national wills. Do the Soviets wish to devote their talents and resources to a Mars landing in the 80's? With all the other problems facing America, will we want to press ahead toward this goal? This is not a question we must answer today, but what kind of a nation will we be in the mid '70's when we must decide? That men will eventually land on Mars, there is no question. But what will be America's national will in the early or middle or late 1970's—this is the subject of our present national deliberation.

QUESTION. This is a direct question, Dr. Paine: What will the Presidential Task Force recommend on space goals in the next decade? What are you, as a member of the Panel, recommending?

Dr. PAINE. The President's Space Task Group, which includes the Secretary of Defense, the Secretary of State, the Chairman of the AEC and myself, with the Vice President as Chairman and the President's Science Adviser as Secretary, is now in its final weeks of deliberations.

We will present our recommended alternative programs to the President on September 1st. The President will review these, and it is our hope that we will have a sound program for the 70's to lay before the Congress and the people not long thereafter.

How bold a program this will be depends not only on my own personal view that we should press forward vigorously in space, of course, but also where the space program fits into our national priorities and aspirations.

The President is faced with many difficult problems. The demands of Vietnam, the problems of inflation, our fiscal program very clearly must be fitted into the spectrum of our total national endeavors. I believe it should rank high; its achievements have earned continuing strong support.

We will be recommending several program levels, all of them vigorous, forward-looking and exciting. They will be well balanced, promising immediate returns as well as long-range benefits. But the final selection as to how rapidly we move ahead in space must be integrated into the total picture in the United States, as the President and the Congress see it. This is their leadership responsibility.

QUESTION. Aren't you depressed—says a questioner—by the Mariner 6 and 7 photographs of Mars? Why should we spend billions more to send men to this moon-like rock, when we have our own moon so much closer?

Dr. PAINE. Not only am I not depressed—I'm elated by the pictures and data from Mars. This has been an extremely successful mission. Dr. Naugle, here, who has headed our planetary effort, shares with me this feeling. As we analyze more thoroughly the scientific data which are coming back, it appears likely that we will be able, for the first time, to make definitive statements on the composition of the polar caps, the components of the atmosphere, and even what is behind these "canals" that have been so much in the forefront of astronomical thought for many years. We could not detect life on Mars from two thousand miles in space, but Mariners Six and Seven are telling us a great deal about the red planet's characteristics.

Now, why should man be interested in such a "desolate rock?" Principally because it is a vast exapnse of unexplored territory—a new world. I could cite Daniel Webster's complaint about the Louisiana Purchase—that the west was a howling wilderness, completely impossible for Americans to ever occupy; fit for nothing but howling savages. I could cite the purchase of Alaska from Russia, which was derided at that time as "Seward's Icebox." In the last few years, however, Alaska has brought in petroleum reserves equal to all the rest of the United States. I could even cite the exploration of electricity, which Faraday said was as worthless as a new-born babe. By most standards the moon and Mars are indeed inhospitable areas. And yet, with modern technology, we could make these barren deserts hospitable to terrestrial life—far more comfortable and safe, in fact, than the "new world" of America was to our ancestors with the crude technology of the sixteenth century.

I think in the broad sweep of time, men will undoubtedly travel to, explore and even found permanent settlements on the moon and Mars. But this is very clearly in the distant future; a task for future generations of pioneers.

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## APOLLO 11 ASTRONAUTS

### HON. EDWARD P. BOLAND

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 16, 1969*

Mr. BOLAND. Mr. Speaker, I am sure my colleagues join me in welcoming the three Apollo 11 astronauts—Neil Armstrong, Edwin Aldrin, Michael Collins—to Washington for today's joint session of Congress.

Their mission to the moon truly staggers the imagination—a mission that realizes a dream man has entertained for thousands of years. The success of Apollo 11 signals the opening of the space age, pointing the way toward the exploration of the entire solar system. The mission, even more significantly, demonstrates what astonishing feats we are capable of once we set a goal and strive to achieve it. It demonstrates that the major problems of earth—war, hunger, injustice—can be solved if we want to solve them. The three Apollo 11 astronauts, thoughtful and humane men, have already cited this parallel.

Their courage, their endurance, their coolheadedness cannot be overemphasized.

Their appearance before the Congress is one of its greatest experiences.

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## LET US STOP KICKING THE SOUTH AROUND

### HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 16, 1969*

Mr. BROYHILL of Virginia. Mr. Speaker, James J. Kilpatrick is a respected writer and author, one of the best in the business in fact, whose column is published in the Washington Evening Star, without doubt one of our more noteworthy daily newspapers.

Recently Mr. Kilpatrick, in a column entitled "Let's Stop Kicking the South Around," touched on a subject that repeatedly galls those of us who claim with honor and pride a fragment of southern heritage for ourselves.

The South, in my judgment, Mr. Speaker, has been used as an international football long enough. The people of the South are good people, intelligent people, concerned people. If all of those whose veins carry the proud blood of the South were to walk from the floor in a body, the Congress of the United States would be unable to function until they returned. The whole gamut of national achievement is laced with southern intelligence, accomplishment, and integrity.

Yet the glib tongues and typewriters of this Nation, Mr. Speaker, cannot see the forest of southern virtues for the trees of their vitriol. It is pretty sickening, day in, day out, month in, month out, year in, year out, to see and hear the literary and communication carpetbaggers deride the South for no reason, apparently, except that their intellectual capacities are limited to rote recitations and, like a cage full of parrots, they repeat and repeat the slander.

The big hang-up of these journalistic toadies is that the South is, to them, a cesspool of poverty. This is a gross prevarication, Mr. Speaker. It is just as false and phony as the exaggerated cries that the Nation as a whole is totally beset by ragged urchins, undernourished children, starving grownups and pellagra-ridden elders.

An ounce of poverty is too much in America, Mr. Speaker. But not all of it is in the South. Not even a majority of it is there.

Most Americans, long bombarded by antisouthern propaganda, have forgotten that poverty in the Nation reached its peak in 1900 when 90 percent of our people were poor. Slowly it has evaporated under a struggling economy until today it represents less than 15 percent of our total population, and far less of it is in the South, by any yardstick you care to use.

The New York Times, the Washington Post, the TV and radio network moguls, could well look into the back alleys of their penthouses and plastic havens on Madison Avenue, for the bulk of the poor in America. Mr. Speaker, that is where they are—the majority of our poor—crushed victims of broken welfare promises and phony programs touted by social bleeders who have been going to eradicate poverty from the face of the Nation for the past 40 years. They are big city dwellers, northern city dwellers.

Oh, yes, the South makes mistakes, Mr. Speaker. Its people are not all perfect, and not everybody there dines high on the hog like they do at the watering troughs on Fifth Avenue. But the South is trying to do better, just like the rest of the decent people in America—trying hard, trying constantly, and trying successfully, despite the social welfare "Gogolaks" who love to kick us around.

I am fond of the South and proud of my southern heritage, Mr. Speaker. And I am proud that a man of Jim Kilpatrick's stature is proud of it, too, and anxious to say so. I commend his article to all who read this RECORD:

LET'S STOP KICKING THE SOUTH AROUND

(By James J. Kilpatrick)

Reconstruction came to an end in the South, or so the history books tell us, during the reign of Rutherford Hayes some 90 years ago. But there are times, honest to Pete, when Southerners wonder if the South ever is to regain an equal standing in the Union.

There is something about the South, apparently, that draws an unrelenting anathema from the North. Old abolitionists never die; they write on for The New York Times. It has only to be said, or hinted, that a particular program or appointment may be pleasing to the South—the conservative South, that is—for the program or appointment to be damned out of hand. As a Southerner, I protest.

We are witnessing the syndrome just not in the nomination of Clement F. Haynesworth to the Supreme Court. It is entirely proper, of course, that the Senate Judiciary Committee inquire into his qualifications. No one is suggesting that the Senate's duty to advise and consent should be treated in perfunctory fashion. But the noxious clouds of complaint against this appointment have little to do with qualifications. The objection, at bottom, is that Haynesworth is a Southerner—a moderately conservative Southerner. That is enough. Lynch him!

Thus, an entirely phoney challenge is raised that Haynesworth acted unethically by not disqualifying himself eight years ago when the great Deering Milliken case first came to his Circuit Court. The charge is baseless. The Fourth Circuit's major opinion in the Deering Milliken litigation came in November of 1963. Haynesworth did not write the opinion—Judge Albert Bryan wrote it, and Judge Herbert Boreman concurred. Two other judges dissented. Haynesworth's position on the law and the evidence was in no way irrational; it was a position shared

not only by Bryan and Boreman, but also by two members of the National Labor Relations Board and by the board's own trial examiner.

Haynesworth's critics know that their charge of a particular conflict of interests is flimsy. Thus they were seeking, last week, to puff it up to a more general charge that Haynesworth is "Mr. Textile Interests." These are the same critics, by and large, who smiled benevolently in other days upon the nominations of Arthur Goldberg and Thurgood Marshall. There are times, in Washington's political rainy season, when we wallow in tides of hypocrisy; and one of those times is upon us now.

It is not only the Haynesworth nomination that suffers the "Southern stigma." Harry Dent is a skilled and dedicated executive, worth his weight in gold at the White House; but he comes from South Carolina—he formerly was with Strom Thurmond—and his appointment as a presidential assistant brought slurs that were simply anti-Southern. No matter what the administration does about school desegregation in the South—no matter what it proposes on voting rights—a hostile reaction arises.

Even Spiro Agnew succumbs. The vice president appeared on Meet the Press the other day, and was asked about the "Southern strategy" that has been urged on his party. He began his response by denying that he was in any sense a traditional Southerner. Then he got even more defensive: "How could someone seeking to court the forces of reaction propose a welfare program of the magnitude and scope the President has just proposed?"

Aarghh! The South, with the largest racial problems, has demonstrated the greatest racial peace. It has suffered less than its neighbors from strikes, riots, and campus disorders. The South continues to raise daughters who are ladies and sons who are gentlemen. It is characterized not by "forces of reaction," but by innovation and by solid progress. The old Confederacy is part of the Union now; it is a great place; I love it; and it would be pleasant indeed if the damned Yankees who dwell in Washington would stop kicking my South around.

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## THE HONORABLE CHARLES S. JOELSON

### HON. JOHN J. ROONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 16, 1969*

Mr. ROONEY of New York. Mr. Speaker, on the 5th of September the Honorable Charles S. Joelson of New Jersey was sworn in as a member of its superior court of his State. I must sadly note that the people of the State of New Jersey are now one up on the House Committee on Appropriations. "Chuck" Joelson was a member of the Appropriations Subcommittee on the Department of State, Justice, Commerce, the Judiciary and Related Agencies, of which I am chairman. "Chuck" will be sorely missed. He was a hard working, extremely capable member of the committee and his help in getting out the huge and intricate appropriation bill for the abovementioned agencies was invaluable. I shall miss seeing my friend here and in the committee day after day but I am sure all my colleagues join me in wishing him every success in his new career.

## WHY WON'T SOME PEOPLE WORK—AN INQUIRY TO THE SECRETARY OF LABOR

### HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 16, 1969*

Mrs. SULLIVAN. Mr. Speaker, newspaper articles in St. Louis recently reported on the disappointing results to a prospective employer of a saturation advertising campaign by a local employer to fill jobs, mainly in the unskilled labor category, at salaries reportedly between $100 and $150 a week, plus fringe benefits.

According to the news articles, of 141 who applied, only 38 actually went on the payroll for more than a day or so. Four quit after 1 day. Thirty-one who were hired never did show up for work. The employer in this instance was disgusted, and expressed the belief that we have a "no-work movement sustained by various governmental giveaways, welfare checks, laziness, and indifference."

The St. Louis Globe-Democrat, whose news article on this incident I am quoting, followed the article a day later with an editorial, "What About the Lazy?" which attributed at least part of the lack of motivation of those "allergic to work" to the ready availability of welfare.

One of the things which struck me about this incident is that in Missouri, families with an employable male in the household are not eligible for welfare. So why would not these 31 people, who are presumably not eligible for welfare, accept jobs offered to them? Do we really know? I think we should try to find out, in order to know better how to solve what is, indeed, a national problem.

Hence, I have addressed the following letter to the Honorable George P. Schultz, Secretary of Labor:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
*Washington, September 15, 1969.*

Hon. GEORGE P. SHULTZ,
*Secretary of Labor, Department of Labor, Washington, D.C.*

DEAR MR. SECRETARY: I am sure you are familiar with the problem reflected by the two clippings I am enclosing, but I am wondering if work your Department is now doing in this field offers any hope of a solution. One of the biggest problems in training hard core unemployed for jobs has been in instilling some understanding of the responsibilities which go with holding a job, including the basic requirement of showing up for work on a regular basis. The Job Corps, as I understand it, made this one of its main assignments, and tried to teach career unemployed people how to hold a job, and to *want* to be employed enough to put up with the personal inconveniences that all of the rest of us experience in having to get up in the morning and report to the job.

These clippings reflect a common feeling in the country—not just in St. Louis—that people who won't work don't have to, because welfare takes care of them. However, the families of employable males are not eligible for public assistance in Missouri. But this news article and the accompanying editorial imply that 27 people who were hired and then never showed up for work and the 4 others who worked one day and then quit, probably are receiving welfare. I doubt very much that such is the case. On the other hand, I am certain that we have a typical problem here of poorly motivated individuals who never really learned to cope with the idea of regular employment.

I am not satisfied merely to write these people off as incorrigible. If we could find out what *actually* was behind the decisions of 31 individuals who were hired at "salaries of $100 to $150 a week plus fringe benefits" who either did not show up at all or worked only one day, possibly we could find some way to deal with this kind of situation. Perhaps you already have studies underway into the motivation of individuals who won't work or won't accept regular employment. If you are making any studies in this field, as I hope you are, then I think this specific experience of Diversified Metals Corp. in St. Louis would supply excellent research data.

Therefore I would like to suggest that arrangements be made to obtain from Diversified Metals Corp. in St. Louis the identities of the 31 reluctant job applicants who couldn't face the fact that they had been hired. I think if qualified people in your manpower program, perhaps with the assistance of the social service agencies of St. Louis, could follow up on each of those 31 individuals—interview them; find out how many, if any, are supported by any form of public assistance or charity, or how they live; and find out why they quit or didn't show up for jobs for which they were hired—we would know better what we are dealing with in this kind of situation. Have any of those 31 been in manpower training programs operated by the Department? What kind of people are they?

It is not just the fact that this incident has been so widely publicized in St. Louis that leads me to suggest a study of this specific event; rather it is the fact that the jobs were offered without regard to race, creed, color, or anything else—including police records, other than for convictions of burglaries, larceny or thefts. How many of these individuals were men with police records which might prevent their employment elsewhere?

We will never solve this problem until we know exactly what we are dealing with in this kind of situation. If the facts in the news article and editorial are not correct, and the pay was substandard and the work excessively hard, I would want to have the public so advised; but I suspect the facts as given are true, and that we don't know how to combat this problem and need some solutions. Do you think that your Department could investigate this specific incident with that in mind?

Sincerely yours,
LEONOR K. (Mrs. John B.) SULLIVAN,
*Member of Congress.*

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[From the St. Louis Globe-Democrat, Sept. 9, 1969]

JOB ADS BY DIVERSIFID NET ONLY 38 WORKERS

Diversified Metals Corp. Monday expressed disappointment with the results of its recent blockbuster "jobs available" ads in six St. Louis area newspapers.

Of 141 persons who applied for the jobs, mainly in the unskilled labor class, with salaries of $100 to $150 a week, plus fringe benefits, only 38 persons (24 white and 14 black) have been put on the payroll.

More disappointingly, the company said, 27 other persons (14 white and 13 black) who were given jobs failed to show up for even one day's work while four other persons (three white and one black) worked for a day or so and then quit.

Of the 141 who applied 76 were white and 65 black.

The newspaper ads, entitled "Diversified Metals tells it like it is—we give a damn"

said the company was tired of hearing people constantly complaining that they can't find a job, or if they do have one there's no chance for advancement . . . and they must live forever in a poverty area, waiting for the mailman with their next welfare check.

The ads called for those willing to work to step forward.

A spokesman for the company said, "It is apparent from these results that too many people, both black and white, just do not give a damn about working."

He added that these figures only reflect what is now a growing national disgrace, namely, a no work movement that is sustained by various governmental giveaways, welfare checks, laziness and indifference.

"We are delighted to have found 38 persons who give a damn and who want to work and work hard to help themselves and their families," the spokesman said.

There were several reasons, the company said, for not hiring other persons at this time. Some job seekers wanted wages that were too high. Others were not seriously looking for work. Some men refused to work nights, while others were not physically able to perform the tasks the jobs demanded.

Some persons who applied had police records, but this did not eliminate them unless they had been convicted of burglary, larceny or thefts.

"Diversified will hire persons who have been convicted of other major crimes, even murder, if it is determined that the person has been rehabilitated and can take his place in society as a useful citizen," the spokesman said.

Letters from businesses and private individuals praised Diversified for having had the guts to take a stand on this delicate issue.

"We have told it like it is and have no regrets," the spokesman said. "And we still have openings and are hiring."

WHAT ABOUT THE LAZY?

It has long been suspected that many people are allergic to work. They are, to put it bluntly, lazy.

Diversified Metals Corp. can offer proof.

The firm, tired of hearing people complain they couldn't find a job and were doomed to waiting for their next welfare check, saturated the area with blockbuster ads offering work—mostly unskilled labor. The jobs paid $100 to $150 a week, plus fringe benefits.

Although 141 applied, many wanted too much money, weren't seriously looking for work or refused to work nights. Only 38—24 white and 14 black—finally went on the payroll.

Most disappointing were the 31 others who were hired, but either didn't show up for work at all or only lasted a day or two before quitting.

Industry can do no more than offer jobs. The question remaining is what can be done to trim the lazy off the relief rolls, allowing people who really need welfare checks to benefit.

## PRAYERS FROM THE CONGRESSIONAL RECORD

### HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 16, 1969*

Mr. ASHBROOK. Mr. Speaker, in yesterday's CONGRESSIONAL RECORD in commenting on the late Senator Dirksen's prayer bill, I made mention of the current controversy over the issue of school prayers now going on in Netcong, N.J. Today's New York Times reports further on the determination of the people in this community to resume a custom which has ever been a part of this Nation's heritage. The Netcong Board of Education has announced that it will read from the CONGRESSIONAL RECORD a prayer offered by the Chaplains of the U.S. House and Senate during a session of Congress. The readings will be held in the high school gymnasium 5 minutes before the start of classes each day with attendance being strictly voluntary.

The superintendent of schools, Joseph Stracco, stated that the first reading wold be from the August 8 CONGRESSIONAL RECORD, on which day only the Senate met. The prayer for that day, offered by the Reverend Edward L. R. Elson, D.D., the Senate Chaplain, reads:

Eternal Father—

"May Thy Spirit which is eternal be within us to refresh us,
Above us to bless us,
Around us to protect us,
Before us to lead us on,
Beneath us to hold us up."

In the Redeemer's name, we pray. Amen.

In effect, this approach of the officials of Netcong seeks to provide for the students the same privilege enjoyed by Members of Congress. The advocates of school prayer have long protested the inconsistency which allows the benefits of daily prayer to Members of Congress while at the same time discriminating against America's schoolchildren. If school prayer violates the first amendment, then why not congressional prayer? Perhaps the American Civil Liberties Union could clarify this matter by drafting legislation to fire the congressional Chaplains and eliminate congressional prayer. It would be interesting to see how many congressional sponsors of their legislation would be forthcoming.

The battle of Netcong should prove to be an interesting one. If the case goes to court, perhaps clarification of the school prayer situation will result. If this new practice continues, the RECORD could well become a best seller. The number of beautiful and edifying prayers from the CONGRESSIONAL RECORD is, of course, copious. For instance, Senate Document No. 86 of the 81st Congress, first session, contains the prayers of the former chaplain of the U.S. Senate, the Reverend Peter Marshall, D.D., offered in Congress from 1947 to 1949. I do not know if it is still available, but at one time it was procurable from the Government Printing Office at the nominal cost of 45 cents. This document contains 70 pages of short, inspiring prayers, and is but one of a number of collections of prayers offered by congressional chaplains.

Hats off to the school officials and parents and students of Netcong who realize that in these times the necessity for school prayers to help produce responsible citizens and leaders is a "must" today more than ever before. Their experience with this issue demonstrates once again the need for legislation to clarify this all-important issue.

I include the article, "School To Evade Ban on Prayer by Using CONGRESSIONAL RECORD," from the New York Times of September 16 in the RECORD at this point:

SCHOOL TO EVADE BAN ON PRAYER BY USING CONGRESSIONAL RECORD

NETCONG, N.J., September 15.—Sections of the Congressional Record quoting prayers recited by chaplains in the United States Senate and House of Representatives will be read to students in the Netcong public schools starting tomorrow.

Palmer Stracco, president of the Netcong Board of Education, announced plans for the readings today. He said they would be held in the high-school gymnasium five minutes before the start of classes each day. Attendance will be "strictly voluntary," he said.

Mr. Stracco conceded that the readings were an effort to circumvent the United States Supreme Court's 1963 ban on school prayers.

But he contended that there was no essential difference between the recitation of prayers in Congress and the recitation by school children of those same prayers.

"Congress has a chaplain recite a prayer and they are supported by taxpayers, too," Mr. Stracco said.

Sessions in Congress are customarily opened with five-minute prayers recited by the Rev. Dr. L. R. Elson, the Senate chaplain, and the Rev. Edward G. Latch, the House chaplain. Their words, like all official statements in the two chambers, are entered in the Congressional Record.

However, few Senators or Representatives are ever in attendance when the prayer is read.

The prayer readings in the Netcong schools will supplant a controversial program of daily "silent meditations," which was dropped by school authorities last Thursday.

The change was ordered by the Board of Education in the face of a court challenge by the New Jersey chapter of the American Civil Liberties Union, which charged that the meditation violated the Supreme Court's ban on school prayers.

That ban was based on an interpretation of the doctrine of the separation of church and state in the First Amendment to the Constitution, which says in part that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof."

The readings will begin at Netcong High School tomorrow and in the elementary school here on Wednesday, according to Joseph Stracco, the Superintendent of Schools, who is a nephew of the board's president.

POPULATION MOSTLY CATHOLIC

The first reading will be from the Congressional Record of Aug. 8, the Superintendent said, adding that the school district would renew its $18-a-year subscription to the periodical for the purpose.

The prayers in the Congressional Record will be read by students and faculty members who volunteer. "We have lots of volunteers, so they'll have to take turns," the Superintendent said.

Emphasizing that no one would be forced to listen or pray, the Superintendent said students and faculty members who want to attend will go to the school gymnasium five minutes before the start of classes. Attendance will be taken in the classrooms afterward, he said.

There are 340 students enrolled at the high school in this western Morris County community, half of them from neighboring Stanhope, in Sussex County. The elementary school has an enrollment of 435.

Netcong, which has a population of 3,500, is predominantly Roman Catholic, with a heavy concentration of residents of Italian descent.

The controversy over the school-prayer ban began anew here with the start of classes last week. For the first four days, students were asked each morning to remain in their

seats before classes for 30 seconds of "voluntary, silent meditation."

The meditation was ordered by the Board of Education as an interim measure while a group of local clergymen negotiated a prayer acceptable to all faiths here. But the clergymen failed to agree on such a prayer and said they wanted to "study the matter further."

In the meantime, a committee composed of three high-school students and three faculty members offered the idea of reading from the Congressional Record. The school board accepted it, according to Mr. Stracco, the board president, in the hope that the Supreme Court's ban could thus be circumvented.

In Sayreville, in Middlesex County, students in the public schools paused for five minutes of silent meditation today for the first time. The school board there maintains that the meditation does not contravene the Supreme Court ruling.

## SANCTUARY FOR INTERNATIONAL GANGSTERS

### HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 16, 1969*

Mr. RARICK. Mr. Speaker, while our leaders continue to barter away American lives at so-called "peace talks" in Paris, the Communist cancer in the Western Hemisphere—Cuba—continues to create trouble among our friends to the south.

I discussed the matter of Soviet influence in Latin America at length before this body on June 12, 1969, begining on page 15768.

The recent kidnaping of the U.S. Ambassador to Brazil can be traced indirectly to the Soviet Union by way of its Red satellite just 90 miles off our shores.

Not only is it regrettable that we allow the export of communism in this hemisphere, but it is a menace which will—if allowed to continue—threaten the very existence of our Nation.

The 15 Red agents freed by Brazil to protect the life of our Ambassador will undoubtedly continue as activists in the Communist movement, and almost surely will return to the scene of their earlier crimes against the people of Brazil.

A most timely editorial on this subject appeared recently in the Chicago Tribune. I insert it following my remarks:

THE SOURCE IS CUBA

The United States was doubly humiliated by the kidnaping in Rio de Janeiro of Ambassador C. Burk Elbrick by communist terrorists, who threatened to kill him and released him only when their demands were met by the government of Brazil. One demand was for the release of 15 prisoners, including a Brazilian accused of directing the machine-gun assasination of Capt. Charles R. Chandler of the United States army, who was studying at the University of Sao Paulo in preparation for a teaching assignment at West Point.

The other demand was for publication of a statement by the terrorists boasting that the abduction of Ambassador Elbrick was aimed as much at the United States as at Brazil's new military government. The statement said the ambassador "represents in our country the interests of imperialism" and symbolizes exploitation of the Brazilian people.

The terrorists also boasted that the kidnaping outrage was not an isolated act but was part of a continuing campaign of terorism, including bank holdups, to get money for the revolution; raids on barracks and police stations, for arms and ammunition; invasion of jails, to liberate prisoners; burning up buildings; and "the execution of hangmen and torturers."

This is the familiar pattern of urban terorism to which the communist revolutionaries have resorted in Brazil and other Latin American countires since the failure of their efforts to foment peasant guerrilla movements in Guatemala, Colombia, Venezuela, and particularly Bolivia. Che Guevara, lieutenant of Fidel Castro in the Cuban revolution, was captured by the army and killed when he tried to organize a revolution in Bolivia.

The government of Brazil acted immediately and successfully to effect the release of the American ambassador. There is little the United States can do to prevent such outrages in the future except to provide greater security for its ambassadors, and the state department says this is being done. To withdraw the ambassadors from countries which cannot protect them would benefit only the Communists; soon we would have diplomatic relations with few if any Latin American countries.

The source of all the trouble in Latin America is communist Cuba. In the Soviet missile crisis of October, 1962, President Kennedy gave "assurances against an invasion of Cuba" and said he was confident that other western hemisphere nations would do likewise. Nikita Khrushchev, without contradiction by the President, interpreted this as a guarantee that the United States would neither invade nor permit an invasion of Cuba.

Having obtained this guarantee for the security of a base for revolution in the western hemisphere, the Russians organized the so-called Tricontinental conference of communist countries in Havana in January, 1966, which was quickly followed by the organization of Castro's Latin American Solidarity organization [LASO], for the export of revolution throughout the hemisphere. This organization trains thousands of agents each year, including students and black militants from the United States, and then infiltrates them into their homelands for action.

Paul Bethel, former United States foreign service officer in Havana, advocates [in "The Losers"] a counter-offensive to overthrow Castro, including recruitment and training of exiles to be infiltrated into Cuba for sabotage and assistance to resistance movements. The Nixon administration, however, has continued the Kennedy-Johnson policy of patroling the waters between the United States and Cuba to prevent any hostile act against this volcano of revolution for export.

## NEED FOR RATIONAL CAPITOL HILL ARCHITECTURE

### HON. JAMES H. SCHEUER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 16, 1969*

Mr. SCHEUER. Mr. Speaker, because of my long-term interest in architecture, planning, and, specifically, the architectural fate of the U.S. Capitol Building and its surrounding area, I rise to oppose the appropriation of moneys that will enable the Capitol Architect to generate prebid construction plans for a proposed extension of the Capitol's west wall.

I am expressing the interests of most professional architects, historians, and the responsible national press in opposing the allocation of any moneys for any piecemeal addition to the Nation's most prominent edifice. I make my opposition on three grounds: First, there is a painfully obvious need for comprehensive master planning of the Capitol region; therefore, it is architecturally and economically unsound to make ad hoc space additions like the west wall extension; second, there is a need for basic revision of the current practices of the Capitol Architect; and third, the proposed addition disregards important considerations of American history.

Let me state at the outset that it is apparent to me, no doubt to the 11 million tourists who this year came to visit their Nation's shrines, that the west front of the Capitol is in need of attention. It should be a source of shame to the Capitol Architect that basic, inexpensive, regular, normal, cosmetic, and structural maintenance has been so neglected. Before setting out on new, expensive building endeavors, the Capitol Architect should perform his regular, routine maintenance responsibilities.

NEED FOR COMPREHENSIVE PLANNING

The proposed appropriation would, if granted, allow moneys to produce prebid plans for the extension of the west front. By opposing the appropriation I am not advocating that we neglect the condition of the Capitol. On the contrary, my opposition is based on the well-accepted principle that piecemeal attempts to solve complicated, many-faceted problems in the long run are inevitably wasteful and self-defeating.

The west wall which, indeed, is in need of repair, stands only as a part of the total architecture and planning picture of the Capitol Hill complex. The Capitol, as the seat of the Nation's Government, is under complex demands from a great variety of constituencies—the Senate, the House, the growing congressional staff, the public, the press. Yet, to date, the Capitol Architect has made no effort, nor is it apparent that he is likely to make an effort, to assess the total current and future needs for space, facilities, and equipment, with a view of achieving maximum congressional effectiveness in an economical, efficient fashion. Although it is customary practice in virtually all Government building, and, indeed, in all intelligent modern corporate planning, the architect has made no effort to generate a survey of needs and a master plan for development from which informed architectural planning and development decisions affecting the capitol can be made. Without a master plan, extension of the west front is like playing a game of dominoes where we add a piece at a time with no idea of the final design.

It should be obvious, and is obvious to professional architects and planners, that a unique building like the Capitol, a building which is both a cherished monument and a highly utilitarian structure should not be altered in a random fashion, on a piece-by-piece basis.

If new space is needed in the Capitol—and we know it is—how can it best be employed? In response to this question, Mr. Campioli, the Assistant Architect, testified that 25 offices anticipated under

the proposed extension would have the following use:

Mr. CAMPIOLI. Some of them (Offices) would be used in connection with this committee. Some would be used to serve other functions as may be allocated by the Speaker of the House side or the Rules Committee on the Senate side.

Tell me, Mr. Speaker, is this informed, intelligent, long-term planning?

Mr. Speaker, I ask if new construction projected to cost $45 million, affecting the most famous building in the country can be seriously considered by a responsible legislative body, based on such nebulous and unscientific information? Mr. Speaker, we are all aware that the electronic age offers new and highly specialized facilities and systems which Congress urgently needs, and which any planning for new space in the Capitol ought to contemplate. What will be the electronic and computer needs, the personal and committee staff needs, of Members of Congress in 10 or 20 years hence?

It is unthinkable that we could even begin to plan major alterations without exploring these and other technical questions which affect the vital, long-term liveability and workability of the Capitol Hill complex. Let us plan systematically, let us master plan, in the jargon of the architect, so we may identify our future needs before taking major and perhaps irrevocable steps.

NEED FOR REVISION OF PRACTICES OF CAPITOL ARCHITECT

Next, Mr. Speaker, I would like to note briefly that even if an extension of the Capitol Building were at some point in the future called for under a master plan, the current practices of the Capitol Architect do not allow for selection of the most imaginative, high-quality architects of this Nation. It is well documented that over the years, the Capitol Architect has seen fit to select time and again, a small coterie of architectural firms to carry out Capitol Hill building projects. As a result, we in Congress have faced personal embarrassment with our constitutents, not only—in the view of many authoritative observers—because of the ugliness of some of the work, but also because consistently and repeatedly the estimated costs have enormously exceeded the final costs. In recent years, Congress has had to face embarrassment in the public press because of tens of millions of dollars in added costs to the east wing extension, the Rayburn Buildings, and the Capitol underground garages. Before undertaking any project so sensitive as alterations of the Capitol, procedures for obtaining the best and most economical architectural consultants and the most realistic cost estimates must be assured.

CONSIDERATIONS OF HISTORY

Finally, I oppose extension of the west wing for historical, perhaps sentimental reasons. The west wall is the last vestige of the original Capitol Building. It seems beyond our mandate in 1969 to bury the last wall which was publicly acclaimed by the first two critics of the Capitol, President George Washington and then Secretary of State Thomas Jefferson. The west front is the only original section of the Capitol remaining with direct ties to Washington, Jefferson, and the endurance of this country through the British attack in 1814. The endurance of this Capitol Building during great stress was noted by Daniel Webster, expressing the concern of millions of Americans, when he said:

And all here assembled, whether belonging to public life, or to private life with heads devotedly thankful to Almighty God for the preservation of the liberty and happiness of the country, united in sincere and fervent prayers that . . . the walls and arches, the domes and towers, the columns and entabulatures, may endure forever.

Mr. Speaker, I cannot express strongly enough that Webster's immortal words express my profound feelings. To millions the visual impressions of the Capitol Building and its very mortar convey symbolically the history, thus the values and endurance of the values of this country. There is a place for modernization and progress, but progress is not always achieved by indelible alteration of the noble monuments and structures of the past. Let us through our monuments be reminded of from where we came and to what we owe our most noble ideals. Preservation of the original section of the Nation's most important building is a debt we owe to posterity. It is beyond my comprehension why Mr. J. George Stewart in 1969 would wish to destroy the west wall and finish the job the British could not do in 1814. Why would Mr. Stewart destroy the wall gallantly defended, the wall where flames were heroically extinguished by citizens and soldiers of an earlier day?

Mr. Speaker, I hope this body will see fit to deny funds for the piecemeal venture proposed by the Architect. In place of appropriating $2 million for development of plans which will most likely damage the Capitol Building and embarrass the Congress, I urge all Members of the House to support Congressman SAM STRATTON'S substitute amendment which allocates $100,000 for sensible planning to restore the west front of the Capitol. After that job is done, we should restore the building and commission the Nation's best architects to produce a master plan of the long-range needs of Capitol Hill, and of the Members of this distinguished body.

Mr. Speaker, there follows, for the interest of my colleagues, an article from the authoritative Congressional Quarterly of July 7, 1967, giving the history of this proposed extension, and outlining some of the dubious practices and procedures of the Architect of the Capitol:

CONGRESS DIVIDED ON CAPITOL HILL CONSTRUCTION PLANS

Haunted by the presence of the $100-million-plus Rayburn House Office Building, Congress faces with deeply divided feelings the prospect of two new Capitol Hill construction projects.

Authorized and only needing funds to move ahead are a $34 million extension of the West Front of the Capitol (the central portion facing the Mall and the Washington Monument and a $75-million annex to the Library of Congress, to be known as the James Madison Memorial Library.

No appropriation for either project has been requested yet for fiscal 1968, but some funds may be sought for at least one project in a supplemental request later in the session.

Both undertakings are a frequent topic of conversation on Capitol Hill and have stirred acrimonious debate in the House and Senate.

The debate goes beyond merely a dispute over the merits of two specific building projects. Instead, some Members have sharply attacked the basic way architectural decisions are reached on Capitol Hill, strongly hinting at wrongdoing or political impropriety.

On the other hand, defenders of the status quo claim that most criticism aimed at Capitol Hill architecture is inspired by either professional jealousy or partisan politics.

CAPITOL HILL DEVELOPMENT

Before discussing the West Front controversy and the new library, it is necessary to look first at the larger debate.

The major indictment of the current approach to developing Capitol Hill, voiced most vigorously by the American Institute of Architects, is the lack of a long-range master plan for the area.

Currently the development of the Capitol grounds is in the hands of the Congressional leadership and under the day-to-day supervision of the Architect of the Capitol, J. George Stewart, a former Representative (R. Del. 1935–37). Stewart conceives, commissions and executes his own plans for Capitol Hill, restricted only by his need to obtain Congressional approval of funds for particular projects or to bow to the wishes of a small core of influential Members of Congress. Neither the National Capital Planning Commission nor the Fine Arts Commission, both responsible for reviewing architectural and development plans elsewhere in the nation's capital, has any jurisdiction on Capitol Hill.

As a result, the AIA, in an April report, was prompted to say: "We move from crisis to crisis under present procedures for approval and construction of Capitol Hill buildings . . . Congress owes it to the people of the United States to have an orderly plan for the development of the Capitol grounds and contiguous areas. The cost of creating an excellent plan would be far less than the amount which will be spent unnecessarily without one."

Noting that advance long-range planning is a prerequisite for all federally aided urban renewal programs. Rep. James H. Scheuer (D. N.Y.), a real estate developer before coming to Congress, has asked: "Why should this 131 acres known as Capitol Hill be excluded and denied the benefits of comprehensive master planning which Congress in its wisdom . . . felt was an indispensable condition to their spending a dime of federal funds to help any city?"

*Senate action*

The Senate May 18 passed S.J. Res. 74 which directed the Capitol Architect, in consultation with the National Capital Planning Commission, to select a firm to prepare a "comprehensive plan for the future development of the U.S. Capitol grounds and the contiguous and influencing areas." The bill was introduced by Sen. Jennings Randolph (D. W. Va.).

In reporting the bill May 16 (S. Rept. 236), the Senate Public Works Committee criticized the "piecemeal" approach to Capitol Hill development. Said the Committee: "The environs of the Capitol have a unique importance and their future development is a matter of concern of the entire nation." Planning for the future is dictated by esthetic, functional and economic concerns, the Committee said.

A spokesman for the Capitol Architect, Philip I. Roof, executive assistant to Stewart, acknowledged there was no master plan for the area and said Stewart firmly believed long-range planning was both desirable and necessary. However, Stewart opposed S.J. Res. 74, Roof said, because of its provisions altering the method by which architects are

chosen. The bill provided that the National Capital Planning Commission, Fine Arts Commission and architectural profession participate fully in the selection process.

*Selection of architects*

Stewart's objection to the Randolph bill points up another general issue that has emerged from the planning-architecture debate.

Prominent among those attacking the status quo is Scheuer, who last year and again in the 90th Congress proposed the creation of a Commission on Architecture and Planning with exclusive jurisdiction over Capitol Hill to promote first-class design in all Hill projects. This would be done, Scheuer says, by basing selection on competitive design rather than political influence. He contended in an interview with CQ that "an unbreakable monopoly" had done all of the work on the Hill in the last dozen years, and the product of the monopoly "is uniformly dismal, a program of planned ugliness."

Roof, again speaking for Stewart, hotly denies the existence of an architectural monopoly. He told CQ the selection process on all Capitol Hill projects is rigorous and scrupulously fair. He points out that the New Senate Office Building (conceived and designed before Stewart took office), the East Front extension and the Rayburn Building were designed by different architects.

The AIA strongly supports the Scheuer proposal, saying "The Capitol grounds should no longer be excluded from the accepted process of examination and review. Indeed, Capitol Hill is so important as to merit its own review body."

WEST FRONT EXTENSION

In 1955, under PL 84–242, a five-member Commission on the Extension of the U.S. Capitol was established, consisting of the House Speaker, the Vice President, the House and Senate Minority Leaders and the Capitol Architect. Headed by the late Speaker Sam Rayburn (D Texas 1913–61), the Commission approved the East Front extension in 1957 and had plans drawn up for the West Front expansion as well.

In a surprise announcement on June 17, 1966, the Commission—then made up of Speaker John W. McCormack (D Mass.), Vice President Hubert H. Humphrey, Sen. Everett McKinley Dirksen (R Ill.), Rep. Gerald R. Ford (R Mich.), and Stewart—approved a $34-million plan to extend the West Front, adding 4.5 acres of new space including two auditoriums, two cafeterias, four dining rooms and 115 offices as well as a tourist center. The center section of the Capitol would be extended westward toward the Mall 44 feet, the two original wings 88 feet and the corridors connecting the House and Senate wings 56 feet. The changes would bury the last vestiges of that portion of the Capitol designed by William Thornton in the 1790s and Charles Bulfinch in the 1820s and would replace the steps and terrace designed by Frederick Law Olmstead in the 19th Century.

The Commission said its decision to proceed with the extension was based on a recommendation made in 1964 by the Brookline, Mass., engineering firms of Thompson and Lichtner Co. Inc., which said the original west wall was so gravely deteriorated the best solution would be to rebuild the West Front completely. "An extended building is recommended as the least hazardous and as causing the least interference with the occupancy of the present structure," the firm told the Commission. Restoration of the existing West Front was specifically not recommended. In October 1965 the Commission had obtained $300,000 for architectural plans for the West Front extension and engaged the firm of Dewitt, Poor and Shelton for the work.

In its June 17 announcement, the Commission said the architects had presented three proposed extension plans. After reviewing each, the Commission decided on the $34-million scheme, the most expensive of the three.

A storm of Congressional protest erupted when the details of the extension and Stewart's intention to seek $34 million in a supplemental request were made public.

The objections were based on economic, historical and architectural grounds. Strenuous opposition developed in the Senate where 30 Members, led by A. S. Mike Monroney (D Okla.) and William Proxmire (D Wis.), sponsored bills to block the extension. It was the Senate which had fought vainly eight years earlier to scuttle the East Front plan. A small but vocal House protest was organized by Samuel S. Stratton (D N.Y.). Stewart was criticized almost daily in both House and Senate.

Stewart never made good his intention to seek the $34 million in 1966, apparently because of the clearly hostile reception the extension proposal had met.

PROS AND CONS

But the debate continues in the 90th Congress.

*Opposing extension*

Opposing the extension and favoring instead restoration of the west wall, the AIA said in a special April report. "The West Front of the Capitol can be restored and its structural weaknesses corrected." While restoration would be costly and "would entail some inconvenience," the AIA said it "is unlikely that the cost of the restoration would approach the total cost of extension." The AIA, stressing the historical importance of the present West Front, also called for a "permanent policy prohibiting any further major alteration to the Capitol."

In the absence of the master plan for Capitol Hill, the AIA also argued it was unwise to draw up plans for new office space in the Capitol which might be totally inadequate in terms of actual need.

Stratton contended that Stewart had consciously allowed the West Front to deteriorate as part of a campaign to drum up support for its extension. Stewart has blamed Congress for failing to provide sufficient maintenance funds. Stratton also said more study should be given to alternatives before proceeding with the extension.

*Favoring extension*

Arguing for the extension project, Speaker McCormack, June 1, said: "It will improve the esthetic quality of the west side, while at the same time preserving its essential characteristics." Furthermore, it will provide critically needed new office space, he said. On the other hand, he contended, restoration could cost anywhere from $10 to $50 million and would require that the entire west central section of the Capitol be vacated for 5 to 10 years.

Discussing the AIA-backed restoration plan. Stewart's office told the House Legislative Branch Appropriations Subcommittee this spring: "What a shame it would be to butcher this old building in the manner they propose. Their program, if it can be called that, . . . is an open invitation to endless expense, . . . continued admittedly poor structural conditions, . . . a scabby appearance . . . and stifling any further space growth for Congressional operations in the Capitol."

*Outlook*

All that stands between the extension plan and its completion is the lack of money. In the light of current economic conditions it is unlikely the extension will come to fruition in the next few years, but as was the case in 1958 when the East Front extension was approved, with the Congressional leadership solidly behind the plan, odds for its eventual success are good. Even the beleaguered Architect's office says the current controversy is mild compared to the East Front fight in 1958.

MADISON LIBRARY

The construction of the Madison Library was authorized in 1965 by PL 89–260. Also authorized was a $75-million appropriation for the library, which would be built on land bounded by Independence Avenue, C Street and First and Second Streets SE. Supervising the building of the library are the Capitol Architect, the House and Senate Office Building Commissions and the Joint Committee on the Library. Congress further, in an effort to involve the architectural profession in the planning of the building, directed these committees to consult with advisory architects picked by the AIA (1965 Almanac p. 633).

Although the AIA named a five-member committee of consultants, the architects for the project were selected without the participation of the AIA panel. Chosen was Dewitt, Poor and Shelton, the same firm which designed the East and West Front extensions.

The AIA group later did meet from time to time with Dewitt, Poor and Shelton during the planning stages but evidently had little impact on the final design.

In a report made public June 1, the AIA committee said the library design would result in a building that would be "inhuman and overpowering." The "present design would produce an environment which would be esthetically and psychologically unsatisfactory as a place to work," said the AIA. Essentially, the AIA said the building as designed was too large for the site.

The report immediately touched off new Congressional debate, with some Members suggesting another Rayburn Building was in the making.

A spokesman for Dewitt, Poor and Shelton said the requirement of 1.7 million square feet of floor space dictated a large building, which, at the same time, had to conform to the limitations placed on it by the site. He dismissed the AIA criticism as that of a handful of "fledgling" architects. He also pointed out that the AIA-approved design for its own new Washington headquarters had been overwhelmingly rejected June 21 by the Fine Arts Commission.

The final Madison Library design has not yet been reviewed by all of the Congressional committees, according to Roof. However, it is unlikely the AIA critique will alter the final design in any significant way.

*Outlook*

Again armed with the necessary authorization and only lacking the funds, the Madison library seems likely to materialize in the next few years. It may even be that some additional architectural and engineering funds will be sought later in this session to move the project further along.

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## HOUSTON, TRANQUILLITY BASE HERE—THE EAGLE HAS LANDED

### HON. GEORGE BUSH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 16, 1969*

Mr. BUSH. Mr. Speaker, "there are some events that are beyond the power of words to describe, and landing on the moon by earthlings who return to earth to tell us about it falls into this category." Marvin Hurley, executive vice president of the Houston Chamber of Commerce, recently expressed the pride and the spirit that most Houstonians feel toward this historic event in a speech that contained these words. I would like to submit for the RECORD Mr. Hurley's remarks so that we might all share them:

"HOUSTON, TRANQUILLITY BASE HERE . . . THE EAGLE HAS LANDED"*

(By Marvin Hurley)

Now that the Apollo 11 Astronauts have landed on the Moon and returned safely to Earth, a national commitment to greatness, made early in the decade, has been met.

This, then, is a time of achievement. It is a time when people of good will around the world applaud the pioneers of space. And, the people of Houston, especially, are deeply committed to the conquest of space.

We have profound admiration for the entire space team—the administrators, the engineers and the technicians as well as the Astronauts and their families.

We have worked with them and played with them. We have studied with them and worshipped with them. We have shared the crisis of tragedy and the triumph of achievement with them.

We have found them deeply dedicated, highly capable, and intensely human.

Ten years ago, the exploration of space existed for most of us only in the realm of science fiction. But increasingly, during the decade, we have experienced the exciting possibilities along that fantastic frontier that floats above us.

To the genuine revolutions in human achievement that are honored in history's hall of fame, we can already add with assurance the exploration of space.

Every age has its world of tomorrow, and ours in found in the ocean of space. Today's Marco Polos and Christopher Columbuses and Charles Lindberghs ride millions of pounds of thrust beyond the Earth's influence to the unfriendly terrain of the Moon.

Not all, of course, have recognized the significance of this new adventure. The same type of people who questioned Galileo, Columbus, surgery, the steam engine, railroads and the airplane are now questioning space exploration—simply because their minds do not comprehend its portent.

The engineering basis of heavier-than-air flights was laid in the early 19th century, but in 1896, Lord Kelvin, great British research physicist, said, "I have not the smallest molecule of faith in aerial navigation other than ballooning."

After the Wright brothers had been making successful airplane flights for five years, the British Secretary of War said, "We do not consider the airplane will be of any possible use for war purposes."

We should remember that history has dealt harshly with the doubters of human progress, whether it be in surgery, wireless communication, aviation or other fields of achievement.

The full impact of the space program will unfold over a period of time. Now that man has slipped the leash on his earthly environment, the future holds promise for completely new frontiers for pioneering.

The search for knowledge and the development of complex skills which the space programs has motivated cannot be adjourned. This interdisciplinary exploration is revealing secrets at the heart of the universe as well as out in the skies. The new knowledge can be applied to some of the age-old needs of man as well as to some of his more recent dilemmas, as the thoughts and actions of mankind are being led into new channels of great wisdom.

It is impossible for us to think of so signal a victory in space and not reflect upon our outlook on the more mundane challenges here on Earth.

Our urban crisis as well as other pressing domestic issues, our international tensions, will be solved only as men's thinking is opened to a more perceptive recognition of these problems and to the possibilities of settling them. No man, no nation, no race, can fail to think of such problems more deeply and with greater confidence and understanding as a result of men having visited the lunar surface.

To find solutions to our complex and interrelated problems of today and tomorrow, we can draw increasingly upon data processing and the systems approach of the type that management technical groups have developed in our space program.

There are some events that are beyond the power of words to describe, and landing on the Moon by earthlings who return to Earth to tell us about it falls into this category. When this is linked to the miracles of television and all the other sciences and technologies involved, we stand in awe at mankind's application of his intelligence.

In the long run it may well be that the chief contributions of space pioneering and exploration will not be the fields of science and technology at all but rather in the fields of human relations and of the spirit. It may well be that we are developing channels of understanding and unification far deeper and more important than politics or diplomacy.

This was expressed by Archibald MacLeish in his comments on the Apollo 8 success, when he said, "To see the Earth as it truly is, small and blue and beautiful in that silence where it floats, is to see ourselves as riders on the Earth together, brothers on that bright loveliness in the eternal cold—brothers who know now they are truly brothers."

Time after time during the Mercury, Gemini and Apollo flights, and more particularly during the more recent flights as the Astronauts have looked across the lunar distance toward the agate Earth, our thoughts have turned to God, and each of us has found new spiritual meanings in our own lives.

Now that dauntless Astronauts have strolled the Moon's desolation, and, as man's ancient dream of direct contact with this celestial body is transformed into reality, human life, inescapably, will take on new dimensions.

*Astronaut Neil Armstrong (Landing on the Moon, 7-20-69).

# SENATE—*Wednesday, September 17, 1969*

The Senate met at 12 o'clock noon and was called to order by the President pro tempore.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

O Thou Infinite and Eternal Spirit, whose presence fills the universe, we open our hearts to Thy spirit. Make us aware of Thee in all we do this day. When we are right confirm us. When we are wrong correct us. When we are uncertain guide us.

We pray especially for the youth of this land, in schools and colleges, on missions of mercy, and in the Armed Forces, that they may be guarded in moments of temptation, and strengthened in times of peril, and in every way grow in the image of the Divine Master. Be near the unloved, unfed, and unrewarded, and let justice and grace flow from compassionate hearts to assuage their hurt and provide for their needs.

Guide all who confer for the peace of the world. Give Thy higher wisdom to the President and all our leaders that they may know and do Thy will.

In Thy holy name we pray. Amen.

## THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Tuesday, September 16, 1969, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

## MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Leonard, one of his secretaries.

## EXECUTIVE MESSAGES REFERRED

As in executive session, the President pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

## LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, with the consent of my colleagues, I would like to yield briefly at this time to the distinguished senior Senator from Colorado (Mr. ALLOTT).

The PRESIDENT pro tempore. The Senator from Colorado (Mr. ALLOTT) is recognized.

## VISIT TO THE SENATE BY A MEMBER OF THE BRITISH HOUSE OF COMMONS

Mr. ALLOTT. Mr. President, I am very happy today to introduce to the Members of the Senate a very distinguished Member of the British House of Commons, a former Minister of the British Government, who is paying us a brief visit today. He is the Right Honorable Geoffrey Rippon.

I would like to have him stand and have the Senate greet him and perhaps say hello to him.

[Applause, Senators rising.]

## COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, it is so ordered.