

CIVIL RIGHTS

Nixon Administration On Civil Rights  
April 14 - Aug. 8

School Desegregation - Jan. 31 --  
Sept. 25

Miscellaneous - June 25 - Sept. 19

# WOULD YOU SIGN THE DECLARATION OF INDEPENDENCE?

Mr. HATFIELD. Mr. President, recently the students in a class of American Government and politics at the University of Maryland, European division, conducted a most revealing survey. They decided to circulate a portion of the preamble of the Declaration of Independence among a cross section of Americans at an Air Force base in Germany. This survey was circulated to see how many of our country's citizens would actually recognize their own Declaration of Independence. Also, these students wished to know how many of the individuals interviewed would support the document and if necessary, sign it as evidence of their convictions. I am confident that the results of this survey will be a matter of keen interest and deep concern to my colleagues. Therefore, I ask unanimous consent that the information concerning this survey and its results be printed in the RECORD.

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

## PORTION OF THE PREAMBLE OF THE DECLARATION OF INDEPENDENCE

When, in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume, among the powers of the earth, the separate and equal station to which the laws of nature and of nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident, that all men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these, are life, liberty, and pursuit of happiness. That to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed; that, whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute a new government, laying its foundation on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness. Prudent, indeed, will dictate that governments long established, should not be changed for light and transient causes; and, accordingly, all experience hath shown, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But, when a long train of abuses and usurpations, pursuing invariable the same object, evinces a design to reduce them under absolute despotism, it is their right, it is their duty to throw off such government and to provide new guards for their future security.

### I. Direct totals:

a. Total number interviewed.....	252
b. Total number who signed the document .....	68
c. Total number who would not sign the document.....	148
d. Total number of those who agreed with the document, but would not sign it.....	36
e. Total number of those who realized exactly what the document was .....	41

### II. Direct percentages in relation to part I:

a. Percentage of base population interviewed .....	11
b. Percentage of those who would sign the document.....	27
c. Total percentage of those who would not sign the document .....	73
1. Percentage of those who agreed with the document, but would not sign it.....	14
2. Percentage of those who absolutely would not sign the document.....	59
d. Percentage of those who realized what the document really was.....	16

### STATEMENTS MADE BY INDIVIDUALS WHO WOULD NOT SIGN THE SURVEY DOCUMENT

(These are just some of the statements that were given, but they are a good sample of many responses received.)

1. Some called it a lot of trash.
2. Many felt that the document is advocating a coup d'etat.
3. May did not believe in the principles stated in the document.
4. Some felt that the document is very vague and left a lot to be desired.
5. Many felt that it was a direct rebuttal of the Government.
6. One teacher at a local junior high school, after reading it stated: "Do you really believe in this document?" When the man responded with a definite YES, the teacher shouted: "You believe in what you want to you communist."
7. Many would not sign the document for fear of repercussion.
8. Some would not sign the document because it failed to clarify how the government would be replaced, and had there been any mention of elections they would have signed it.
9. Four individuals accused the surveyor (a Negro) of trying to develop his own black state.
10. This document is "advocating the abolishing of our government and the possible establishing of a dictatorship."
11. One individual refused to sign the document and called it a very radical document, he also thought it was poorly written.
12. A few felt that it was an outdated document, and left too much for interpretation.
13. An individual felt it was not necessary to reaffirm the principles to which he has dedicated his life to and had sworn to uphold when he took the Oath of Allegiance.
14. One man said the document was "basically stupid and a lot of trash." Also, this same individual felt people should not have the right to abolish the government.
15. Some individuals would not sign it because they wanted to know what it would be used for.
16. Another individual stated: "Who wasted an afternoon writing this?"
17. Another man felt that the government shouldn't be changed by the "little people".
18. Too much "legal talk".
19. Doesn't give enough to the majority class.
20. One individual left the room and refused to even talk about the document again.
21. One individual did not like the word prudence in the document.
22. Many thought this document to be too radical.
23. Another individual thought the document was "pretty", but not workable.
24. One gentleman asked if the document had anything to do with the "Communist Party of America".
25. One individual said that "It sounds like that long haired kid stuff".

### ADDITIONAL INFORMATION

Survey assistants: David S. Haynes, Joseph Kupferschmidt, Robert E. Lock, Tony Tolbert.

The survey was conducted during the period of February 13, 1969 through March 10, 1969.

Faculty advisor: Dr. Serge M. Shewchuk, University of Maryland, European Division. For questions concerning this survey please contact David S. Haynes, Box 2299, APO New York 09130.

## THE NIXON ADMINISTRATION AND CIVIL RIGHTS

Mr. MONDALE. Mr. President, I am one of a number of Senators who have been watching with interest, and with concern, the extent to which the Nixon administration intends to implement civil rights laws and regulations. In particular, I have been watching, and commenting upon, the inadequate and inconsistent way in which the Nixon administration has handled its responsibilities in the areas of school desegregation and contract compliance.

An editorial in Sunday's Washington Post entitled "The President and Civil Rights Law" was addressed to this issue. It characterized the administration's performance in implementing civil rights law as "a directionless one, marked by rude, unsettling swings back and forth between upholding the law and temporizing it." The editorial spelled out in very clear language the disastrous results the administration can expect if it continues its "policy of ambiguity" in this vital area.

This editorial deserves the attention of all Americans dedicated to the goals of equal justice and equal opportunity and I ask unanimous consent that it appear at this point in my remarks.

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

[From the Washington Post, Apr. 13, 1969]

### THE PRESIDENT AND CIVIL RIGHTS LAW

"The laws have caught up with our conscience," President Nixon said in his inaugural address. "What remains is to give life to what is in the law: to ensure at last that as all are born equal in dignity before God, all are born equal in dignity before man." Giving "life to what is in the law"—the formulation was an excellent one, clear and to the point. But Administration execution of the President's inaugural dictum has been something else again, an uneven performance and seemingly a directionless one, marked by rude, unsettling swings back and forth between upholding the law and temporizing about it.

To the extent that this can be called a policy, it is a policy of ambiguity, one which can only produce losers and not just among the black Americans whose rights and opportunities are at stake. For it is hard to see how the Administration can bring anything but trouble to itself—discontent and disappointment on all sides—by failing to give out a clear and unambiguous signal in this matter.

The latest in the series of troubling episodes concerns the resignation of Clifford L. Alexander Jr. as chairman of the Equal Employment Opportunity Commission. Mr. Alexander, a Negro and a Democratic Administration appointee, pointed out the implications that must be drawn from the fact that the White House had announced its in-

refineries everywhere operate on foreign crude oil if the nation's consumers can thereby be provided with lower priced petroleum products? Why, indeed? There are reasons vital to the nation's welfare why they should not. Many good arguments can be presented for free trade between nations when the benefits derived outweigh any harmful effects. But the security of the United States is tied directly to the degree of its petroleum self-sufficiency.

It is absolutely essential to any developed nation that it have an adequate and continuous supply of primary energy. And in the United States as much as three-fourths of all the energy consumed is petroleum—oil and natural gas. It is used nearly everywhere in the home, in industry, in commerce, in agriculture, and by all the Armed Forces. For the nation's vast transportation system, oil is virtually the only form of energy used. Clearly, any prolonged shortage of oil would be devastating. And an adequate domestic supply is the only sure way of avoiding such a shortage.

Recognizing the dangers posed by rapidly rising imports of lower cost foreign crude oil, the President of the United States imposed mandatory controls in March 1959. In part, the Presidential proclamation reads as follows: "The new program is designed to insure a stable, healthy industry in the United States capable of exploring for and developing new hemisphere reserves to replace those being depleted. The basis of the new program, like that for the voluntary program, is the certified requirements of our national security which make it necessary that we preserve to the greatest extent possible a vigorous healthy petroleum industry in the United States."

To limit imports in a manner that would be entirely equitable is an impossibility. But the controls as originally established in 1959 were reasonably well conceived. They were, however, susceptible to manipulation for political reasons and were therefore difficult to administer. From the beginning there have been numerous efforts to alter or circumvent the regulations—and some have been successful. It is, of course, unrealistic to think that any change that gives an economic advantage to some individuals or companies or regions will go unchallenged. Others, understandably, will clamor for equal treatment for competitive reasons. And each change in the import regulations has to a degree undermined the original intent of the control. The extent of the erosion thus far has raised widespread concern over the future status of the control—and some doubts that it will survive.

Surely, if import controls were removed, the action would mark the beginning of the end for domestic producers. The price of domestic crude oil would doubtless fall by 35 to 40 percent. And this would remove much of the incentive to search for new reserves. Producers would continue to produce oil and natural gas from reserves already found, but they could not afford to use their capital to find more—it would instead be shifted into other fields of economic endeavor that provide a better rate of return. Within a few years the nation's dependence upon foreign oil would soar from 21 percent now to more than 50 percent. And, as a result, the nation would be placed in a highly vulnerable position. Based upon past experience, there is positively no reason for believing that petroleum imports would be continuously available—instead, there are obvious reasons for believing otherwise. And in the event of another international war, the position of the United States would be critical. A successful military effort would require fully adequate supplies of petroleum at all times. And, because the private econ-

omy is far more dependent upon petroleum now than during World War II, it would be impossible to ration supplies to the degree they were during that conflict—to do so would lead to a breakdown of activities that necessarily must go on in support of the military effort.

Unlimited imports of foreign oil would have a severely damaging effect upon the future supply of natural gas too. Most gas reserves are found incidental to the search for crude oil, and if the financial incentive to find oil is destroyed, new gas reserves would not be discovered either. The wellhead price of natural gas is much too low to warrant a separate search for gas alone. Natural gas can be imported, but only to a limited degree. For the most part, consumers would have to do without, if the supply from domestic sources was limited.

Over the past ten years, domestic producers have spent a total of 44 billion dollars in their efforts to find oil and natural gas reserves in the United States. In the next decade, they will need to spend twice that much if the nation's current level of self-sufficiency is to be maintained. These capital expenditures flow through, and favorably influence, many sectors of the nation's economy. But, under the circumstances created by unlimited imports of foreign oil, relatively little of this money would be spent in the United States. Oil and natural gas are now produced in 32 of the nation's 50 states—and all of them would feel to varying degrees the detrimental economic impact of uncontrolled imports. In addition, the nation's balance of payments would be affected adversely.

Clearly, consumers would benefit if the import controls were removed. But only to a limited degree. And only for a temporary period. If refineries operating on lower cost crude oil were able to provide petroleum products for one cent per gallon under the present level, the saving would amount to about 6 dollars per year for the average consumer of gasoline and 13 dollars annually for the average residential heating oil customer. But most if not all of the saving would disappear within a comparatively short period of time. As soon as the self-sufficiency of the United States fell by a significant amount,

the price of foreign crude oil could be expected to rise. Because of their direct financial interests, it would be perfectly natural for the governments of foreign producing countries to seek the highest price possible for their oil. The United States and Western Europe together constitute nearly three-fourths of the Free World market for crude oil. And by the time the United States had to import half of its needs, the combined self-sufficiency of the two areas would be no more than 25 percent. Under such conditions it is inconceivable that the price of crude oil from abroad would not be raised repeatedly to the maximum level the traffic would bear. The price of domestic crude oil would rise again too, but by this time a great deal of damage would have been done.

The United States can have somewhat lower priced petroleum products for a brief period by using unlimited quantities of foreign crude oil. But it can do so only by paying an exceedingly high price in other terms—by seriously jeopardizing the national security and by causing widespread damage to a great many economic activities. The economic impact would be felt by numerous levels of government deprived of tax revenue, by several industries, but mostly by thousands upon thousands of small businessmen. It is noteworthy that those who would benefit most from unlimited imports of foreign oil—the large international petroleum companies—have nevertheless supported restrictions. From the time mandatory controls were first imposed these companies have consistently put the nation's best interests ahead of their own.

The nation must soon decide which route it wishes to follow. And the responsibility for making that decision rests heavily indeed upon those who will be involved. History has recorded the mistakes of the past and will continue to do so in the future. But, surely, if all the lines of communication are kept open and fully utilized, if all the pertinent facts are brought out and carefully weighed, and if the long range effects are measured accurately, the chances for making the best decision will be much improved.

JOHN G. WINGER,  
Energy Division.

MARCH 11, 1969.

#### U.S. PETROLEUM STATISTICS SUMMARIZED

	January		Percent change	3 months ended Jan 31		Percent change
	1969 Thousand barrels daily	1968 Thousand barrels daily		1969 Thousand barrels daily	1968 Thousand barrels daily	
<b>Demand:</b>						
Gasoline.....	5,167	4,778	+8.1	5,217	4,934	+5.7
Kerosine.....	1,145	1,079	+6.1	1,071	970	+10.4
Distillate.....	3,880	3,806	+1.9	3,226	3,186	+1.3
Residual.....	2,215	2,775	-20.2	2,093	2,824	-8.4
All other.....	2,780	2,775	0	2,778	2,715	+2.3
<b>Total demand.....</b>	<b>15,187</b>	<b>15,213</b>	<b>-0.2</b>	<b>14,385</b>	<b>14,089</b>	<b>+2.1</b>
<b>New supply:</b>						
Crude oil production.....	9,033	9,021	+0.1	8,988	8,969	+0.2
Natural gas liquids production.....	1,550	1,461	+6.1	1,550	1,461	+6.1
Crude oil imports.....	1,274	985	+29.3	1,401	1,061	+32.0
Residual fuel imports.....	1,292	1,643	-21.4	1,128	1,304	-13.5
Other products imports.....	450	386	+16.6	410	358	+14.5
<b>Total new supply.....</b>	<b>13,599</b>	<b>13,496</b>	<b>+0.8</b>	<b>13,477</b>	<b>13,153</b>	<b>+2.5</b>
Crude runs to stills.....	9,945	10,093	-1.5	10,182	10,109	+0.7
<b>Stock change in million barrels.....</b>	<b>-49.2</b>	<b>-53.6</b>		<b>-82.5</b>	<b>-86.4</b>	
<b>Stocks—end of period:</b>						
Gasoline.....	212.0	220.0	-3.6			
Kerosine.....	34.0	33.0	+3.0			
Distillate.....	136.0	120.0	+13.3			
Residual.....	61.0	59.0	+3.4			
Other products.....	233.0	214.0	+8.9			
<b>Total products.....</b>	<b>676.0</b>	<b>646.0</b>	<b>+4.6</b>			
Crude oil.....	283.0	245.0	+15.5			
<b>Total, all oils.....</b>	<b>959.0</b>	<b>891.0</b>	<b>+7.6</b>			

Sources: U.S.B.M., A.P.I., and C.M.B.

tention to replace him the day after he had been the object of a vicious attack by Senator Dirksen for his efforts to enforce Title VII of the Civil Rights Act, Senator Dirksen having also suggested that he would talk to the right person in the Administration and see to it that the likes of Mr. Alexander would be fired. Mr. Alexander, in his resignation remarks, also charged the Administration with having omitted from its goals the vigorous enforcement of the "laws on employment discrimination."

President Nixon, it should be noted, had no obligation to retain Mr. Alexander in the chairman's post. But to have so entirely failed to support Mr. Alexander at a moment when he was under this kind of attack is another matter. Like so many other aspects of the Administration's mixed performance in this field, the best construction one can put on it is that nothing more sinister than inadvertence and insensitivity underlay it. That was the best that could have been said, for instance, of the Defense Department's cavalier approach to the letting of contracts to three Southern firms which were out of compliance with civil rights standards. That situation has now been in large measure retrieved, but it shook confidence sufficiently to have prompted a lawsuit on the part of the NAACP Legal Defense Fund which will seek to have the contracts revoked.

The one place where there has been evidence of firmness is at HEW where Secretary Finch has moved ahead on fund cut-offs from Southern school districts that disregard the provisions of the law and has made some irreproachable appointments to the offices charged with carrying out civil rights policy. But even at HEW, there has been a slow infusion of appointees (with or without the Secretary's unequivocal blessing is not clear) whose presence suggests that the Administration is trying to have it both ways and please its displeased constituents in the South.

The point is that the Administration cannot afford an inadvertent or insensitive approach to these questions—much less an artfully misleading one. President Nixon still has much to do to gain the confidence of those citizens who will be most profoundly affected by any undermining of the laws and regulations on the books. Moreover, lacking as he does in present circumstances the funds to affirm his commitment to their well-being by moving ahead with the substantive domestic programs legislated in the past several years, he has a special obligation to affirm that commitment by way of uncompromised and unequivocal support of the laws that define and protect their rights.

Finally, there is the plain fact that by playing it both ways or even suggesting the possibility of a weakness of resolve, Mr. Nixon can only excite hopes he will ultimately be unable to fulfill on the part of those communities, corporations and public institutions that are still resisting implementation of our civil rights laws.

It will be tough politics, but good politics, when the Administration decides that its business is precisely what the President said: giving life to what is in the law.

Mr. MONDALE. Mr. President, a news analysis in this morning's Washington Post amplified and reinforced the reasoning in yesterday's editorial. It described in detail the inconsistent and uncoordinated manner in which the Nixon administration has approached the implementation of civil rights laws. This news analysis calls the central theme of the Nixon administration's civil rights activities a "lack of coordination and a tendency to react and improvise rather than initiate action." After reviewing a series of conflicting and un-

coordinated administration actions, the article concludes that "beneath these appearances of confusion and lack of direction, there is a real confusion and lack of direction."

I ask unanimous consent to insert the article entitled "Nixon Civil Rights Policies Appear Mired in Confusion" at this point in my remarks.

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

[From the Washington Post, Apr. 14, 1969]  
NIXON CIVIL RIGHTS POLICIES APPEAR MIERED  
IN CONFUSION

(By John P. MacKenzie)

Less than three months after taking office, the Nixon Administration appears to have as many civil rights policies as there are agencies with civil rights duties.

So far, it's been a record of activism and equivocation of creative effort and indifference, of talk and conduct that both excites and worries Negro leaders. The only central themes have been lack of coordination and a tendency to react and improvise rather than initiate action.

On the same day that the Justice Department's civil rights chief announces a bold new move to protect Negroes from real estate "blockbusting," the Secretary of Transportation is roasted on Capitol Hill for easing up on equal employment demands for highway builders.

On the same day that the Justice Department sues a textile mill for job and company housing bias, the NAACP Legal Defense Fund is taking the Pentagon to court for letting three prime textile contractors off the hook over their hiring, promoting and company housing practices.

In one 24-hour span, President Nixon vows publicly that the executive branch shall "lead the way as an equal opportunity employer"—and his press secretary states that the Chairman of the Equal Employment Opportunities Commission, freshly rebuked by Senate Republican leader Everett Dirksen for "harassing" employers, will be replaced.

Beneath these appearances of confusion and lack of direction, there is real confusion and lack of direction—although the young Administration's failure to attempt high-level across-the-board civil rights enforcement may not be entirely an accident.

Assistant Attorney General Jerris Leonard for example, did not know in advance that the Defense Department was accepting verbal equal employment assurances from the textile firms rather than the written promises required by a 1965 executive order.

Such a snafu probably would not have happened under President Johnson who, besides making his stand on civil rights very clear, designated Attorney General Ramsey Clark as his man, Government-wide, to ensure enforcement of Federal law barring financial aid to areas plagued by discrimination.

Nobody has stepped forward to claim the laurels of Mr. Civil Rights for the Nixon Administration, partly perhaps because Attorney General John N. Mitchell has indicated he wants to make the line between Justice and, say, the Department of Health, Education and Welfare, firmer rather than fuzzier where they have over lapping jurisdiction such as in school desegregation.

The total effect each department going its own way, is not one of neutrality toward civil rights. The Pentagon's failure to submit its contracting policy to scrutiny elsewhere in Government amounts to a decision to avoid the kind of review that almost certainly would build pressures for a tough Defense Department policy.

Besides making it easier to temporize, such lack of necessary embarrassment. The Pentagon made its textile announcement within

hours of President Nixon's promise to NAACP Executive Secretary Roy N. Wilkins to investigate complaints on the subject—a bureaucratic goof that no cynic could have stage-managed.

Leonard, 39-year-old former Wisconsin state legislator, has overcome an initial setback about his membership in a segregated Milwaukee club to earn a reputation among many civil rights workers for a sincere desire to enforce Federal law vigorously.

He stepped in quickly to argue in the Supreme Court on the side of Negroes who tried to desegregate a recreation area near Little Rock, Ark. When he filed a friend-of-the-court brief in a Chicago "blockbusting" case, lawyers for Negroes there credited him with a creative legal argument and they were grateful to have the prestige of the United States Government thrown in as well.

Leonard is regarded by some subordinates as easily educated in the intricacies of civil rights enforcement, but he is being watched to see whether he can capture the appropriations needed to unfreeze the current travel restrictions that keep many bias fighters chairborne.

At HEW, Secretary Robert H. Finch weathered an initial period of unpreparedness and uncertainty to begin a pattern of toughness over school desegregation-Federal aid guidelines.

But Finch's appointment of Robert C. Mardian, who has urged a quiet cutback in Federal fund cutoffs, as general counsel, counterbalanced his naming of Leon A. Panetta, a liberal, to do the actual enforcing, has created a new mix of emotions and expectations. So have Finch's own conflicting public statements on civil rights issues.

No civil rights legislative program has emerged, but it will be surprising if the White House backs a Johnson Administration proposal for enforcement powers for the Employment Commission, since Dirksen has upbraided former chairman Clifford A. Alexander Jr. for his use of its existing powers.

The Administration's failure to coordinate with Dirksen plus an ill-timed White House statement the next day saying Alexander would be replaced as chairman combined for the maximum Administration embarrassment. Knowing that Alexander, a Democrat, could become difficult to handle politically, the Administration non the less managed to let Alexander resign as chairman (while remaining on the commission) in a righteous huff rather than quietly.

The signs are scant that segregationist Sen. Strom Thurmond (R-S.C.) yields great influence on civil rights matters. But signs are plentiful that the Nixon Administration will continue for some time to move in several directions at once on civil rights.

Mr. MONDALE. Mr. President, our country cannot tolerate confusion and inconsistency in the implementation of civil rights laws and regulations. The time has come for the Nixon administration to publicly clarify its intent to enforce the law in civil rights matters, and to act unequivocally and consistently to carry out that intent.

## ADJOURNMENT

Mr. KENNEDY. Mr. President, if there be no further business to come before the Senate today, I move, in accordance with the previous order, that the Senate stand in adjournment until 12 o'clock noon tomorrow.

The motion was agreed to and (at 3 o'clock and 45 minutes p.m.) the Senate adjourned until Tuesday, April 15, 1969, at 12 o'clock meridian.

## NOMINATIONS

Executive nominations received by the Senate, April 10, 1969, under authority of the order of April 3, 1969:

## DIPLOMATIC AND FOREIGN SERVICE

C. Burke Elbrick, of Kentucky, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Brazil.

William J. Handley, of Virginia, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Turkey.

Robert C. Hill, of New Hampshire, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Spain.

Kenneth B. Keating, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to India.

William Leonhart, of West Virginia, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Socialist Federal Republic of Yugoslavia.

Val Peterson of Nebraska, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Finland.

Alfred Puhan, of Virginia, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Hungary.

## DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Lewis Butler, of California, to be an Assistant Secretary of Health, Education, and Welfare.

Robert C. Mardian, of California, to be General Counsel of the Department of Health, Education, and Welfare.

## CIVIL SERVICE COMMISSION

L. J. Andolsek, of Minnesota, to be a Civil Service Commissioner for the term of 6 years expiring March 1, 1975.

## DEPARTMENT OF TRANSPORTATION

Walter L. Mazan, of Vermont, to be an Assistant Secretary of Transportation.

## IN THE COAST GUARD

The following-named officers of the U.S. Coast Guard for promotion to the grade of Lieutenant (junior grade):

Robert C. Herold	Carl D. Fry
Arthur R. Whittum	Robert L. Melville
Malcolm W. Gray	Paul C. Monette
James H. Oliver	Michael L. Kelly
Gene A. Forest	Gerald F. Arens
John H. Powers, III	Michael G. Cavett
Lavere E. Amundson	Ramond L. McFadden
Frank C. Lewis	Richard F. Mattingly, Jr.
John J. Castulk	Herman F. Hirsh, III
Dennis W. Mahar	Gerald D. Johnson
John F. Weseman	Claude W. Brock
Karl Kaufman	Robert J. Parsons
Ernest R. Smith, Jr.	David W. Thiel
Michael W. Wade	Edward S. Olszewski, Jr.
Thuren M. Drown	Thomas E. Ross, III
Brian W. Mills	Douglas D. Lundberg
Donald L. Dobbs	
Frank K. Cole	
Brian Pickhaver	

The following-named Reserve officer to be permanent commissioned officer of the Coast Guard in the grade of Lieutenant commander:

Walter R. Wilkinson.

The following named Reserve officers to be permanent commissioned officers of the Coast Guard in the grade of lieutenant:

Stanley J. Spurgeon.

William McPherson.

## IN THE AIR FORCE

Philip N. Whittaker, of Maryland, to be an Assistant Secretary of the Air Force.

Joseph Rohrich Jr. FR3310 for reappointment to the active list of the Regular Air Force in the grade of colonel from the temporary disability retired list under the provisions of sections 1210 and 1211, title 10, United States Code.

Orley B. Caudill, FR13074, for reappointment to the active list of the Regular Air Force, in the grade of lieutenant colonel, from the temporary disability retired list, under provisions of sections 1210 and 1211, title 10, United States Code.

The following officers for appointment in the Regular Air Force, in the grades indicated, under the provisions of section 8284, title 10, United States Code, with a view to designation under the provisions of section 8067, title 10, United States Code, to perform the duties indicated, and with dates of rank to be determined by the Secretary of the Air Force:

## To be captain (medical)

Stone, James D., 3203093.

## To be first lieutenants (medical)

Adams, Michael, 3038976.  
 Amonette, Rex A., 3201243.  
 Behringer, Blair R., 3041076.  
 Bevans, David W., Jr., 3202663.  
 Boatman, Dennis L., 3202580.  
 Bolin, Robert B., 3167477.  
 Bordelon, Fred C., 3202299.  
 Bullock, Milton L., 3202766.  
 Chudnow, Ivan, 3202290.  
 Colclasure, Joe B., 3202293.  
 Dahl, Vincent H., 3202577.  
 Ellerby, Richard A., 3201756.  
 Hall, John L., 320,2095.  
 Hamilton, Oliver F., Jr., 3202094.  
 Harris, Ashby T., 3203071.  
 Heard, John G., 3201802.  
 Hooper, Joseph R., 3202946.  
 Hughes, Thomas H., 3202401.  
 Jackson, James E., 3202035.  
 Jackson, Joseph A., III, 3202033.  
 Kirkpatrick, Barry V., 3202869.  
 Koop, Lamonte P., 3203876.  
 Kracke, William L., 3202062.  
 Lawrence, David R., 3203254.  
 Martin, Thomas R., 3202281.  
 McCord, George E., 3203359.  
 Milam, William F., Jr., 3203401.  
 Mims, William W., Jr., 3185162.  
 Myers, Charles M., 3201597.  
 Parris, Fred N., 3202614.  
 Pica, Donald G., 3201423.  
 Raines, Richard D., 3202904.  
 Reiman, Charles B., 3203202.  
 Ricks, John P., 3202315.  
 Righetti, Thomas R., 3202314.  
 Rimmer, Charles W., Jr., 3201280.  
 Rogers, Roy S., III, 3216222.  
 Rosenbaum, Thomas W., 3202705.  
 Rustin, Dowse D., 3201544.  
 Simpson, Charles L., 3203046.  
 Thibault, Frank G., 3202332.  
 Tibbels, Terrence E., 3202339.  
 Wexler, Nathan S., 3201249.  
 Wilkins, Kaye E., 3202130.  
 Williamson, Warren L., 3201238.  
 Yatteau, Ronald F., 3164613.

## To be captain (Dental)

Depew, Theodore E., Jr., 3140997.

## To be first lieutenant (Dental)

Almquist, Theodore C., 3142412.  
 Baur, Byron D., 3156167.  
 Shockley, Larry G., 3223040.  
 Stark, Thomas M., 322968.

The following Air Force officers for appointment in the Regular Air Force, in the grade indicated under the provisions of section 8284, title 10, United States Code, with dates of rank to be determined by the Secretary of the Air Force:

## To be first lieutenants

Ahrens, Darrell J., 3127872.  
 Aldrich, Robert M., 3151977.  
 Alexis, Joseph Jr., 3147873.

Allen, Robert D., 3163336.  
 Alley, Ronald G., 3134095.  
 Altenhof, Bruce D., 3161524.  
 Anderson, Jerry A., 3160060.  
 Andrews, Francis J. Jr., 3151562.  
 Apel, Charles L., 3158341.  
 Bainter, Billy D., 3151299.  
 Balsamo, Salvatore R., 3168815.  
 Barker, Edward R., 3151554.  
 Barnett, Glenn R., 3160469.  
 Barrett, Billy A., 3137834.  
 Basler, Edward W., 3158968.  
 Bayless, William D. Jr., 3147874.  
 Beard, Preston S., 3147684.  
 Beardslee, Stephen A., 3149698.  
 Beckham, Wilbur L. Jr., 3161343.  
 Beebe, David A., 3161042.  
 Behl, John H. III, 3161796.  
 Belcher, Glenn A., 3160907.  
 Bellisle, Charles A., 3150117.  
 Bell, Jeffrey, 3133596.  
 Benedict, Rettig P. Jr., 3160521.  
 Berg, Lothar E. Jr., 3150572.  
 Bertolami, Paul R., 3158216.  
 Biniewski, Daniel J., 3150226.  
 Blackburn, Gary E., 3163636.  
 Blair, John D. Jr., 3147336.  
 Blankenship, Norman R., 3149424.  
 Bledsoe, Gleyne E. Jr., 3163082.  
 Bonfanti, Harry J., 3160253.  
 Bookman, Thaddeus A., 3151497.  
 Boulware, John H., 3159380.  
 Bourne, Alan M., 3161137.  
 Brisby, Johnny M., 3163276.  
 Briscoe, Jerald D., 3151415.  
 Britt, Wayne L., 3150224.  
 Brown, Richard A., 3149682.  
 Bruce, Robert W., 3163047.  
 Bruhn, Peter C., 3163162.  
 Bryant, William L., 3148549.  
 Brzostek, Chester F., 3157966.  
 Buchanan, Ellis G., 3151422.  
 Buckner, Dean T., 3162793.  
 Buehler, Gary F., 3147428.  
 Burton, Larry D., 3161247.  
 Buser, Lamoyne G., 3158879.  
 Canavan, Thomas E., 3150339.  
 Carl, Ronald W., 3157722.  
 Carpenter, Richard J., Jr., 3150195.  
 Cary, Thomas M., 3151767.  
 Cashel, William F., 3147906.  
 Chin, Rodney D., 3163310.  
 Clark, William D. Jr., 3148211.  
 Cook, James R., 3150431.  
 Cortez, Robert, 3149406.  
 Cote, Robert T., 3149796.  
 Cote, Ronald J., 3160129.  
 Cournoyer, Ronald C., 3151833.  
 Couture, Louis C., 3150501.  
 Cox, Juanita R., 3151019.  
 Crowder, James R., 3150225.  
 Crump, James C., Jr., 3149700.  
 Cundey, William R., 3160189.  
 Cunningham, Charles A., 3149789.  
 Czernik, Chester E., 3150911.  
 Dakan, Dennis K., 3157886.  
 Dansby, Jesse L., Jr., 3162159.  
 Derbogossian, Zaven C., 3139351.  
 Disz, Thomas E., 3158519.  
 Dixon, William E., 3151517.  
 Dodson, Allen E. Jr., 3152094.  
 Donnelly, George E., 3151630.  
 Douglas, William A., 3151852.  
 Duerholz, Robert J., 3150132.  
 Durkin, William C., 3160473.  
 Durst, Carl L., 3160978.  
 Eckstone, Stephen D., 3150093.  
 Emmons, Donald R., 3158882.  
 Evans, Kenneth P., 3149546.  
 Felderman, Harold J., 3157887.  
 Fierman, Paul B., 3133863.  
 Filbin, Paul W., 3161618.  
 Fillatreau, Thomas R., 3163647.  
 Ford, John E., III, 3095611.  
 Freeman, Lawrence R., 3157970.  
 Freewald, Robert C., 3150590.  
 Freisinger, John J., 3151489.  
 Freund, Donald W., 3161364.  
 Furrer, Max E., 3149453.  
 Garcia, Freddie, Jr., 3150297.  
 Gemlich, Stephen L., 3158857.

ters to tackle the problem at the highest diplomatic level.

#### SHOUTING MATCHES

It followed four days and nights of tense diplomatic maneuvering, erupting into angry corridor confrontations and one post-midnight session that broke down into shouting matches just short of fistfights among foreign ministers. Mr. Plaza, a 63-year-old Ecuadorian who once played football for the University of Maryland, seemed to be everywhere, alternating between friendly persuasion and less subtle devices. Just before the crucial break on Tuesday the Secretary-General locked the entire Salvadoran delegation in his office for nearly two hours to prevent them from backsliding away from the withdrawal agreement they had just reached.

Simultaneously with the withdrawal, by the terms of the settlement, the O.A.S. has already dispatched 14 civilian observer teams to Honduras.

Mr. Plaza is no confident that the organization can effect the smooth troop withdrawal.

His plan now is to use the structure of the Central American Common Market—the eight-year-old economic bloc which stands as the long-term victim of the war between two of its five members—as the principal instrument of refugee rehabilitation. This role might even turn the market into a stronger force for economic development.

The State Department, which had carefully kept its voice in the lowest possible register during the Latin's deliberations, stated after the diplomatic settlement "the inter-American system, in which we proudly participate, has met a major challenge."

#### ON VIETNAM—A DISTORTION BY LIBERALS

**MUNDT.** Mr. President, a recent editorial from the Tulsa World of Tulsa, Okla., has reached my desk and since it deals with the important problem of how best to secure an equitable and enduring peace in Vietnam, I want to share it with my colleagues in the Senate and the House.

I ask unanimous consent, therefore, that this editorial from this important Oklahoma newspaper be printed at this point in the Record.

Mr. President, until and unless we convince the master of Hanoi that we have made our final offer and that by prolonging the war they will gain nothing further in the nature of concessions from Saigon and Washington, the prospects of meaningful negotiations in Paris remain understandably dim. Let us as a nation and as a people unite in demonstrating to Hanoi, Moscow, and Peking that the United States of America is not going to "cut and run" and that we are not going to betray our friends and associates in Southeast Asia.

On the basic fact that this great country is not going to accept a humiliating and war-producing defeat in Vietnam, this Republic should stand united. I especially call attention to the last two paragraphs of the editorial from the Tulsa World.

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

#### DISTORTION BY LIBERALS

Sen. Karl Mundt of South Dakota suggests the United States issue a formal proclama-

tion, backed by Congress, notifying North Vietnam that we are "not going to cut and run" in South Vietnam.

Mundt says the action is needed to offset widespread domestic and global confusion as to U.S. intentions.

Recent orders by the Nixon Administration beginning a gradual withdrawal of American forces from the fighting zone have prompted precipitous conclusions that we are giving up the fight.

Nothing was further from the mind of President Richard Nixon in issuing the withdrawal orders. Rather, it is anticipated U.S. forces will be withdrawn gradually as and when South Vietnamese forces are equipped and trained to take hold on the more treacherous fighting fronts.

But Mr. Nixon's intentions have been distorted by liberals and doves who, having long since gotten us into the fighting in a major way, have wearied of the scene and are seeking new worlds to conquer. Liberal thinking now is directed at the domestic scene, where they visualize the use of Vietnam war funds for social and other spending projects.

This compassion for betterment is laudable. But it is evident that the One Worlders have lost stomach. Their naive visions of global togetherness have given way to the isolationism they so loudly condemned in the days when the venerable Sen. Robert Taft cautioned against falling victim to the Utopian dream of the world living happily together for all time.

Two wars and many disillusionments later the muddle-heads are ready to throw in the towel. It's not that easy. Sen. Mundt recognizes the facts of life on a troubled globe. Moreover, he knows what is certain to follow any showing of weakness or uncertainty.

What the Doves sorely need to do is think practical thoughts and cease dreaming of perfection in the world of imperfections.

#### ANOTHER BLOW TO CIVIL RIGHTS—COURTESY OF THE NIXON ADMINISTRATION

**MR. MONDALE.** Mr. President, last week in the House of Representatives saw the writing of another miserable chapter in the Nixon administration's deplorable civil rights record. The administration stood by and watched—almost as disinterested observers—while the House voted down attempts to strike anticivil rights language from the 1970 Labor-HEW appropriations bill.

Thus, we in the Senate will once again be faced with the so-called Whitten amendments, sponsored in the other body by Representative WHITTEN, of Mississippi. Last year, as my colleagues will recall, we were successful in the Senate in nullifying the most damaging effects of the provisions, and I am sure a majority of my colleagues will support similar action again this year. But the fact of the matter—the sad fact—is that the administration could easily have stopped the 1969 version of the Whitten provisions last week in the House. Instead, it chose to remain silent in yet another display of its insensitivity on civil rights issues.

I wish to commend our colleagues in the other body who supported the efforts of Representatives COHELAN, CONTE, and O'HARA to delete or modify the anticivil rights Whitten amendments. I am sure I speak for many of my colleagues, on both sides of the aisle, when I pledge

that we will continue this fight in the Senate—with or without the administration's support.

Mr. President, the Washington Post on Sunday carried an article and an editorial about the House action of last week on the Whitten provisions and the administration's inaction. I ask unanimous consent that the article and editorial be printed as part of my remarks at this point in the Record. In addition, I ask unanimous consent that the Evans and Novak column entitled "Mitchell Blocked Finch's Move on Anti-Integration Proposal," which appeared in this Wednesday's Washington Post, appear at this point in my remarks.

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

#### HEW DIDN'T FIGHT GUIDELINES CURB

(By Richard L. Lyons)

Despite ample warning that it was coming, the administration apparently didn't lift a finger to stop anti-school desegregation provisions written into the HEW appropriation bill by the House Thursday.

The language designed to legitimize freedom-of-choice plans and to prevent cutoff of federal aid from non-complying school districts was approved in identical form by the House a year ago. It was later modified and made meaningless by the Senate through ambiguous language.

Wilbur J. Cohen, then secretary of Health, Education and Welfare, said last year the initial House-passed language "threatens to stop or perhaps reverse this nation's drive for equal opportunity for all children."

Nearly two weeks ago, 10 days before the House voted on the issue, its Appropriations Committee again approved the language authored by Rep. Jamie L. Whitten (D-Miss.), who had announced his intention months in advance.

#### NO DENUNCIATION

Rep. Silvio O. Conte (R-Mass.), a leader in the drive to strip the language from the bill, asked for a statement from HEW Secretary Robert H. Finch denouncing it. Conte thought a message was coming, but it never did.

Except for Rep. John B. Anderson (R-Ill.), House Republican Conference chairman, no Republican leader spoke on the issue. A switch of nine votes would have killed it, but Democratic absenteeism was equally noticeable.

Even after the House vote, HEW civil rights officials said they couldn't discuss the matter and didn't know what the administration would ask the Senate to do. They had stuck their necks out before on school guidelines only to have them chopped off by equivocation at the top—the lesson was not lost.

#### STRATEGY DISCUSSED

Civil rights leaders, on the other hand, met Thursday evening after the House vote to discuss strategy. Clarence Mitchell of the NAACP, top civil rights lobbyist, said they tentatively decided the best course would be to ask the Senate to kill the language in hope of reaching an acceptable compromise in the House-Senate conference that will settle differences between the two houses.

"The vote proves," said Mitchell, "that there is a White Panther contingent in the Republican party led by Gerald Ford (House minority leader) with the complete approval of the White House." Mitchell said the White House made a "deliberate decision" to stay out of the fight.

The language forbids HEW to force busing of students, closing of schools or forcing a child to attend a school against the choice

of his parents. It also states that these actions cannot be ordered as a condition to receiving federal aid.

#### DEFANGED LAST YEAR

Last year, the Senate defanged the language by adding at the end of each of the two sentences the phrase "in order to overcome racial imbalance." HEW said it could live with this because its job was not to achieve racial balance but to end illegal segregation. This is the way the bill was passed, but only after a final cliffhanging House vote where the compromise was nearly lost.

Now that they face a repeat of the long 1968 fight, civil rights forces have one advantage over last year but have lost two key allies.

Sen. Warren G. Magnuson (D-Wash.), a civil rights supporter, is in charge of the bill in the Senate this year in place of the retired Lister Hill of Alabama. When he concentrates on an issue, Magnuson is one of the most effective operators in the Senate. He probably would be outvoted in his subcommittee, but it was the full committee, that voted the compromise language last year.

But Sen. Jacob K. Javits (R-N.Y.), a tough civil rights fighter who carried much of the load last year, has left the Senate Appropriations Committee.

And a key operator in the final House fight, Melvin R. Laird, has left to become Secretary of Defense. It was Laird last fall, after Strom Thurmond had delivered the South for Richard M. Nixon at the Republican National convention, who decided Mr. Nixon couldn't stand the appearance of being tied to the South. Laird switched several conservative Republicans and finally beat Whitten.

#### AND A LOW BLOW

By extremely small margins the House on Thursday rejected the efforts led by Reps. Conte of Massachusetts and Cohelan of California to excise from the Labor-HEW appropriations bill language that would severely undermine the Civil Rights Act of 1964 and the progress—such as it has been—of school desegregation in the South. The language in question was developed by Rep. Jamie Whitten of Mississippi, and although it purports to deal with "forced busing" of students, its principal effect would be to establish the validity of so-called "freedom of choice" plans and to inhibit HEW from using its enforcement powers to bring schools (such as those in Mr. Whitten's district) into compliance with the law.

Mr. Cohelan observed in passing that he and Mr. Whitten had been around this track before. Last year the House also appended the Whitten language to the Labor-HEW appropriations bill; the Senate rejected it; the House-Senate conferees could come to no agreement; and in the consequent record vote on the measure held in the House, Mr. Whitten took a close defeat. It was a real cliffhanger. We bring up this bit of legislative history because the administration apparently has something like that scenario in mind for disposing of Mr. Whitten's measure again this year—if, indeed, it plans to help dispose of it at all. For despite the stern words of Secretary Finch and Attorney General Mitchell in their revised guidelines statement on the subject of "freedom of choice" plans, the administration refused to pass the word privately or publicly against the Whitten measure before the vote last week. The best construction anyone has been able to put on this reluctance is that the administration is looking to have Mr. Whitten defeated on the Senate side.

As best constructions go, it is pretty rickety. For one thing, the very closeness of the votes in the House makes abundantly clear that the administration could have turned it around with a little effort and/or

will. And there was plenty of opportunity (and pressure) to do so. Mr. Whitten's Republican and Democratic opponents in the House implored HEW to express a view for the administration and thus to help them out. Once again there was a great deal of backstairs to-ing and fro-ing, promises to reach a decision followed by further delays and further promises, leading—ultimately—to silence. Two things make this passing odd. One is that, as a candidate, Mr. Nixon last fall let it be known that he opposed the identical Whitten measure. The other is that, whatever action the Senate subsequently takes, the House action of Thursday can only encourage those school districts in the South that already believe they read Mr. Nixon loud and clear and which are currently fighting his representatives at HEW. As the time grows shorter until the fall of 1969 and the administration's resolve becomes, if anything, less clear regarding the fulfillment of that desegregation deadline, episodes such as this one become increasingly important. In fact, the signals the administration has been transmitting on this question by now have probably made the whole subject of the 1969 deadlines academic. Its refusal to take a stand on Mr. Whitten's destructive maneuver ranks high among these signals, coming as it does at this time. That is just one more depressing observation for those who took the Attorney General at his word when he asked that we watch what the administration would do on this question—as distinct from putting our hopes on rhetoric.

#### MITCHELL BLOCKED FINCH'S MOVE ON ANTI-INTEGRATION PROPOSAL

The reason why the Nixon administration tolerated house passage last week of an amendment designed to cripple school desegregation was the undercover intervention of Atty. Gen. John Mitchell, the strong man of the Cabinet.

Mitchell blocked a move by Robert Finch, Secretary of Health, Education and Welfare (HEW), to put the Nixon administration on record against the anti-integration proposal of Mississippi's Rep. Jamie Whitten. In fact, Mitchell made a special, highly secret visit to Capitol Hill to make sure the Republican leaders did not turn against the Whitten amendment. Because of this, the Whitten amendment narrowly carried.

The upshot transcends just one more victory for John Mitchell and one more defeat for Bob Finch inside the administration. Rather, this is a necessary triumph for Mitchellism—the attorney general's grand design of combining the 1968 Nixon and Wallace votes into a national Republican majority. Vital to Mitchellism is a civil rights policy that placates the South but does not offend northern whites.

Whitten's rider to the educational appropriations bill fulfills that requirement. While ostensibly aimed against busing school children (which arouses equal outrage in North and South), it would hamstring the Federal Government in forcing southern desegregation through withholding of federal money.

In preparation for last week's battle, pro-civil rights Republicans in the House some two weeks ago requested help from Finch's HEW. They were assured aid would be forthcoming—a public statement to be issued by Finch. Indeed, White House lobbyists expected to be working against the Whitten amendment.

A statement by Finch opposing the amendment was drafted at HEW on Friday, July 25, and—because the Justice Department shares responsibility for school desegregation policy with HEW—sent to Justice for Mitchell's co-signature. There it stopped cold. On Monday, July 28, Mitchell not only refused to sign the statement but prevented it from seeing the light of day.

They put the administration into a position of benevolent neutrality toward the Whitten amendment. Paying an unusual visit to a secret meeting of the House Republican leadership on Tuesday morning, July 29, in the minority whip office just hours before the appropriations bill came up on the House floor, Mitchell explicitly pronounced this position: the administration would not interfere with the Whitten amendment.

That doomed any hope of defeating Whitten. When liberal Republican congressmen asked what had happened to the promised statement from Finch, they were told lamely that Finch was in California (true enough) and unreachable (highly implausible). One such congressman pleading for help against the Whitten amendment was told by Minority Leader Gerald Ford of Michigan: "If it goes to a roll call, it's going to embarrass a lot of guys."

Thus, attempts to reject the Whitten amendment were beaten on Thursday, 158 to 141, on a teller vote where no record is kept—thereby avoiding a roll call. Had the administration and Republican leadership taken a position, Whitten unquestionably would have been beaten.

This has left a retched taste not only with the splinter of Republican liberals but such moderate conservatives as William McCulloch of Ohio, Albert Quie of Minnesota, Tom Rallsback of Illinois, Edward Biester of Pennsylvania, and one member of the party leadership: caucus chairman John Anderson of Illinois (who spoke eloquently on the House floor against the Whitten amendment).

Such Republican discontent plus the absence of Finch in California and President Nixon in Asia when Mitchell was laying down policy provides a little hope for civil rights forces at HEW. At any rate, Finch now intends to fight the Whitten amendment in the Senate.

But even if the Whitten amendment does not make it all the way through Congress, Mitchell's benevolent neutrality toward it is in itself of great significance. "I believe a fundamental decision has been made," says Congressman Anderson. That decision: the courts, not the executive branch, will be given the job of enforcing school desegregation—a concept fully compatible with the Whitten amendment.

This historic shift means not only that the pace of school desegregation will slow dramatically (the Nixon administration's Georgia court suit will take years to settle) but that the federal judges, not President Nixon, will be blamed when it finally comes. These results could help satisfy the crucial but vulnerable requirement of Mitchellism that the Nixon administration pleases 1968 Wallace voters enough to enlist them in a new majority.

#### THE STATE LEGISLATURE AND THE PROSPECTS OF STATE GOVERNMENTS IN THE FEDERAL SYSTEM

MR. MUNDT. Mr. President, there has been a healthy awakening lately to the fact that if we are going to make some real impact on our critical domestic problems, we will need better performance at all levels of our federal system. The growing emphasis on revitalization and strengthening the State legislatures to enable State government—a pivotal level of our federal system—to pull its weight is particularly noteworthy.

For example, the Citizens Conference on State Legislatures, formed in 1965, now has active citizens' groups working for improvement of legislatures in more

With Chairman Brown's ICC term due to expire Dec. 31, 1970, there is still enough time to consider the next move.

And this year she probably will be busier than she has ever been as she steers the ICC through what some see as its most hazardous course yet.

A reflective woman who chooses her words but often omits commas and periods, she is apt to detour around hard-pavement stands on whether the ICC, an arm of Congress, should have more policymaking power.

"I think about a whole lot of things about air service and I'm not regulating the air service but to me if you are going to sit as part of transportation you can't block out of your mind what belongs where."

Working with the chairmen of the Federal Maritime Commission and the Civil Aeronautics Board, she says they go over mutual problems that work their way into each agency.

"There was a time when you ran your own agency, but in this day and time we think about problems we don't even have to answer."

One of them is what she calls "coordinated transportation" where train, bus and plane arrival and departure points would be drawn together so travelers could use them with ease instead of harassment.

Transportation, she philosophizes, has been a key to America's growth as a cohesive, powerful nation. Where an individual's transportation was limited, so was his world.

"They've written many songs about living a whole lifetime and never seeing the other side of the mountain. And the basis of that was true, though it isn't now."

Her more immediate concerns, however, are in areas where most women would be lost.

She sees the role of the ICC as one of economic regulation "a role this country needs badly." It fits, she says, with the Department of Transportation's work on planning and regulation in matters involving safety.

Is she fearful that the Department of Transportation will encroach upon ICC jurisdiction, as some critics fear?

"The ICC supported the legislation, the enactment of a Department of Transportation," she says without hesitation.

"We realized what we were doing. We gave up 432 people in the field of safety and did it in the honest belief that safety had become such a problem in this country in all areas of transportation that the best thing we could do was to consolidate it."

#### ONLY HINTS

She only hints at any potential threat the department might pose.

"I suppose that every agency watches its own jurisdiction. We're an arm of Congress, they're a member of the Executive Branch and there isn't any problem now. I won't say there never will be, but we're trying to do our job and they're doing their best to get started."

Her legal training was invaluable though not a requisite for her ICC appointment. And transportation, she likes to say, is "a pretty good living" that more people should know about.

Whenever possible she does her part to promote it, encouraging universities and colleges to give transportation courses on a year-round basis.

Former associates in Charleston watch her Washington career closely and teasingly call her "that Washington lady" to which she retorts "I'm that Pliny lady."

A few see her as a future candidate for elected office while others are not so sure. "She'd be very promising in the political area if she were inclined that way," says Boyce Griffith, "but I think her interest is more in agency work than state politics."

Her mother says Ginny Mae has been ap-

proached several times to run for office "but I'm against it. It's what she'd have to go through, you know. Did you ever know a politician that didn't have his name slung in the dirt?"

Chairman Brown remains noncommittal though hails old friends in State House corridors with the zest of a seasoned campaigner.

"When anyone calls me Peaches," she quips, "I know the time of my life it refers to. At the ICC no one calls me Peaches, at least to my face."

At the U.S. Senate Commerce Committee they call her "a fresh viewpoint, not just a good lawyer and a smart woman."

"We're not fooled by the fact that she's a woman."

And at home in West Virginia where she was assistant attorney general of the state for eight years, then the state's first woman insurance commissioner and finally a member and chairman of the Public Service Commission, they aren't fooled by the fact that she is a woman, either.

"I really haven't had time to think about running for an office too much," she says of her career after the expiration of her ICC term in 1970.

"If I'm not busy at the ICC, I'm going to be busy somewhere else. And I'm going to be busy all my life."

#### STRONG CASE FOR RATIFICATION OF FORCED LABOR TREATY—XXII

Mr. PROXMIRE. Mr. President, I believe there is every reason why the Senate should ratify the Human Rights Convention on the Abolition of Forced Labor. The case for ratification of all the human rights conventions is strong but the case for ratification of the Forced Labor Convention is beyond dispute.

There may be some who say that this raises the question of constitutionality. After all, the convention contains a provision outlawing forced labor as a punishment for participation in strikes. Is this not dealing with an area reserved for State regulation? No. As former Secretary of Labor Wirtz has said:

Just as there is neither Federal nor State power validly to impose forced labor as a punishment for holding and discussing political views in a lawful manner, by reason of the Federal Constitution, there is neither Federal nor State power validly to impose forced labor as a punishment for a legal strike.

In other words, the Convention on the Abolition of Forced Labor demands nothing more than is already guaranteed under the 13th amendment to the Constitution.

Finally, there are those who cynically suppose that conventions such as these do no good. I direct such men to the list of the countries which have ratified this treaty. The name of the Soviet Union will not be found on this list. Of course not, for the Soviets have for years been operating forced labor camps.

Tragically, the name of the United States along with that of the Soviet Union is absent from the list of nations which have ratified this treaty. Mr. President, we know why the Soviet Union cannot ratify this convention. But there is no good reason why the United States cannot. Let us take that course of action. Let us ratify the Convention on Forced Labor now.

#### DEATH OF PRIME MINISTER LEVI ESHKOL

Mr. SCOTT. Mr. President, the State of Israel lost a valiant leader with the death of Prime Minister Levi Eshkol. I ask unanimous consent that my remarks of February 26, 1969, mourning the passing of the Prime Minister be printed in the RECORD.

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

#### STATEMENT OF MR. SCOTT

The world today mourns the passing of Prime Minister Levi Eshkol of Israel, one of the pioneer-builders of the Jewish homeland.

A member of the Israeli government since its establishment as an independent State in 1948, Prime Minister Eshkol long served the people of that valiant Nation. While continually realizing the need to strengthen Israel's deterrent capacity, the Prime Minister has been unrelenting in his efforts to secure the peace that we knew would benefit all in the Middle East and all mankind.

On a recent visit to the United States, Prime Minister Eshkol conveyed to former President Johnson his central concern for peace in his country and for the area of the world in which he lived. He closed his remarks with the Biblical phrase "Peace be to him that is far, and to him that is near."

These are beautiful sentiments coming from one who has long yearned for a true peace for his people. We can only hope that Prime Minister Eshkol will now find the peace he so richly deserves.

#### RESPONSIBILITY IN SCHOOL DESEGREGATION

Mr. MONDALE. Mr. President, statements attributed to Richard Nixon and some of his supporters during and since his successful campaign for the Presidency led many school officials and other observers of the school desegregation program to believe that less would be required under a Nixon administration than had been true during the preceding administration. I hope I am correct in interpreting the comments recently by the President and Secretary Finch to mean that there will not be any backsliding or equivocation in the school desegregation program authorized by title VI of the Civil Rights Act of 1964.

An article published in the Atlanta Constitution of February 15, 1969, makes clear the great importance of the Nixon administration carrying out the title VI school desegregation program firmly and fairly, as I believe it has been conducted in the past. The article was written by Mr. Reg Murphy, and it makes a great deal of sense. Persons who have been elected to office should have no difficulty understanding the point Mr. Murphy makes in the article—that unless the President and Secretary Finch are firm in their administration of the title VI program, they will "create an untenable political situation for local superintendents, principals, teachers, and moderates who must continue to live in the community."

Mr. President, the article by Mr. Murphy emphasizes a point which is often overlooked in the discussion of the school desegregation program. I hope Members of Congress will take time to read the

article, which I ask unanimous consent to have printed in the RECORD.

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

**PRESIDENT, HEW MUST BE FIRM**

(By Reg Murphy)

"If they are wishy-washy now, they will destroy everything we have worked for in this community," a worried Georgia county school superintendent said.

"Our school board and a majority of our people pretty well accepted the fact they would have to desegregate the school for real. They lost in the district court, and then we lost some money from the schools," the superintendent added.

"After Nixon won, the board members got some new hope. Then they went to a Georgia school boards meeting the other night and heard Gov. Maddox talk about the need to change the decisions in education, and they got real excited. Now they think some kind of lightning is going to strike and they won't really have to desegregate."

As the superintendent talked, it was obvious that he has been under great strain. Trying to guide his schools toward integration, and working with a board which has resisted every step of the way, has been exceedingly difficult. He needs help—the kind of help that only the Nixon Administration and the department of Health, Education and Welfare can give.

The superintendent went on to say that his lawyers have advised there is no way to win the appeal. The lawyers have advised it would take \$6,000 of school money to pursue the case to the U.S. Fifth Circuit Court of Appeals in New Orleans and that much more to go to the U.S. Supreme Court.

"We can't afford that—and it would be a waste of money anyway," the superintendent said. "But if these people keep getting new hope we will find ourselves appealing the case."

What worries him more than money, however, is the fact that the community once was resigned to accepting desegregation but now feels it may have another chance to rebel.

"You know," he said, "it's unhealthy for a community to go through this. We need firm help. If they are wishy-washy now, they will destroy everything we have worked for in this community."

The school man's talk sounded very much like the words of the restaurant operators a few years ago. They were ready to desegregate, but needed an outside agency's help. When the public accommodations law was passed by Congress, they had the firm backing they needed. Then they served food to just about everybody who came.

Only in cases where the superintendent can lean on some outside agency can he afford to move for desegregation. As a public official in a Southern county, he would have no future unless he could point to pressure in moving to desegregate the schools.

The job of President Richard Nixon and HEW Secretary Robert Finch becomes clear, then. They must insist that the law of the land be obeyed promptly. They must have firm guidelines which will tell school districts precisely what to expect. And they must cut off funds precisely when they say they will.

Otherwise they create an untenable political situation for local superintendents, principals, teachers and moderates who must continue to live in the community.

It appears that Nixon and Finch have understood only partially their responsibility. They talk about sweet reason. To be sure, that is essential.

They also must be very firm indeed, or they will bring on the political death of a vast number of men who are trying to do the right thing.

**ABM AND THE ARMS RACE**

Mr. PERCY. Mr. President, the board of directors of Congregation Solel in Highland Park, Ill., has adopted a statement of concern about the ABM program and the nuclear arms race. Because of its eloquence and logic, I ask unanimous consent that it be presented in the RECORD.

I congratulate the board of Congregation Solel, their rabbi, Arnold Jacob Wolf, and their president, Irving A. Hanig.

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

In the few short years since Hiroshima, we have watched nuclear armaments multiply and re-multiply to even farther and more awesome limits of destructiveness. It is hard to believe that in so little time the arms race could have already reached the state it has, and that we now find ourselves actually considering whether missiles armed with hydrogen bomb warheads should be placed directly into our community in an attempt to achieve some kind of protection.

Supporters of the "thin" antiballistic missile program which is now being proposed admit that it would not be adequate to protect against a massive attack. They do contend that such a system would nevertheless provide protection against a lesser attack. This view is not shared by many who believe that a determined aggressor with enough capability to produce the type of weapon against which the system is designed would also be able to circumvent the system by attacking in other ways.

In the face of the grave dangers of an inflated economy, we are deeply concerned about making vast expenditures in a program which may well contribute little or nothing to our country's security. The initial cost alone would be \$5 billion and if the system is expanded as some have proposed the cost has been projected to from \$40 billion to \$100 billion. With our nation torn by the crisis of racial conflict, our human and material resources in such tremendous amounts must not be diverted from the urgent domestic needs of our society.

We are deeply concerned about the possibility of an accidental explosion. Despite the reassurance that every conceivable precaution would be taken, the horrible loss of life, which would result if an accident should somehow nevertheless occur, remains a terrifying prospect.

On the basis of our religious and moral convictions, we feel that mankind must bring a halt to the senseless nuclear arms race. We pray that people and their leaders in all nations may be granted the will and wisdom to seek out ways of creating a world safe from nuclear holocaust. Man has reached a stage where in a few months he will walk on the moon for the first time. We pray that he may also be granted the dignity to learn how to walk on the earth as a man.

**CONSERVATION QUESTIONS  
FACING THE NATION**

Mr. METCALF. Mr. President, I believe that Americans are becoming increasingly aware that a gross national product defined simply in terms of output is a meaningless concept, that if we are destroying our environment in order to produce this output, then the annual increase in GNP is not a figure of which to be proud, but, rather is a measure of our shameful destructiveness.

I say that I believe Americans are becoming increasingly aware of this ele-

mentary truth because I think this has been the case during the Kennedy and Johnson administrations. However, the Nixon administration is still largely unknown quantity with regard to urgent conservation questions which face the Nation.

For this reason, I am very much interested in the 34th annual meeting of the North American Wildlife and Natural Resources Conference which opened yesterday in Washington, D.C. Each year this conference is a "watershed" for natural resource experts from all over the North American Continent. This is even more the case this year, as conservationists wait to see what the Nixon administration will do in the areas which so vitally concern them and the Nation. The President, during his campaign and since, and Secretary of the Interior Hickel, at confirmation hearings, have given a great deal of generalized assent to the conservation needs of the Nation. But whether actions will follow words is yet to be determined.

Dr. Ira N. Gabrielson, president of the Wildlife Management Institute and one of the deans of American conservation, defined the dimensions of the problems facing the new administration very clearly in a speech which opened the conference. Dr. Gabrielson urged the new administration "to accept the recent national outpouring of conservation concern as a directive for progress in overcoming the ills that afflict our land."

His speech clearly outlined the problems facing the growing number of Americans sincerely concerned about our natural resources. It will be a challenge for our performance this year. I ask unanimous consent that Dr. Gabrielson's speech be printed in the RECORD.

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

**CONSERVATIONISTS MUST DO THE JOB**

(By Ira N. Gabrielson, president, Wildlife Management Institute, at the 34th North American Wildlife and Natural Resources Conference, Washington, D.C., March 3, 1969)

In his inaugural address, President Nixon remarked that the orderly transfer of authority between Administrations offers proof of democracy's enduring quality. Certainly, in contrast to world headlines about repression of fellow humans, free men can be proud that their people-directed systems of government work as they do.

They work well, no doubt, because free men can express their opinions about national matters. They have every right to expect their government to be responsive to their desires.

Many interesting incidents coincided with the passing of power from the old Administration to the new this year, and I trust that the profound significance of one of them did not elude you.

That incident was the spontaneous national outcry about the future of essential conservation programs. Never before, in my experience, has such strong concern been expressed about necessary efforts to restore and protect the quality of the environment. Those political leaders who apparently did not know or care before should know now that many people have a deep concern about their native land.

All the conservation articles and editorials during the past weeks demonstrate that the communications media are alert to—if not

ranted influence, whether sought or unsought, by the military-industrial complex. This potential for the disastrous rise of misplaced power exists and will persist.

We must never let the weight of this combination endanger our liberties or democratic processes. We should take nothing for granted. Only an alert and knowledgeable citizenry can compel the proper meshing of the huge industrial and military machinery of defense with our peaceful methods and goals, so that security and liberty may prosper together.

Akin to, and largely responsible for the sweeping changes in our industrial-military posture, has been the technological revolution during recent decades.

In this revolution, research has become central; it also becomes more formalized, complex, and costly. A steadily increasing share is conducted for, by, or at the direction of, the Federal government.

Today, the solitary inventor, tinkering in his shop, has been overshadowed by task forces of scientists in laboratories and testing fields. In the same fashion, the free university, historically the fountainhead of free ideas and scientific discovery, has experienced a revolution in the conduct of research. Partly because of the huge costs involved, a government contract becomes virtually a substitute for intellectual curiosity. For every old blackboard there are now hundreds of new electronic computers.

The prospect of domination of the nation's scholars by Federal employment, project allocations, and the power of money is ever present—and is gravely to be regarded.

Yet, in holding scientific research and discovery in respect, as we should, we must also be alert to the equal and opposite danger that public policy could itself become the captive of a scientific-technological elite.

It is the task of statesmanship to mold, to balance, and to integrate these and other forces, new and old, within the principles of our democratic system—ever aiming toward the supreme goals of our free society.

#### V

Another factor in maintaining balance involves the element of time. As we peer into society's future, we—you and I, and our government—must avoid the impulse to live only for today, plundering, for our own ease and convenience, the precious resources of tomorrow. We cannot mortgage the material assets of our grandchildren without risking the loss also of their political and spiritual heritage. We want democracy to survive for all generations to come, not to become the insolvent phantom of tomorrow.

#### VI

Down the long lane of the history yet to be written America knows that this world of ours, ever growing smaller, must avoid becoming a community of dreadful fear and hate, and be, instead, a proud confederation of mutual trust and respect.

Such a confederation must be one of equals. The weakest must come to the conference table with the same confidence as do we, protected as we are by our moral, economic, and military strength. The table, though scarred by many past frustrations, cannot be abandoned for the certain agony of the battlefield.

Disarmament, with mutual honor and confidence, is a continuing imperative. Together we must learn how to compose differences, not with arms, but with intellect and decent purpose. Because this need is so sharp and apparent I confess that I lay down my official responsibilities in this field with a definite sense of disappointment. As one who has witnessed the horror and the lingering sadness of war—as one who knows that another war could utterly destroy this civilization which has been so slowly and painfully built over thousands of years—I wish I could say tonight that a lasting peace is in sight.

Happily, I can say that war has been avoided. Steady progress toward our ultimate goal has been made. But, so much remains to be done. As a private citizen, I shall never cease to do what little I can to help the world advance along that road.

#### VII

So—in this my last good night to you as your President—I thank you for the many opportunities you have given me for public service in war and peace. I trust that in that service you find some things worthy; as for the rest of it, I know you will find ways to improve performance in the future.

You and I—my fellow citizens—need to be strong in our faith that all nations, under God, will reach the goal of peace with justice. May we be ever unswerving in devotion to principle, confident but humble with power, diligent in pursuit of the Nation's great goals.

To all the peoples of the world, I once more give expression to America's prayerful and continuing aspiration:

We pray that peoples of all faiths, all races, all nations, may have their great human needs satisfied; that those now denied opportunity shall come to enjoy it to the full; that all who yearn for freedom may experience its spiritual blessings; that those who have freedom will understand, also, its heavy responsibilities; that all who are insensitive to the needs of others will learn charity; that the scourges of poverty, disease and ignorance will be made to disappear from the earth, and that, in the goodness of time, all peoples will come to live together in a peace guaranteed by the binding force of mutual respect and love.

### CIVIL RIGHTS CONCERN

Mr. HART. Mr. President, five Senators—all members of the Committee on Labor and Public Welfare—have written to Secretary of Health, Education, and Welfare Finch to express their concern about the administration of the school desegregation program under title VI of the Civil Rights Act of 1964. I share the concern of our colleagues and wish to associate myself with the position expressed in their letter.

Mr. President, I ask unanimous consent that the letter and a press release describing the contents of the letter be printed in the RECORD.

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

MARCH 25, 1969.

HON. ROBERT H. FINCH,  
Secretary, Department of Health, Education,  
and Welfare, Washington, D.C.

DEAR MR. SECRETARY: As supporters of the basic principle underlying Title VI of the Civil Rights Act of 1964—that Federal tax revenues collected from all Americans should not be used to support programs of activities which discriminate against some Americans—we are concerned about the way in which the Title VI school desegregation program will be implemented in the future. We believe you share our commitment to equality of opportunity, but we are concerned about the statements attributed to you in the March 10th issue of a national magazine, and the interpretations being applied to those statements.

Our concerns have been heightened by articles appearing in last Sunday's newspapers with titles such as "Finch Aide Urges Eased Guidelines." We are disturbed to learn that you are being advised to relax the school desegregation guidelines, and advised to relax them in a furtive and quiet manner. In our judgement, these guidelines accurately reflect the law of the land, and should be implemented openly and honestly.

Because of the confusion which now seems to exist in many parts of the country—particularly the South—about how this Administration plans to proceed in the school desegregation program, we urge that you issue a statement clarifying your intent. We urge you to make clear the commitment of the Administration to implement this program firmly and fairly in accordance with the existing school desegregation policies and consistent with the decisions of the Federal courts. We believe it would be unfair and unfortunate to change the existing requirements under which hundreds of schools are now desegregating.

Finally, Mr. Secretary, we hope that you will receive this letter in the same constructive spirit in which it is intended. We want to support you in the firm and fair enforcement of the Title VI compliance program. We believe, however, that a statement from you affirming your support for the program would help immensely to clear the air.

Sincerely,

WALTER F. MONDALE,  
U.S. Senator.  
HARRISON WILLIAMS,  
U.S. Senator.  
THOMAS EAGLETON,  
U.S. Senator.  
ALAN CRANSTON,  
U.S. Senator.  
HAROLD HUGHES,  
U.S. Senator.

In a letter made public today, five members of the Senate Labor and Public Welfare Committee urged HEW Secretary Finch to implement existing school desegregation guidelines "firmly and fairly."

Expressing their concern "about the way in which the Title VI school desegregation program will be implemented in the future" were Senators Mondale (D-Minn.), Williams (D-N.J.), Eagleton (D-Mo.), Cranston (D-Calif.) and Hughes (D-Iowa).

The Senators said "we believe you share our commitment to equality of opportunity, but we are concerned about the statements attributed to you in the March 10th issue of a national magazine . . . and by articles appearing in last Sunday's newspapers with titles such as 'Finch Aide Urges Eased Guidelines.'"

Further, they stated in their letter, "in our judgment, these guidelines accurately reflected the law of the land," and "we believe it would be unfair and unfortunate to change the existing requirements under which hundreds of schools are now desegregating."

### DR. MARTIN LUTHER KING, JR.— TRIBUTE BY SENATOR GOODELL

Mr. SCOTT. On behalf of the distinguished Senator from New York (Mr. GOODELL), who is absent from the Senate on official business, I ask unanimous consent to have printed in the RECORD a tribute by him to the memory of Martin Luther King, Jr., on the anniversary of Dr. King's assassination.

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

TRIBUTE BY SENATOR CHARLES E. GOODELL TO  
MARTIN LUTHER KING, JR.'S MEMORY ON  
THE ANNIVERSARY OF HIS ASSASSINATION

April 4th marks the first anniversary of the physical death of Martin Luther King, Jr.

It is a time of sadness . . . it is a time of solemnity . . . it is a time of prayer . . . it is a time of dedication.

It is a time for all America to say "We share the dream."

not prepared to accept further delay. We believe enactment of this legislation is urgently needed now.

We believe that S. 1023 and H.R. 4287 represent a reasonable approach. Great effort has been made, through the past eight years, to refine this legislation to protect the rights and interests of the local people.

Now, we believe, it is time to give an equal effort to protect the rights of all the people—and we do feel that all of the people have a right to know the scenic beauty and scientific fascinations of the Sleeping Bear Dunes. Future generations share that right—and we are obliged to protect it in their name.

For these reasons—and because the hour is very late—the United Automobile Workers urges prompt action by the Congress to immediately authorize the establishment of the Sleeping Bear Dunes National Lakeshore. To that end we pledge our full efforts.

#### JOE E. MOODY, ABLE PUBLIC SERVANT

Mr. SYMINGTON. Mr. President, we were sorry to learn recently that the General Services Administration will no longer have the experience and ability of an outstanding career public servant from Missouri, Mr. Joe E. Moody.

Although still a relatively young man, Mr. Moody retired last month as Deputy Administrator of the General Services Administration after 34 years of distinguished Government service.

A native of Macon County, Mo., Mr. Moody advanced through the ranks working in the General Accounting Office, the War Assets Administration, and, since its organization in 1949, with the General Services Administration. It is regrettable that his services are now lost to the agency where he has contributed so much since 1949, but we wish him well in his future activity as he enters private practice of law.

I ask unanimous consent to have the press release announcing Mr. Moody's retirement printed in the RECORD.

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

#### A GSA NEWS RELEASE, MARCH 24, 1969

Joe E. Moody has retired as Deputy Administrator of General Services after 34 years of Federal service.

Moody, who was born (9-26-14) in Macon County, Missouri, started his Government service in 1935. A lawyer, he served in administrative and legal positions with the General Accounting Office and the War Assets Administration before joining the newly-created General Services Administration in 1949.

Moody had served on the committee established to organize the new agency and later played a leading role in the formulation of recommendations for the Public Buildings Act of 1959—the modern charter adopted for the Federal Government's public buildings construction program.

His early years in GSA were spent in the General Counsel's Office. He then transferred to the Public Buildings Service where he rose to the rank of Assistant Commissioner. In 1961 he was appointed Commissioner of GSA's new Utilization and Disposal Service which since has become the Property Management and Disposal Service.

He was General Counsel of GSA from late 1962 until his appointment as Deputy Administrator of the agency in September of 1965.

Moody, who lives in Kensington, Md., intends to enter private law practice in Washington. He is married to the former Marion Walkley and they have a son, Michael.

#### EISENHOWER'S FAREWELL ADDRESS RECALLED

Mr. CHURCH. Mr. President, for the past week our Nation has paid tribute to Dwight David Eisenhower—a man who led his Nation in war and guided it along the paths of peace; a man of arms whose greatest concern was their elimination.

On January 17, 1961, President Eisenhower delivered to the American people his farewell address. The words he spoke at that time represent a confluence of the ideas he so deeply felt both as general and President. They are even more meaningful today than they were at the time they were spoken for, I fear, we have been derelict in heeding them.

Many agree that President Eisenhower's farewell address was his greatest gift to the American people. With that thought in mind, I ask unanimous consent that it be republished in the RECORD.

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

#### FAREWELL RADIO AND TELEVISION ADDRESS TO THE AMERICAN PEOPLE, JANUARY 17, 1961 (Delivered from the President's Office at 8:30 p.m.)

*My fellow Americans:* Three days from now, after half a century in the service of our country, I shall lay down the responsibilities of office as, in traditional and solemn ceremony, the authority of the Presidency is vested in my successor.

This evening I come to you with a message of leave-taking and farewell, and to share a few final thoughts with you, my countrymen.

Like every other citizen, I wish the new President, and all who will labor with him, Godspeed. I pray that the coming years will be blessed with peace and prosperity for all.

Our people expect their President and the Congress to find essential agreement on issues of great moment, the wise resolution of which will better shape the future of the Nation.

My own relations with the Congress, which began on a remote and tenuous basis when, long ago, a member of the Senate appointed me to West Point, have since ranged to the intimate during the war and immediate post-war period, and, finally, to the mutually interdependent during these past eight years.

In this final relationship, the Congress and the Administration have, on most vital issues, cooperated well, to serve the national good rather than mere partisanship, and so have assured that the business of the Nation should go forward. So, my official relationship with the Congress ends in a feeling, on my part, of gratitude that we have been able to do so much together.

#### II

We now stand ten years past the midpoint of a century that has witnessed four major wars among great nations. Three of these involved our own country. Despite these holocausts America is today the strongest, the most influential and most productive nation in the world. Understandably proud of this pre-eminence, we yet realize that America's leadership and prestige depend, not merely upon our unmatched material progress, riches and military strength, but on how we use our power in the interests of world peace and human betterment.

#### III

Throughout America's adventure in free government, our basic purposes have been to keep the peace; to foster progress in human achievement, and to enhance liberty, dignity and integrity among people and among nations. To strive for less would be unworthy of a free and religious people. Any failure traceable to arrogance, or our lack of com-

prehension or readiness to sacrifice would inflict upon us grievous hurt both at home and abroad.

Progress toward these noble goals is persistently threatened by the conflict now engulfing the world. It commands our whole attention, absorbs our very beings. We face a hostile ideology—global in scope, atheistic in character, ruthless in purpose, and insidious in method. Unhappily the danger it poses promises to be of indefinite duration. To meet it successfully, there is called for, not so much the emotional and transitory sacrifices of crisis, but rather those which enable us to carry forward steadily, surely, and without complaint the burdens of a prolonged and complex struggle—with liberty the stake. Only thus shall we remain, despite every provocation, on our chartered course toward permanent peace and human betterment.

Crisis there will continue to be. In meeting them, whether foreign or domestic, great or small, there is a recurring temptation to feel that some spectacular and costly action could become the miraculous solution to all current difficulties. A huge increase in newer elements of our defense; development of unrealistic programs to cure every ill in agriculture; a dramatic expansion in basic and applied research—these and many other possibilities, each possibly promising in itself, may be suggested as the only way to the road we wish to travel.

But each proposal must be weighed in the light of a broader consideration: the need to maintain balance in and among national programs—balance between the private and the public economy, balance between cost and hoped for advantage—balance between the clearly necessary and the comfortably desirable; balance between our essential requirements as a nation and the duties imposed by the nation upon the individual; balance between actions of the moment and the national welfare of the future. Good judgment seeks balance and progress; lack of it eventually finds imbalance and frustration.

The record of many decades stands as proof that our people and their government have, in the main, understood these truths and have responded to them well, in the face of stress and threat. But threats, new in kind or degree, constantly arise. I mention two only.

#### IV

A vital element in keeping the peace is our military establishment. Our arms must be mighty, ready for instant action, so that no potential aggressor may be tempted to risk his own destruction.

Our military organization today bears little relation to that known by any of my predecessors in peacetime, or indeed by the fighting men of World War II or Korea.

Until the latest of our world conflicts, the United States had no armament industry. American makers of plowshares could, with time and as required, make swords as well. But now we can no longer risk emergency improvisation of national defense; we have been compelled to create a permanent armaments industry of vast proportions. Added to this, three and a half million men and women are directly engaged in the defense establishment. We annually spend on military security more than the net income of all United States corporations.

This conjunction of an immense military establishment and a large arms industry is new in the American experience. The total influence—economic, political, even spiritual—is felt in every city, every State house, every office of the Federal government. We recognize the imperative need for this development. Yet we must not fail to comprehend its grave implications. Our toil, resources and livelihood are all involved; so is the very structure of our society.

In the councils of government, we must guard against the acquisition of unwar-

est country in the entire world, ranking next to the United States and the Soviet Union. The West German mark is one of the world's strongest currencies.

Surely, it is outrageous and unthinkable that nearly a quarter of a century following the end of World War II, the United States continues to maintain 200,000 officers and men of our Armed Forces in West Germany. Just why should we be protecting this powerful nation in this manner and to this extent, particularly at a time when there is no threat of aggression from the Soviet Union, because that nation is having a hot time with Communist China and suffering battle casualties in military engagements along the border with Communist China?

West Germany has a conscription law which drafts some of its nationals for a period of 18 months only, while young American draftees are required to serve for 2 years. Furthermore, the total number drafted is insignificant compared with the draft in our Nation under our selective service laws.

Very definitely, the United States should withdraw troops from West Germany instead of sending more troops over to protect a country well able to defend itself.

The expense of maintaining our Armed Forces and their dependents in Europe accounted for \$1.5 billion of our foreign exchange deficit in 1967. This is in addition to the more than a billion dollars spent annually in western European countries by our servicemen and their families stationed there and by American civilians employed in Europe by the Department of Defense.

It is crystal clear that bringing hundreds of thousands of officers and enlisted men and their dependents home from Spain, Belgium, West Germany, and other European nations would reduce the drain on our gold supply and help to solve our balance-of-payments problem.

Furthermore, whatever men of our Armed Forces are sent to western Europe for a tour of duty in the future should be sent for a period of not more than 13 months, and with no dependents. If there really is a need for our troops in Europe, then we should have a lean, trim, combat-ready force stationed there, not hundreds of thousands of men of our Armed Forces living like "squawmen" with their wives and children.

Many sergeants are living there with their wives and children. I know from experience as a private in time of war that the sergeants run the Army. Any sergeant who is worth his salt—and they are all worth their salt—would not have his wife and children there if there were an imminent danger of attack.

Furthermore, families of our officers, from captain on up to general officers, with their servants and fine homes, "never had it so good." Many of those officers buy Mercedes automobiles, paying for those foreign-made automobiles with American dollars. Anyone who goes to Garfinckel's department store can hear the chatter of the wives of majors and colonels who are buying luggage to go to Europe, looking forward to a luxurious life there.

Mr. President, I ask unanimous consent to proceed for 3 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. YOUNG of Ohio. Following World War II, a bitter cold war was raging with the Soviet Union, and there was a threat of aggression which required the presence of our Armed Forces to deter the Russians. Stalin was then dictator of the Soviet Union. He is dead. The threat of military aggression by the Communists against Western Europe has all but vanished. The present rulers of the Soviet Union are no longer rattling their missiles. In fact, the Russians are veering toward capitalism. The Soviet Union is no longer a have-not nation. Its leaders now appear principally dedicated to the objective of raising the standard of living of their people.

Furthermore, it is the nuclear umbrella of the United States that provides the real protection for Europe and West Germany, not large numbers of ground troops. In addition, by our Operation Airlift we have proven we can airlift a combat-ready division to West Germany from the continental United States in a matter of hours.

The nations of Western Europe can today provide the necessary troops to defend themselves, instead of continuing to depend on us. Let their young men be conscripted and drafted into their own armed forces. Why should the lives and aspirations of our teenage young men be disrupted to form the first line of defense for the Germans and French? Under the shelter of our protection, these nations have waxed prosperous while our fiscal and monetary problems have grown steadily more serious.

We should immediately return at least half of the highly trained professional fighting men now stationed in Western Europe to the United States.

It is a stupid policy on the part of the Secretary of Defense and the generals of our Joint Chiefs of Staff to maintain in West Germany six of our best combat divisions, made up in large part of enlisted men and commissioned officers who are career soldiers. Undoubtedly, they are the finest and best equipped soldiers who have served any nation under the bending sky of God.

Mr. President, the reduction in U.S. Armed Forces in Western Europe might very well induce the leaders of the Soviet Union to make a similar reduction in its military forces in eastern and central Europe. Such action would produce a significant easing of world tensions and go far toward helping to promote a peaceful settlement in Europe, and go far toward promoting the hope that all of us entertain—to live in a period of international peace and contentment.

#### THE HOSPITAL STRIKE IN CHARLESTON, S.C.

Mr. MONDALE. Mr. President, on May 15, 1969, a bipartisan group of 17 Senators wrote to President Nixon and urged him to use the prestige of his office to bring the hospital strike in Charleston, S.C., to a satisfactory resolution. The President has not responded to our appeal.

It is now June 25, and the strike continues. Tensions have heightened in Charleston, and there is an atmosphere which hauntingly reminds us of a similar strike in Memphis in another year.

My original concern in this matter has been intensified by a series of events occurring over the past several weeks.

As of Thursday, June 10, it appeared that the Charleston strike was near settlement, due in large part to HEW's recommendation of June 5 that the 12 workers, whose dismissal triggered the strike, be rehired. Then, on that day, the director of the hospital, Dr. William M. McCord, suddenly withdrew the formal offer to settle which the hospital had previously made. At the same time, it was reported in the Charleston newspapers that Secretary of Health, Education, and Welfare Robert Finch had been the object of political pressure and had given some assurance that he would take an independent look at HEW's position. This statement, which Secretary Finch did not repudiate, changed an encouraging situation into one which is now rapidly deteriorating.

This is most unfortunate. HEW has been negotiating with the hospital since July 1968 over a number of violations of civil rights laws, including violations of Executive Order 11246, which requires an equal opportunity employment policy on the part of Federal Government contractors. These violations are so substantial that it took a nine-page, single-spaced letter from a HEW official to Dr. McCord to list all of them.

This letter was written last September, but the situation is no different today. The evidence of the hospital's continuing failure to comply with Executive Order 11246 is particularly relevant to the issues in the strike, for it includes the firing of the 12 workers, the denial to blacks of opportunities for higher positions, and the failure to have an affirmative equal opportunity hiring program.

If HEW indeed intends to relax its pressure, its reasons for doing so are plainly, overtly, and shamefully political. For the record clearly shows that the hospital has failed to comply with the Executive order; and the law requires that Federal funds should be cut off if it does not come into compliance.

Mr. President, this is a very serious matter. There are thousands all over the country who are watching to see whether nonviolence can work in Charleston and whether justice will prevail. If the dispute is not settled, there is grave danger that frayed tempers and thinned patience lead to a tragedy in Charleston which could have the most serious implications for the domestic tranquillity of city after city around the Nation.

So this is not merely a labor dispute. It is a civil rights matter, and the good faith of the Government's civil rights policy is at stake—good faith which has already seriously been brought into question by recent actions involving schools and other Government contractors.

If this matter is to be resolved justly and expeditiously, it is essential that Secretary Finch publicly state that he intends to stand by HEW's original intention to enforce the Executive order. All

rumors, leaks, and intimations to the contrary must be repudiated, so that the hospital officials and others in South Carolina will know exactly where they stand—that they must obey the law or lose their Federal funds. That is the only way this dispute can be resolved. I hope that Secretary Finch will take that path. It is so clearly the right and proper thing to do.

Mr. President, I ask unanimous consent that the following items be printed in the RECORD:

First, HEW's letter to hospital officials concerning violations of Executive Order 11246.

Second, a telegram which I sent to Secretary Finch on June 14, 1969, asking HEW to stand behind its recommendation to the hospital that the 12 workers be rehired.

Third, an article entitled "Hospital Strike Now Political Football," written by Rudolph A. Pyatt, and published in the Charleston, S.C., News and Courier of June 15, 1969.

Fourth, an article entitled "Political Infighting Balks Charleston Hospital Pact," written by Bruce Galphin, and published in the Washington Post of June 16, 1969.

Fifth, an editorial entitled "Secretary Finch and the Charleston Strike," published in the Washington Post of June 18, 1969.

Sixth, an editorial entitled "The Charleston Strike," published in the Washington Post of June 18, 1969.

Seventh, an editorial entitled "The Charleston Cycle," published in the New York Times of June 23, 1969.

Eighth, an article entitled "Charleston Calm As Negroes March," written by James T. Wooten, published in the New York Times of June 23, 1969.

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

DEPARTMENT OF HEALTH,  
EDUCATION, AND WELFARE,  
Atlanta, Ga., September 19, 1968.

Dr. WILLIAM M. McCORD,  
President, Medical College of South Carolina,  
Charleston, S.C.

DEAR DR. McCORD: Unforeseen circumstances prevented me from writing to you on the schedule I promised. I sincerely hope the delay has not been too inconvenient for you. I apologize for the length of this communication, but I am attempting to spell out all of our findings and recommendations as clearly and concisely as possible.

Our review was concentrated in three major areas. They were, a) Equal Educational Opportunities, b) Equal Health Opportunities, and c) Equal Employment Opportunities. I will list both our findings and recommendations for each of these areas of investigation.

#### EQUAL EDUCATIONAL OPPORTUNITIES

##### Findings

1. The Medical College of South Carolina had not established an affirmative program designed to attract Negro students.
2. There was no systematic or comprehensive recruitment program for predominantly Negro schools.
3. The minority community had not been informed of loans or scholarships that were available to them.
4. There were segregated housing advertisements on the college's bulletin boards.
5. Students were placed with practicing physicians for the purpose of receiving on-

the-job training. It appears from reports that some of these physicians practiced racial discrimination.

6. The Medical College Hospital is owned and operated by the Medical College of Charleston. Physicians at the hospital have faculty status—all are white. In order to practice medicine in the hospital, physicians must be members of a specialty board. No Negro physicians in Charleston County are members of a specialty board. There are several Negro physicians in Charleston.

7. The School of Pharmacy places students for "apprenticeship" training with some pharmacies that engage in discriminatory practices.

8. The fraternities in the School of Pharmacy discriminate racially in membership requirements.

9. The School of Allied Sciences has affiliations with white schools only. This policy tends to limit the potential of the Negro students of the State of South Carolina.

#### Recommendations

1. That the Medical College catalogue, brochures, and other printed promotional material and applications clearly indicate the nondiscriminatory policy of the college.

2. That comparable action be taken to recruit Negro students to pursue a medical education at the Medical College. These steps should include:

a. Broad dissemination of information as to the availability of a medical education, and the availability of financial assistance to undergraduate colleges and to high school counselors (especially to Negro colleges and high schools) in the state, and to Negro colleges throughout the eastern and southeastern states.

b. Due to the history of discrimination, special efforts should be directed toward the pre-med advisors at Negro undergraduate colleges and possibly high schools to help motivate more Negroes and minority group members toward a medical career.

c. The Medical College might consider developing a recruitment team from all of its related schools (e.g., Pharmacy, Nursing, Allied Sciences, etc.) which could make concentrated recruitment efforts, some of which would be directed specifically toward minority students. Various techniques should be developed which would have considerable potential for recruitment of minority group students including:

(1) Contact with Negro professional, civic, and social groups to elicit their help in recruitment, and in dispelling the image of the Medical College as a segregated institution.

(2) Promotion of visits to the Medical College by Negro pre-med students over the state.

(3) Visits to Negro college campuses by Medical College staff.

(4) Sponsorship of health-related career days, especially for Charleston County High Schools.

3. That the College assure itself that no arrangements are made between the college and private physicians for the purpose of teaching students when the physician discriminates on the basis of race in his practice.

4. That the Medical College assure itself that no notices for rental or sale of living quarters are posted or lists kept by the College unless such housing is available to all students without regard to their race.

5. That the School of Pharmacy assure itself that every pharmacy to which they refer a student for work in an "apprenticeship" arrangement, will accept those who are referred without regard to race.

6. That the fraternities that have engaged in racially discriminatory policies and practices be informed of the College's posture on civil rights and asked to change. If they do not comply, that the organization should be banned from campus by the administration.

7. That the School of Allied Sciences establish affiliations with Negro colleges in the state immediately in order to give all students of South Carolina an equal educational opportunity.

Since the School of Nursing has not previously enrolled non-white students, the following steps are recommended:

1. There are several non-white persons who have applied and have been admitted to study practical nursing. Persons in this category should be screened carefully as potentials for full professional training as graduate nurses.

2. That predominantly Negro schools be informed of the opportunities and policies in the School of Nursing.

3. That continuous attempts be made to identify students with potential at the high school level. Local Negro school counselors can be of great help in this endeavor.

#### EQUAL HEALTH OPPORTUNITIES

##### Findings

1. There were no written nondiscriminatory policy statements.

2. It was alleged that the clerk at the admission office called the floor and gave the nurse the race of the patient, and asked what bed assignment should be made. This suggests that room assignments might follow a racial pattern.

3. We were informed in the community that patients were shifted around to achieve a bi-racial mix in anticipation of the H.E.W. visit. When white patients complained about rooming with Negroes, the Negroes were moved.

4. No comprehensive or systematic methods have been used to notify all of the people of Charleston (both Negro and white) of the hospital's nondiscriminatory policy.

5. Mr. Porter, who was assigned the responsibility for civil rights, has not developed any kind of affirmative action program. The subject of civil rights has not been a formal part of the staff meeting agenda.

6. It was alleged that courtesy titles are seldom used and staff members are often rude to Negro patients at the clinics.

7. Service (non-paying) patients and private patients are separated and are alleged to be treated differently.

8. It was alleged that senior medical students attend to private patients, while junior medical students attend service patients.

9. There is some degree of desegregation in the wards, but the separation of the service and private patients has created an apparent imbalance.

10. From interviews and observation, private patients appear to have received better nursing and other care than service patients. The majority of the private patients are white.

11. Private patients have three visiting periods per day; service patients have only one. It was alleged that on one floor, a white patient's sister was allowed to visit while the Negro patient's sister was not allowed to visit.

12. It was also alleged that husbands of Negro patients are not allowed in the labor room, while husbands of white patients are.

13. In many parts of the hospital, it was found that there are still essentially "dual" restroom facilities, although "white" and "colored" signs have been removed. It is apparent that these signs have only recently been removed because outlines of the old signs are still visible. This suggests the possibility that old customs are still being practiced in the use of these facilities.

14. In the out-patient clinic, patients appear to be seen on a first-come, first-served basis, however Negro patients are told to wait in Room 18, while white patients are told to wait in Room 53. However, it was alleged that when an observer who appeared to be concerned with civil rights procedure

was seen near the admitting station, patients were told to wait in either Room 18 or Room 53.

15. White staff members were observed acting in what appeared to be a rude manner to Negro out-patients. Courtesy titles were not being used.

#### Recommendations

1. That policy statements regarding non-discriminatory practices be written and widely distributed immediately.
2. That room assignments be made at the admitting desk without regard to the patient's race.
3. That a daily racial census be taken and forwarded to the Office for Civil Rights each week for one month, and thereafter upon request.
4. Since everyone will not read distributed material, and since it is the responsibility of the administration to see to it that everyone understands his/her responsibility, it is recommended that seminars be conducted which include the following topics: (a) specifics of the application of Title VI to hospitals; (b) Title 45; (c) H.E.W. guidelines; (d) equal opportunity in hospitals and all health programs; (e) the Federal dollar and nondiscrimination; (f) the Civil Rights Act of 1964; and (g) civil rights obligations of staff members at all levels. A schedule of when and where these meetings are held should be kept for your record.
5. That discussions of developments in civil rights accomplishments be placed regularly on the agenda at staff meetings.
6. That all staff be specifically instructed about the necessity for the use of courtesy titles. The breach of this policy should be dealt with severely by the administration.
7. That the quality of service be equalized immediately as between private and service patients.
8. That waiting rooms be truly integrated.
9. That staff restrooms be posted as such and all staff be advised accordingly.

#### EQUAL EMPLOYMENT OPPORTUNITIES

##### Findings

1. Bulletin boards did not have Equal Employment Opportunity (EEO) posters.
2. Personnel policy statements did not reflect contractor's equal opportunity posture.
3. There was no Equal Employment Opportunity Officer.
4. Advertisements for employment do not reflect that the facility is an equal opportunity employer.
5. Recruitment and employment sources were not informed of contractor's posture on EEO.
6. The old established personnel policies and procedures precluded affirmative action, which was needed to guarantee equal employment opportunity.
7. Interview reports are evaluated by a clerk who does not have personnel experience.
8. Applicants are given a written test that has not been validated. For some job categories, the test is irrelevant.
9. Some job descriptions require in-house experience for jobs that minorities have not had the opportunity to get. There is no training program to fill this gap.
10. Department heads and supervisory staff are not conversant with the contractor's position regarding equal employment opportunity.
11. Employment patterns clearly suggest a stratification of employees with regard to race, i.e., administrative and professional positions are occupied by whites; nonwhites are concentrated in service and non-skilled categories.
12. The application for employment requires each applicant to submit a photo.
13. The contractor (Medical College of Charleston) has not taken appropriate steps to insure the compliance under Executive Order 11246 by the company building the new addition to the Medical College.

#### Recommendations

1. That there be a proper display of posters at key points such as main lobby, personnel office, and all employee bulletin boards.
2. That there be put in writing a firm equal employment opportunity policy statement to be disseminated to all department heads and supervisory personnel.
3. That an equal employment opportunity officer be appointed. This officer will assume the duties of, (a) disseminating information concerning equal employment opportunity; (b) keeping surveillance over the implementation of the equal employment opportunity policy; (c) planning equal employment opportunity actions and goals; and, (d) evaluating equal employment opportunity progress.
4. That all advertisements contain the tag line, "An Equal Opportunity Employer."
5. That all recruitment and employment sources be notified of the contractor's posture on equal employment opportunity. It will be desirable to receive an acknowledgment of this notification. This may be done by leaving space at the bottom of the letter for endorsement, or in any other manner which the contractor chooses.
6. That purchase orders contain a reference to Executive Order 11246. This will serve to notify sub-contractors of their responsibility to the prime contractor in accordance with Executive Order 11246.
7. That all personnel procedures serve to support affirmative action as exacted by Executive Order 11246.
8. That all department heads and supervisory personnel be made fully conversant with the contractor's position with regard to equal employment opportunity.
9. That training programs support the total equal employment opportunity effort.
10. That persistent efforts be made to break the old patterns of stratified racial employment which have concentrated white employees in administrative and professional positions, while shunting non-whites into the unskilled and service categories.
11. That the equal employment opportunity officer maintain a day-to-day file relating to the problems and progress of the implementation of the equal employment opportunity policy of the Charleston Medical School.
12. That anything that would identify the applicant, and which might cause him/her to be subjected to discriminatory acts, not be a part of the application form. Such information should not be a part of the employee's personnel folder.
13. That the contractor (Medical College of Charleston) take the necessary steps to ensure that the building contractors who are currently constructing the new physical plant for the school, comply fully with the requirements of Executive Order 11246 in all phases of their employment.

In your response to the recommendations which are set forth above, it will be helpful if you will structure your reply so as to address yourself to each of the three areas separately. Upon receipt of your letter, this office will evaluate your response and then advise you of our findings.

Please let me say once again, on behalf of our staff, that we appreciate your cooperation and that of your entire staff on whom we called. Your personal concern and intentions to correct problem areas made our task much easier than it would have otherwise been.

Sincerely yours,  
HUGH A. BRIMM,  
Chief, Contract Compliance Branch,  
Office for Civil Rights.

JUNE 14, 1969.

HON. ROBERT H. FINCH,  
Department of Health, Education, and Welfare,  
Washington, D.C.:

I am extremely concerned about the continuing labor strife in Charleston, South

Carolina, involving hospital workers and the city hospitals.

It is my understanding that the two sides were very close to a settlement of their dispute, due in large part to HEW's recommendations to hospital officials that the 12 workers whose dismissal precipitated the walkout be rehired.

However, on June 12, 1969, these hospital officials informed the union that their settlement offer was being withdrawn.

In light of this development, it is vitally important that HEW stand behind its original recommendation concerning the rehiring of these 12 workers. If the recommendation is withdrawn, there may be no end in sight to the strike.

I commend you and the department for your original recommendation in this matter, I urge you not to take any action which would prolong this potentially dangerous labor situation.

WALTER F. MONDALE,  
U.S. Senate.

[From the Charleston (S.C.) News and Courier, June 15, 1969]

#### HOSPITAL STRIKE NONPOLITICAL FOOTBALL (By Rudolph A. Pyatt)

WASHINGTON.—The 12-week-old Charleston Hospital strike has developed into a political football now being fumbled in the nation's capital.

Caught in the center of the scramble this week was Secretary of Health, Education and Welfare, Robert H. Finch.

Finch, in a familiar role since becoming head of HEW, found himself having to placate members of Congress who take a dim view of federal guidelines.

This past week Finch performed a nifty routine as he attempted to allay the fears of at least two members of the South Carolina delegation.

In the wake of an HEW letter to Dr. William M. McCord recommending certain changes to be instituted at the college and hospital, Finch found himself breakfasting with Rep. L. Mendel Rivers, receiving a letter and telephone messages from Sen. Ernest F. Hollings and giving assurances to Sen. Strom Thurmond.

The activity of those three members of the delegation produced some rather curious developments here. At the same time, the net effect of the attention given Finch by Thurmond and Rivers has had a damaging effect on negotiations in Charleston, a source close to the situation told this reporter.

When it appeared the strike at the two Charleston hospitals would explode into an embarrassing and violent episode, several members of the House and Senate pleaded with President Nixon to intervene.

Hollings, Thurmond and Rivers, silent until then, took exception to the "meddling" by their colleagues.

Still Hollings and Thurmond were guarded in their public comments on the strike and related matters. Rivers, after HEW agreed last month to investigate a complaint by 12 employees who had been fired by the Medical College Hospital, wrote a letter to Finch demanding that he review HEW's policies in handling the complaint.

Finch replied to Rivers' May 21 letter but the congressman complained "it wasn't satisfactory."

Meanwhile, HEW's contract compliance branch chief wrote a letter to Dr. McCord June 5 recommending that the dismissed 12 employees be rehired with retroactive pay.

Three key sections of that letter which was made public last week apparently spurred Rivers, Hollings and Thurmond into action while paving the way for a threatened strike of nurses and doctors at the Medical College Hospital.

In addition to the recommendation that the 12 employees be rehired, the letter also stated that a HEW investigation "has established one basic fact, which is, that the Medi-

cal College of South Carolina together with its hospital facilities is in non-compliance with the requirements of Executive (presidential) Order 11246."

The letter to McCord further stated: "in order to continue as a government contractor it will be necessary that the Medical College develop an affirmative action program in equal employment opportunity as set forth in the rules and regulations of the executive order."

After reading the letter, a member of the state's congressional delegation here, noting that Dr. McCord had requested that the letter be written, said it allowed the Medical College to put the onus on the federal government. "That way they (the hospital) could always say 'we had to yield to pressure from HEW in meeting these demands,'" the member reasoned, asking that he remain anonymous.

The letter from HEW's Hugh Brimm to Dr. McCord states in part:

"Pursuant to your request following our discussions on June 3 with you and members of your staff and Mr. Robert Alexander from Governor McNair's office, I am sending this communication."

But the most curious development Thursday was a strongly unequivocal statement by Leon Panetta, director of HEW's Office of Civil Rights.

"At this level of the office of civil rights, we are proceeding according to our letter to Dr. McCord," Panetta insisted. An aide to Panetta said he was fully aware of the meeting between Finch and Rivers earlier that day.

Just what Finch told Dr. McCord has not been determined.

Whatever it was may have had a key bearing on McCord's decision at the last minute not to rehire the 12 employees after all.

The offer to rehire the 12 was made last Monday but was withdrawn late Thursday.

A spokesman for the striking hospital workers, obviously disappointed over seeing the prospects for a settlement shattered, told this reporter Friday:

"We suddenly realized what happened. We know that Mendel Rivers, Fritz Hollings and Strom Thurmond applied pressure to the White House, and Finch, through Thurmond and Rivers makes this representation that he's going to investigate the matter personally. Meantime no funds would be withdrawn."

"So I gather that the real motivating factor for offering to rehire the 12 was based on the earlier HEW recommendation and for no other reason."

The Spokesman concluded: "McCord has gotten encouragement from somebody."

He added that is the feeling of the strikers that Finch's alleged statement is "indicative of a long, drawn-out and extended process during which time the Medical College of course will be able to continue without the 12 and still receive benefit of the funds."

"That sort of explodes the settlement right in our faces, whereas if there was an imminent threat of a withdrawal of funds, they would rehire the 12 workers."

Oddly enough, the administration ignored the requests of non-South Carolina congressmen to intervene in the strike but it now finds itself very much involved—apart from the question of unionization.

The involvement has become deeper, it appears, because of Washington politics. Secretary Finch, ever the politician—some say he has designs on the presidency—while saying what Rivers and Thurmond wanted to hear, may have succeeded in giving the Southern Christian Leadership Conference a new lease on life in Charleston. At the same time Thursday's events served to satisfy nurses and doctors who were reportedly ready to abandon the sick in favor of non-humanitarian principles in much the same manner as the strikers they have criticized.

On the other hand, Finch has not made a public statement about his conversations with Rivers, Thurmond or Dr. McCord.

But given Finch's past performances, he may respond to someone of more liberal bent by reminding them that the Nixon administration last week Wednesday announced plans for a major crackdown on government contractors who practice racial discrimination in jobs.

That in effect is what the June 5 letter to Dr. McCord is all about. Rehiring of the 12 employees is only part of the package, HEW officials say.

[From the Washington (D.C.) Post, June 16, 1969]

#### POLITICAL INFIGHTING BALKS CHARLESTON HOSPITAL PACT

(By Bruce Galphin)

Just before 6 p.m. last Thursday, leaders of striking hospital workers in Charleston, S.C., were in a jubilant mood. That night was to be the climax of their costly, 12-week-old walkout. A compromise settlement had been approved by all parties, and they were about to put it in writing.

Then an officer of the Medical College of South Carolina telephoned William Saunders, who as a member of the Charleston Community Relations Committee had helped forge the agreement.

A hitch had developed, the college officer said, and there wasn't any point in having the meeting until it was straightened out. He would call again the next day.

Forty-five minutes later, Saunders discovered what the hitch was. A messenger brought him a one-sentence note from Dr. William McCord, president of the Medical College and director of its hospital. It read:

"Please be advised that the offer to employ the 12 discharged workers made on June 9, 1969, is now withdrawn as of Thursday, June 12."

Firing the dozen black nonprofessional workers had triggered the strike, and rehiring them was an irreducible demand of the union—with the strong but coincidental support of the U.S. Department of Health, Education and Welfare.

So the strike continues. The union—Local 1199B of the Drug and Hospital workers—and the Southern Christian Leadership Conference say they will escalate demonstrations. The longshoremen's union is talking of tying up the port of Charleston. Moreover, the situation is now ensnared by Federal-state conflicts, Democratic-Republican feuding, and internal GOP squabbles.

What had happened to the settlement? Even Gov. Robert E. McNair—who reportedly had approved its terms two days before—is believed to have been caught off balance by McCord's reversal.

For one thing, South Carolina Republican state chairman Ray Harris made it a partisan issue. He warned that voters would hold Democrat McNair and other officials accountable if the 12 workers were rehired. McNair may challenge Republican Sen. Strom Thurmond in 1972.

State Republicans also are embarrassed that a Republican-ruled HEW has taken a strong rehiring position.

Sen. Ernest F. Hollings and Rep. Mendel Rivers, Democrats, and GOP Sen. Thurmond made protestations to HEW. As a result, HEW Secretary Robert H. Finch said the rehiring proposal was subject to review—but that was no more or less than Atlanta compliance officials had said.

It was also reported that several doctors and nurses at the Medical College had threatened to resign if the 12 were rehired. Some doctors actively sought help through Republican Party contacts.

But the prime suspect, in the union's eyes, is Dr. McCord himself. Even in a state where anti-unionism prevails, few match his ve-

hemence on the subject. He once told employees the union was only after their money, and on another occasion remarked: "I am not about to turn a \$25 million complex over to a bunch of people who don't have a grammar school education."

The strike began with the March 17 firing of 12 Negro workers who, in Dr. McCord's view, deserted their posts but who in their own view, merely came to his office on free time to present grievances.

Within 11 days, more than 400 nonprofessional workers had walked out of the medical college and Charleston County Hospital. The basic issues include not just rehiring the 12 but union recognition, wages and grievance procedures.

In the meantime, and unknown to the workers, HEW had been conducting since last July 31 its own investigation of the Medical College—a routine check on whether it was meeting standards for Federal contractors. (The college receives about \$8 million in construction money and \$4 million for research and other grants.)

In a still-unreleased letter dated Sept. 19, 1968, Dr. Hugh A. Brimm of Atlanta, HEW's regional contract compliance chief, notified the hospital of nine "findings" relating to equal educational opportunities, 15 relating to equal health opportunities and 13 to equal employment opportunities.

Some of the "findings" were indisputable fact. Others were allegations. Some of the items:

All the physicians at the hospital were white, although there are several Negro physicians in Charleston.

The School of Pharmacy placed students for "apprenticeship" at institutions practicing racial discrimination.

"We were informed in the community that patients were shifted around to achieve a biracial mix in anticipation of the HEW visit."

Nonpaying patients—mostly black—allegedly received poorer doctors' and nursing care than paying patients—mostly white.

Personnel policies precluded action on equal employment. For example, some descriptions required in-house experience work from which Negroes had been excluded. There was no training program to allow Negro employees to upgrade skills.

"Employment patterns clearly suggest stratification of employees with regard to race: i.e., administrative and professional positions are occupied by whites; non-whites are concentrated in service and nonskilled categories."

Dr. McCord and HEW officials then engaged in months of correspondence, deadline-extensions and delays on a compliance agenda.

Coincidentally, the union filed a complaint about the firings with the Atlanta compliance office and, without realizing it, became a party to the deliberations.

On June 5, Brimm wrote McCord a letter stating that investigation had "established one basic fact, which is that the Medical College of South Carolina, together with its hospital facilities, is in noncompliance with the requirements of Executive Order 11246 . . ."

The letter said the hospital would have to adopt an affirmative equal employment program. "As a first step" of good faith, Brimm "recommended" rehiring the 12.

McCord had vowed never to rehire them, but an HEW order involving \$12 million in Federal aid provided a face-saving out. He and the hospital trustees agreed to rehire the 12.

There also was progress elsewhere. Charleston's business and tourism had been crippled by SCLC's marches, boycotts and "shop-ins" and by the nightly curfew and the month-long National Guard presence. Mayor J. Palmer Gaillard appointed a committee to deal with the crisis, and it has

played an important role in seeking a settlement.

The first breakthrough came in early June when the state announced it would raise the state minimum wage to \$1.60 an hour July 1. The hospital workers now earn \$1.30 or a few cents more, and it is believed the union would settle for the \$1.60 figure. Union recognition remained a problem. McNair maintains the state cannot recognize unions because the Legislature sets state workers' wages. (Actually the state does recognize several railroad unions, and Medical College trustees are empowered to set salaries). However, the union is willing to settle for less than full recognition—as it did in organizing New York hospital workers in 1959.

That left only the issue of grievances, and on June 5 negotiators reportedly agreed on a plan for worker-elected appeals panels.

Seemingly, the strike was all but over. Then last Thursday came Dr. McCord's message withdrawing his agreement to rehire the 12 fired workers.

And by the weekend, the SCLC, the union local and the Charleston black community were preparing to renew demonstrations.

[From the Washington (D.C.) Post, June 18, 1969]

#### SECRETARY FINCH AND THE CHARLESTON STRIKE

Secretary Finch of the Department of Health, Education and Welfare holds a key to settlement of the bitter and potentially explosive six-week-old strike of hospital workers in Charleston, S.C. A word from him that he intends to enforce Federal guidelines against discrimination in employment, it seems, will provide the necessary spur to get the dispute settled. Early last week it appeared to have been settled until word reached Charleston that members of the South Carolina congressional delegation had persuaded Secretary Finch to hold off any fund cutoff.

Apart from the guidelines question, the strike is important because it represents a effort by low paid public employees in the South who are usually black to use the machinery of collective bargaining to improve their lot. Traditionally, the South has resisted this extension of collective bargaining. A similar strike of black garbage workers in Memphis in 1968 was settled only after the assassination of Dr. Martin Luther King, Jr. As in Memphis, the Southern Christian Leadership Conference has intervened in Charleston on behalf of the strikers.

Complicating the Charleston dispute is the claim by Sen. Strom Thurmond (R-S.C.) that he has been able to persuade Secretary Finch before the latter departed for a vacation to withhold any fund cutoff "pending a personal investigation." Democrats Sen. Ernest F. Hollings and Rep. L. Mendel Rivers similarly have intervened. When word of their intervention reached Charleston, the understanding that had been carefully worked out between the two public hospitals and the union of hospital employees with the help of Gov. Robert E. McNair blew up. Union officials despair of putting the agreement back together again without word from Mr. Finch that he intends to enforce the employment guidelines, or failing that, without a call to other unions and civil rights organizations to broaden the dispute into a major national issue. Already, SCLC is planning night marches and "escalated" demonstrations to dramatize the matter.

The sticking point is the question of rehiring twelve employees whose discharge precipitated the strike. Among the dozen are the president of the union and its most active members. Governor McNair skillfully got around a previous refusal to bargain on wages by raising the applicable minimum from \$1.30 an hour to \$1.60 an hour. The

union, in turn, was prepared to finesse the question of union recognition, but not the question of reinstatement. Although the trustees of the Medical College of South Carolina which operates one of the hospitals authorized the rehiring of the twelve, the president of the college, Dr. William McCord, said that he was not going to do so. Dr. McCord's announcement was made as word reached Charleston that a Federal fund cutoff was not imminent.

HEW's regional compliance office in Atlanta has come up with a list of 37 findings against the college hospital indicating a pattern of discrimination in treatment of patients, students and employees. Those allegations relating to employees are relevant to the strike, and all are a matter of concern as far as the expenditure of HEW funds is concerned. But the immediate issue is the strike. It should be settled in Charleston and not be allowed to take further national overtones. Secretary Finch can help accomplish this end by giving assurances that the guidelines will be enforced.

[From the New York Times, June 18, 1969]

#### THE CHARLESTON STRIKE

It takes no great cynicism to suspect political pressure on a high level in the lost opportunity for a settlement of the racially explosive hospital workers' strike in Charleston. On June 9 Dr. William McCord, president of the Medical College of South Carolina, announced that he was prepared to reinstate twelve Negro employees who had allegedly abandoned their posts by coming to his office to present grievances. In the following three days, agreement was reached on all other issues in the three-month-old strike, including a raise from the wretched \$1.30 an hour which most of the 400 strikers were getting.

Then, on June 12, minutes before the jubilant principals were to sign the agreement with the blessings of Governor McNair, word came that Dr. McCord had withdrawn the offer to take back the workers.

If there was no explanation of Dr. McCord's arbitrary reversal in Charleston, there was a plausible explanation in Washington. Earlier in the day Senator Strom Thurmond and Representative L. Mendel Rivers of South Carolina had paid a call on Robert H. Finch, Secretary of Health, Education and Welfare. Secretary Finch was a key man in the situation, since it was his department's apparent willingness to withdraw Federal funds from the state's hospitals for non-compliance with the Civil Rights Act which had in all likelihood induced in Dr. McCord the earlier mood of conciliation. The views of the two South Carolina statesmen on the subject of the strike were known to reflect those of the state's Republican chairman, who had warned that if the twelve workers were reinstated, Governor McNair and others would be held politically accountable. Senator Thurmond was able to come away with assurances by Mr. Finch that no Federal funds would be cut off pending a thorough investigation by the department, whose regional office had already found a forbidding list of violations.

If it is too much to expect Dr. McCord to account for his sudden about-face, it is reasonable to expect a clarification from Mr. Finch, who has been notably sensitive on racial problems in the past. Even now a strong statement from him, promising a swift probe and appropriate action, might induce another 180-degree turn by Dr. McCord.

[From the New York Times, June 23, 1969]

#### THE CHARLESTON CYCLE

Lingering prospects for an early settlement of the Charleston hospital workers' strike have been gravely jeopardized by the worst violence in the three-month history of the

struggle. Although both sides share responsibility for the weekend flare-up, the rising tension in Charleston was foreseeable—and foreseen—and is the inevitable consequence of a chain reaction that started last week in Washington.

With a settlement apparently only hours away, Robert H. Finch, Secretary of Health, Education and Welfare, issued a statement that at the very least left up in the air the question of whether his department seriously intended to cut off Federal funds for two South Carolina hospitals unless they corrected certain violations of the Civil Rights Act reported by its own regional office.

The Secretary's call for another investigation, following a conference with Senator Strom Thurmond and Representative L. Mendel Rivers, was seen as a delaying action taken just as the strike was on the point of settlement. From that frustrating moment events took a highly predictable course: Dr. William M. McCord, president of the Medical College of South Carolina, went back on his agreement to reinstate the twelve workers, whose firing had touched off the strike. His action, arrogantly unexplained, triggered the decision of the Southern Christian Leadership Conference to "lift non-violence to a new level."

Charleston authorities in turn banned the proposed night march as inflammatory and were defied, with arrests following the defiance and rioting following the arrests.

Just as the vicious cycle started in Washington, it can be ended there. Let Secretary Finch state unequivocally that funds to the Charleston hospitals amounting to twelve million dollars, will be cut off for further non-compliance, and it is extremely probable that Dr. McCord will once more see the light—or at least feel the heat. There would be nothing unduly coercive in that approach; it was precisely to effect such compliance that the Civil Rights Act was passed.

[From the New York Times, June 23, 1969]

#### CHARLESTON CALM AS NEGROES MARCH—HOSPITAL STRIKE SETTLEMENT IS REPORTED IMMINENT

(By James T. Wooten)

CHARLESTON, S.C., June 22.—The second day of summer slipped serenely into this city's history with the peaceful integration of traditionally white churches and a noisy but non-violent parade through the quaint streets by striking Negro hospital workers and their supporters.

Although there has been no substantial abatement of the tensions that prompted a dusk-to-dawn curfew, strike leaders have shown a marked hesitancy to create confrontations that might result in arrests and violence. A short march last night ended when the police ordered the Negroes to go home, and in another demonstration today the marchers followed a route approved in advance by local officials.

As the result of a spur-of-the-moment idea, typical of techniques being used by the Southern Christian Leadership Conference in its campaign here on behalf of the striking workers, small groups of Negroes visited several all-white churches this morning. Except for a minor scuffle involving television newsmen and a non-churchgoer, there were no incidents.

#### SETTLEMENT SEEMS NEAR

The reluctance of Negro leaders to continue aggressive demonstrations in the tradition of previous campaigns is thought to be the result of an imminent settlement to the strike, which began March 20 when 12 Negro workers were discharged from the South Carolina Medical College Hospital.

According to informed sources nearly every issue in the dispute has been resolved to the mutual satisfaction of both Local 1199B, the all-Negro union pressing the strike, and offi-

cials of the college hospital and the county institution where Negro employees are also on strike.

It is known that on Friday afternoon, a few hours before the Rev. Ralph David Abernathy was arrested and jailed, Gov. Robert E. McNair spoke with representatives of the S.C.L.C., the organization founded by the late Rev. Martin Luther King, Jr. As a result of that conversation, there was an agreement on conditions for the settlement, including the re-employment of the dozen workers who were dismissed.

#### TWO WERE ARRESTED

That night, however, Mr. Abernathy, president of the conference, and an aide, the Rev. Hosea Williams, were charged with inciting to riot following a three-hour rally at a Negro church and both are being held in \$50,000 bail. Their arrest, according to the sources, represents an unexpected impediment to a quick settlement of the strike.

Tomorrow, officials of the medical college are to meet in Atlanta with representatives of the United States Department of Health, Education and Welfare, which has already recommended that the employees be rehired, one of the primary demands of the workers. Other union requests, such as those for higher wages and a grievance system, have been met through a new state employee wage and classification system.

One theory about the caution of the civil rights leaders who have guided the long strike is that they have no desire to place Governor McNair in a position that would make a settlement appear to be a capitulation to their demonstrations and their demands.

#### CITE LACK OF LAW

The position of both the county and the state hospitals has been that there can be no negotiation with the union because there is no enabling statute that allows government institutions to deal with labor organizations.

That barrier apparently has been removed by the union's agreement to be satisfied with something a bit less than formal recognition, such as the willingness of the hospital to establish payroll contributions to an employees' credit union.

The remaining issue is the re-employment of the discharged workers. The board of trustees of the college hospital has agreed to do so on recommendation of the Health, Education and Welfare Department. However, the hospital's president, Dr. William M. McCord, has refused, saying that wholesale resignations of doctors and nurses will result if the workers are allowed to return.

The presence of Negroes in traditionally all-white churches this morning was, in most places, ignored by regular worshippers. One exception was St. Michael's Episcopal Church, the oldest in this peninsula city, where about 15 Negroes, including some children, were invited to an informal reception with punch and cookies in the church's parish house following the morning service.

As they left the sanctuary, television newsmen filming their departure were heckled and then attacked by a man in shirtsleeves who was angry at their presence near the church. A parishioner called the police, but another canceled the request and there was no further disturbance.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LONG. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the House has disagreed to the amendments of the Senate to the bill (H.R. 11400) making supplemental appropriations for the fiscal year ending June 30, 1969, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MAHON, Mr. WHITTEN, Mr. ROONEY of New York, Mr. EVINS of Tennessee, Mr. NATCHER, Mr. FLOOD, Mr. BOW, Mr. JONAS, Mr. CEDERBERG, and Mr. DAVIS of Wisconsin were appointed managers on the part of the House at the conference.

The message also announced that the House had agreed to the concurrent resolution (S. Con. Res. 17) to recognize the 10th anniversary of the opening of the St. Lawrence Seaway, with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 12167. An act to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes; and

H.R. 12307. An act making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1970, and for other purposes.

#### ENROLLED JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled joint resolution (S.J. Res. 123) to extend the time for the making of a final report by the Commission To Study Mortgage Interest Rates, and it was signed by the President pro tempore.

#### HOUSE BILLS REFERRED OR PLACED ON CALENDAR

The following bills were each read twice by their titles and referred or placed on the calendar, as indicated:

H.R. 12167. An act to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes; placed on the calendar.

H.R. 12307. An act making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1970, and for other purposes; to the Committee on Appropriations.

#### EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDING OFFICER laid before the Senate the following letters, which were referred as indicated:

REPORT ON EXPORT-IMPORT BANK INSURANCE AND GUARANTEES ISSUED IN CONNECTION WITH U.S. EXPORTS TO YUGOSLAVIA

A letter from the Office of the Secretary, Export-Import Bank of the United States,

reporting, pursuant to law, the amount of Export-Import Bank insurance and guarantees issued in May 1969 in connection with U.S. exports to Yugoslavia; to the Committee on Banking and Currency.

#### REPORT ON PROPOSED ALTERATIONS AT THE GENERAL ACCOUNTING OFFICE BUILDING

A letter from the Acting Administrator, General Accounting Office, transmitting, pursuant to law, a prospectus for proposed alteration at the General Accounting Office Building, Washington, D.C.; to the Committee on Public Works.

#### REPORTS OF COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on a study of the acquisition of peripheral equipment for use with automatic data processing systems, dated June 24, 1969; to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the effectiveness and administration of the Cispus Job Corps Civilian Conservation Center Under the Economic Opportunity Act of 1964, Randle, Wash., Department of Agriculture, Office of Economic Opportunity, dated June 25, 1969; to the Committee on Government Operations.

#### PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

#### By the PRESIDING OFFICER:

A joint resolution of the Legislature of the State of Connecticut; to the Committee on Finance:

#### "SENATE JOINT RESOLUTION No. 9

"Resolution memorializing Congress to enact certain welfare legislation

"Resolved by this Assembly:

"Whereas the question of welfare assistance is of paramount importance to the entire United States of America; and

"Whereas the disparity of payments among the several states and the lack of national standards of assistance have created crisis situations in state fiscal management;

"Now therefore, be it resolved, That the Congress of the United States be memorialized to take immediate action to enact legislation which will include the following provisions:

"The financing by the federal government of all welfare payments throughout our nation; the establishment of uniform national standards for all welfare assistance; the continued administration by the individual states and towns of welfare from the local level and emphasis on training and incentive programs, as well as programs, as well as programs designed to reunite families receiving welfare assistance; and

"Be it further resolved, That the Clerks of the House and Senate cause copies of this resolution to be sent to the Speaker of the United States House of Representatives, to the President of the United States Senate and to the members of the United States House and Senate from Connecticut.

"CHARLES M. MCCOLLAM, Jr.,

"Clerk of the Senate."

"PAUL B. GROOBERT,

"Clerk of the House."

"Attest:

"ELLA T. GRASSO,

"Secretary of the State."

A resolution adopted by the city council, city of South San Francisco, State of California, concerning the taxation of State and local government bonds; to the Committee on Finance.

A telegram, in the nature of a petition, from the President, African American Repatriation Association, of Philadelphia,

The motion to lay on the table was agreed to.

The next amendment was, on page 34, line 10, after "(42 U.S.C. 1486)", strike out "\$1,250,000" and insert "\$3,700,000". The amendment was agreed to.

Mr. HOLLAND. Mr. President, I move to consider the vote by which the amendment was agreed to.

Mr. HRUSKA. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The next amendment was, on page 34, line 14, after "(42 U.S.C. 1490c)", strike out "\$1,250,000" and insert "\$2,000,000". The amendment was agreed to.

Mr. HOLLAND. Mr. President, I move to consider the vote by which the amendment was agreed to.

Mr. HRUSKA. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The next amendment was, on page 34, line 19, after the word "advances", strike out "\$600,000" and insert "\$1,000,000". The amendment was agreed to.

Mr. HOLLAND. Mr. President, I move to consider the vote by which the amendment was agreed to.

Mr. HRUSKA. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The next amendment was, on page 35, line 7, after "(40 U.S.C. 461)", strike out "\$65,000,000" and insert "\$67,500,000". The amendment was agreed to.

Mr. HOLLAND. Mr. President, I move to consider the vote by which the amendment was agreed to.

Mr. HRUSKA. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The next amendment was, on page 37, line 1, after "1968", strike out "\$2,698,217,859" and insert "\$2,948,217,859"; and, at the beginning of line 2, strike out "\$4,965,934,000" and insert "\$5,215,934,000".

The amendment was agreed to.

Mr. HOLLAND. Mr. President, I move to consider the vote by which the amendment was agreed to.

Mr. HRUSKA. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The next amendment was, on page 37, line 14, after the word "exceed", strike out "\$31,500,000" and insert "\$32,000,000".

The amendment was agreed to.

Mr. HOLLAND. Mr. President, I move to consider the vote by which the amendment was agreed to.

Mr. HRUSKA. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The next amendment was, on page 38, line 17, after the word "Act", strike out "\$400,000,000" and insert "\$420,000,000"; and, in line 20, after the word "Act", strike out "\$500,000,000" and insert "\$515,000,000".

The amendment was agreed to.

Mr. HOLLAND. Mr. President, I move to consider the vote by which the amendment was agreed to.

Mr. HRUSKA. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The next amendment was, on page 39, line 1, after "(7 U.S.C. 1856)", strike out "\$750,000" and insert "\$1,250,000".

The amendment was agreed to.

Mr. HOLLAND. Mr. President, I move to consider the vote by which the amendment was agreed to.

Mr. HRUSKA. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The next amendment was, on page 39, line 14, after the word "and", strike out "thirty (530)" and insert "sixty-six (566)".

Mr. HOLLAND. Mr. President, I believe that completes action on the committee amendments, except those we passed over. I thank the Presiding Officer for his patience, and I thank the distinguished Senator from Nebraska for his cooperation.

Mr. MONDALE. Mr. President, on May 7, 1969, I wrote to the Secretary of Agriculture, Clifford M. Hardin, and asked him a series of questions concerning discrimination in the Department of Agriculture and in the administration of its programs. These same questions were also submitted to the Department with a number of other questions by the Select Committee on Nutrition and Human Needs on May 27, 1969; the committee asked the Department to reply by June 18, 1969.

It is now July 1, and neither the committee nor I have received any response from Secretary Hardin or the Department of Agriculture.

Since we are now considering Agricultural appropriations for fiscal 1970, I think it important to raise this matter. Before approving billions of dollars of appropriations, the Senate should address itself to the Department of Agriculture's civil rights record—a record which raises serious questions as to whether the Department has complied with title VI of the Civil Rights Act of 1964 and Executive orders aimed at preventing discrimination by Federal agencies and by Government contractors.

The following findings by one official indicate that the Department's performance in enforcing title VI may well be worse than that of any other agency of the Federal Government. After expressing "concern as to the adequacy and effectiveness of the past efforts of the Department of Agriculture to achieve equal opportunity in its programs," this official stated:

Patterns of violations of Title VI and of the Department of Agriculture's implementing regulations persist. For example, audits of six state cooperative extension services conducted by the Office of the Inspector General of your Department revealed substantial and widespread noncompliance with civil rights requirements in each of these states. . . . An earlier publication of the Civil Rights Commission, *Cycle to Nowhere* (1968), states (p. 22) that in Alabama and

elsewhere in the South the practice of assigning extension workers on the basis of race is widespread. Since there are proportionally fewer Negro extension agents, that practice means that Negro farmers do not receive a fair and adequate share of the services provided. Thus, even apart from being a flagrant violation of law, this practice denies Negroes the opportunity to improve their farming methods and economic status. The evidence available to this Department suggests that the conditions found by your investigations are widespread and continuing.

Despite the evidence of these widespread violations of law disclosed by your Department's investigations, I am not aware of any meaningful action which has been taken to correct the situation. The failure of state extension services to achieve their full potential with respect to serving members of minority groups could aggravate such problems as migration from rural to urban areas and the inability of families to provide adequate diets. Conversely, meaningful enforcement of Title VI in regard to the cooperative extension services and other programs of your Department could contribute to your effort to alleviate hunger and rural poverty.

This is not a partisan matter. These complaints are contained in a letter from Attorney General John Mitchell to Secretary Hardin, dated April 16, 1969. The Attorney General's letter stems from his responsibilities to coordinate the title VI enforcement programs of all Federal agencies under Executive Order 11247; his criticisms were based on a U.S. Civil Rights Commission study of USDA's implementation of title VI.

The Attorney General also recommended to Secretary Hardin specific proposals in four general areas to improve the civil rights compliance program of the Department of Agriculture. They related to organization of title VI enforcement, functioning of the Equal Opportunity Office, program impact, and racial data collection.

For example, the Attorney General recommended that USDA create a centralized office for civil rights enforcement; that it "adopt methods for making certain that equal opportunity requirements are effectively translated into increased delivery of services to eligible minority group beneficiaries who presently may not be receiving their fair and intended share of Department of Agriculture assistance"; and that it establish a comprehensive racial data collection system that would provide the facts upon which a meaningful compliance review can be based.

I have no idea whether or not Secretary Hardin intends to carry out any of the Attorney General's recommendations. If he has responded to the Attorney General's April 16 letter, this response should be made public.

Regardless of whether he has answered the Attorney General, I again ask Secretary Hardin to inform me and those of you who share my concern for the full and effective enforcement of title VI of his program for remedying the deficiencies which have existed in the past and continue to exist. Does he intend to adopt the recommendations of the Attorney General or does he have a different plan of action? I think that we are entitled to an answer.

In a letter to Representative EDWARDS of California on May 21, 1969, Secretary Hardin expressed his personal determination to eliminate discrimination and stated that the Department was requesting an additional \$250,000 for civil rights enforcement in fiscal 1970. But his letter failed to specify the steps he intended to take to eliminate these discriminatory practices and made no reference to the Attorney General's recommendations.

I am pleased to note that the committee has approved the additional \$250,000 for civil rights activities in fiscal 1970. And while I am ready to vote for whatever additional funds the Department needs for such activities, the Secretary has yet to define how he intends to improve the Department's civil rights program. It is clear that present enforcement efforts have been completely inadequate. Unless the Secretary significantly reforms this enforcement program, his good intentions are irrelevant.

This is a very serious matter. At a time when we are faced with grave domestic problems and when too many Americans no longer have faith in the ability of Government to remedy their grievances, it is absolutely essential that the Federal Government eliminate all vestiges of discrimination—whether in the implementation of its programs or in its dealings with private contractors.

I therefore urge Secretary Hardin to tell us specifically what steps he intends to take to improve the dismal civil rights record of his Department. He should do so before we act to appropriate funds for USDA programs. We should be confident that the Department is implementing procedures to insure that these funds will not be used in a discriminatory manner and in violation of the law.

Mr. President, I ask unanimous consent that the questions which I submitted to Secretary Hardin on May 7, 1969, be inserted in the record at this point:

For those interested in examining the report of the Civil Rights Commission on USDA's enforcement of title VI, it is reprinted in the RECORD of May 22, 1969, at H4038.

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

QUESTIONS SUBMITTED TO SECRETARY HARDIN  
ON MAY 7, 1969

1. As Attorney General Mitchell observed in a letter to you on April 16, 1969, which he based on a July, 1968 report from the U.S. Civil Rights Commission titled *The Mechanism for Implementing and Enforcing Title VI of the Civil Rights Act of 1964*, "meaningful enforcement of Title VI (by USDA) in regard to the Cooperative Extension Service and other programs of your department could contribute to your effort to alleviate hunger and rural poverty."

The Attorney General also expressed to you his concern as to the adequacy and effectiveness of the Department's civil rights enforcement program.

What are your plans for assuring non-discrimination under Title VI in the Department's Extension Services, where the Department itself has documented such discriminatory practices as assigning extension workers on the basis of race? (Since there are far fewer Negro extension agents, this practice means that Negro farmers do not receive

a fair and adequate share of the services provided.)

What action will be taken to upgrade the civil service ratings of Negro Extension Agents who, with more education than some of their white counterparts, presently hold lower GS ratings than some white extension agents?

2. Who in the Department has direct charge of negotiating civil rights compliance plans for the State Extension Services?

3. It is my understanding that under consideration in the Department is the transfer of Title VI enforcement in the Extension Service to HEW. Is such a plan under consideration, and if so, would you submit a copy of the plan to the Committee?

4. Attorney General Mitchell's letter of April 16 endorses the Civil Rights Commission recommendation that USDA's present office of civil rights compliance, now headed by an assistant to the Secretary, be replaced by a centralized equal opportunity office, directly responsible to the Secretary, similar to that in operation at HEW. Do you plan to implement this recommendation by the Civil Rights Commission?

5. It is my understanding that new members to State ASCS Committees have been named in several States. Please submit a list of those named since January 20, and their race.

6. On page 4 of the July U.S. Civil Rights Commission Report are listed various audits by the USDA Inspector General bearing directly on civil rights compliance by the agencies directly responsible for nutrition and nutrition education, the Consumer and Marketing Service and the Federal Extension and State Extension Services, and other USDA agencies. I ask you to make these reports available to the Committee. They are:

USDA-OIG Audit of Civil Rights Activities in the Federal Extension Service, 6041-6-h; Forest Service, 6041-7-h; Agricultural Stabilization and Conservation Service, 6041-4-h; Consumer and Marketing Service, 60415-H; and six Cooperative State Extension Services (6065-17T; 6065-17-A; 6065-1-T; 6065-1-A; 6065-26-T; and 6065-20-W).

7. From the inception of its loan program for rural outdoor recreational facilities, through May 1968, the Farmers Home Administration, USDA, made loans to racially segregated golf and country clubs. In May 1968, the Attorney General ruled that such loans were subject to Title VI of the Civil Rights Act. Will this rule be applied retroactively to FHA loans made to segregated clubs before the May 1968 ruling?

#### SUBSIDY PAYMENTS

Mr. FANNIN. Mr. President, the American system of government created by our Constitution embodies many significant departures from the habits and customs of Europe and the Old World.

In the first 150 years of the life of the Republic the contrast between our system and the old system was particularly noticeable in the area of the relationship established between the economic community and the governmental institutions. We avoided Government-approved or Government-sponsored business cartels. With few exceptions the business community operated and prospered without assistance or subsidy from the Government.

During that period in the 19th century when the Nation was expanding westward the Government did make available certain land areas to the railroad builders and free public land to the homesteaders. And some observers of our history have severely criticized both of these intrusions by Government into the private economic sector, as examples of unwarranted favoritism.

We all remember that in the initial phase of the development of an air transport system the airlines were subsidized through contracts to carry the Government mail. The major air carriers have now outgrown the need for this help. We know that the shipbuilding industry is continuing to receive governmental assistance, that industries expanding to meet national defense needs are given an advantage over those plants and factories devoted entirely to producing for the civilian markets.

Commencing in the early 1930's the Federal Government embarked on a policy of subsidies purportedly designed to preserve the economic position and the independence of the American farmer.

Billions of dollars of public money have been employed in this century in an effort by Government to support particular sections of the economy. These programs have not been notably successful. The taxpayer resents paying subsidies—and the recipient resents the governmental restrictions and controls that invariably accompany governmental subsidies.

Responsible representatives of the agricultural section are convinced that the present program is wasteful, that it has on balance been a failure, and that American agriculture today should be returned to a free market.

I agree with that conclusion, but I must emphasize that for almost 40 years we have used the power of Government regulation and Government subsidy to inhibit the American farmer.

It has taken us 40 years to arrive at the situation which now confronts us, and in returning the farmer to the free market we must proceed with caution. To end the farm subsidy program tomorrow, or next year, would create chaos, and would inflict grave injury on American agriculture. But our first step must be to declare unequivocally that it is our aspiration and our intention to move gradually over a specified number of years to eliminate the inhibiting controls, end the subsidies, and to reestablish the American farmer as an independent member of the free market, free enterprise system.

We all have nostalgic memories of the family farm. Thirty-five years ago there were 32 million Americans, 25 percent of our population, living on farms. They were having a difficult time to make ends meet. The technological developments were threatening to overwhelm them, so the Government commenced its program of subsidy—to make it possible for the family farmer to survive as a viable economic unit.

Today there are only about 10 million of our people living on farms. This amounts to 5 percent of our present population.

Farms have become mechanized. Farming has become a scientific, single product operation, and no longer does the subsistence aspect attract the farmer. The family cow and the family pigs and the family garden have all given way to the industrial farm supervised by graduates in agriculture and horticulture and supported by sci-

ual capable of earning, for example, \$10,000 a year in civilian life, doing menial or clerical work and being paid \$2,000 per year, thus costing the individual \$8,000, and depriving the country of \$8,000 worth of productivity. If the services want a \$10,000-a-year man, they would have to pay him \$10,000 a year, and if they are going to pay a man \$10,000, the people and the Congress will want to be sure that the nation is getting \$10,000 worth of service.

Under either system, it might be wise to re-examine our military education and indoctrination programs. I suggest that we can best keep our democracy safe from militarism not by forcing unwilling young men into service, but by impressing upon all of our men in uniform that they are citizens of a democratic country first and servicemen second. Toward this end, I propose that better civilian control be established over all of our military educational institutions and training programs.

#### PROPOSALS FOR CHANGE

If the time has come for replacing compulsory conscription with a system of voluntary enlistments—and I, for one, am convinced that the time *has* come—then a number of careful steps must be thought out and acted upon. One issue of prime importance is the matter of pay.

Although numerous pay raises for the military have been passed since 1950, most of these have been not for first-term enlisted men but to induce officers and other enlisted men to remain in the armed forces. Nevertheless sheer justice would require that we pay men serving their country more than we now pay. The effect of the current pay rate is to penalize those who display their patriotism in this way; we should, therefore, immediately raise the pay of these men even if, for some reason, we thought the volunteer arm were not feasible.

Such a step, which would be fully justified on grounds of equity, would also provide a test of the feasibility of the volunteer army. The armed forces were to offer competitive pay and benefits, there would be little need to rely on the draft, and certainly not in peacetime. The effective recruitment programs already in operation would be given a tremendous boost if potential recruits could expect, as enlisted men, salaries, responsibilities, and opportunities for advancement commensurate with those they would find in civilian life.

However, that justice requires such an action is no guarantee that we will take the action. As long as the draft exists, there is little incentive for the armed forces to try to get wages for first-term enlisted men raised, and there is likewise little sentiment in Congress to raise these wages. It has been suggested, therefore, that Congress set a target date for eventual elimination of the draft. For practical reasons, the draft cannot, and probably should not, be abolished overnight; perhaps, too, the draft classification machinery should be retained for the unlikely event of another war like World War Two; but it must become stated policy of the government to eliminate conscription for peacetime or limited-war situations.

It might be well, once the draft is eliminated, to require an Act of Congress, rather than a mere executive decree, to reinstate it when manpower needs rise. It might also be well to tie future use of the draft to similar restrictions, such as higher taxes or rationing, on the civilian economy, in order to make very such that the politically attractive option of levying the cost of the war on a small and uninfluential part of the population is foreclosed.

#### HIGHER EDUCATION CONSTRUCTION ASSISTANCE

Mr. MONDALE. Mr. President, there has been a great deal of talk recently about the crisis in financing higher education. At least three bills, having a total of almost 30 cosponsors, have been introduced in the Senate this year to provide for expanded student assistance programs for higher education.

But the need for student assistance is only one aspect of the financial crisis higher education is facing. At a time when enrollments in colleges and universities are increasing at an unprecedented rate, there is a critical need for new and improved facilities. The need for Federal assistance for construction of college and university facilities and the effects of the Nixon administration's budget proposals in these areas are spelled out clearly in an editorial, entitled "Colleges Still Need Construction Aid," published in the Minneapolis Tribune of June 16, 1969. I commend the editorial to Senators and ask unanimous consent that it be printed in the Record.

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

#### COLLEGES STILL NEED CONSTRUCTION AID

The prospect of drastic cuts in federal aid to colleges and universities has so distressed the Minnesota Higher Education Coordinating Commission that it has told President Nixon his budget recommendations would be "a disaster for higher education."

These figures explain the commission's concern: Federal contributions for construction at four-year colleges, graduate schools and junior colleges in fiscal 1969 total \$249 million; the Johnson administration's budget for 1970 cut this to \$150 million; the Nixon administration's proposal would eliminate all construction money for four-year and graduate institutions, leaving only \$43 million for two-year colleges. A new interest subsidy which would pay charges above 3 percent on money borrowed privately is proposed—but this would be a costly, deferred payment procedure.

The commission points out that the federal cuts are budgeted at a time when more is expected of colleges than ever before. Enrollments continue to rise at a rapid rate, and as a higher proportion of the population goes to college, instructional costs rise even faster. On Minnesota campuses, the new waves of buildings never quite catch up to current needs.

Federal construction grants in Minnesota during the last five years have amounted to about 26 percent of the total spent on academic buildings at public and private institutions. This infusion of money has generated additional funds and led to improvements in higher education.

The Minnesota Legislature appropriated \$104.2 million for building in the next biennium at the university, state colleges and junior colleges—a little more than half the amount requested by these institutions. It already is clear that if more funds for colleges are not added to the present Nixon budget, state legislatures and private institutions face an almost impossible financial task in the next few years. Seriously overcrowded colleges and deteriorating quality of education are inevitable, if construction cannot keep pace with the number of students.

#### FARM PIONEERS OF TODAY

Mr. DIRKSEN. Mr. President, on behalf of the Senator from Kansas (Mr. DOLE) I ask unanimous consent to have printed in the Record a statement and an insertion.

There being no objection, the statement and insertion were ordered to be printed in the Record, as follows:

#### FARM PIONEERS OF TODAY

Mr. DOLE. Mr. President, many stories are told of the courage and hardships endured by our pioneer women. It is true these heroic women made tremendous contributions to the development of Kansas and the Nation.

Women on our farms continue to play an important role in the development of agriculture. Though the hardships are minimal by the standards of their grandmothers, today's farm wives have little time for leisure.

An article "Great Plains Women Face New Prospect" appearing in the June 1969 issue of the USDA publication, *Soil Conservation*, tells an exciting story of the deep faith of four farm wives in the land of Western Kansas. I salute these splendid ladies.

#### SOME REMEMBER THE DUST AND HARSHIP—"GREAT PLAINS WOMEN FACE NEW PROSPECT"

Some have forgotten the wind and the dust of the 1930's in the Great Plains. Some have forgotten the courage it took to stay and do the grueling work of putting cover back on the runaway land.

Some have forgotten—but not the women who hung wet sheets over the windows and doors to keep out the suffocating dust.

Not the housewives who scooped the dirt out of their homes with shovels.

Not the wives who watched their husbands struggle year after dry year to grow enough food to keep their families alive.

Not the mothers who stood by helplessly and watched their children die of "black pneumonia" caused by the dust clogged air.

These are the women who today know, as well as their husbands, the importance of conservation on the Great Plains.

Conservation which, under the Great Plains Conservation Program, has given the ranchers and farmers of the region a practical and profitable way to prevent a recurrence of the Dirty Thirties.

#### A TOTAL PROGRAM

It is a total program . . .

. . . to include cost-sharing, credit, and technical assistance in soil and water conservation.

. . . to keep the dust on the fields—out of their homes and their children's lungs.

. . . to make life easier for them and their families.

. . . to give the women time to be women!

These are the women who today, because of this program, have time for outside work, instructive clubs, productive hobbies. Modern conservation farming practices and household conveniences have turned these women into the Great Plains counterparts of 5th Avenue.

By the time they are grandmothers, these women of the Great Plains no longer are wrinkled and old beyond their years.

One such young grandmother is Mrs. Dwight Finney of Simpson, Kans., mother of five and grandmother of 12. Although Dwight signed a Great Plains contract only a few months ago, he has been farming his 2,380 acres the conservation way for many years. Their farm-ranch operation already has six ponds, 2 miles of terraces, 8 acres of waterways, and 60 acres reseeded to native grasses.

ing compulsion to all—assigning some to military service and some to other kinds of compulsory service. Such a system would appear, in many ways, to compound the problems we have already, and to be hardly consistent with the freedom of choice that we value so highly in our society.

Another of the solutions being discussed is a lottery system. This does have wide appeal among those discontented with the inequities of the present system. Under it, exemptions and deferments would be reduced to a minimum, and those of an appropriate age, say nineteen-year-olds, would have an equal chance of being selected. Thus, the armed forces would include some students destined for college and some high school dropouts, and, to the extent minimum health and mental requirements were met, equal proportions from all strata of society. It is argued that this system would eliminate the inequities we have currently, whereby our armed forces tend to include, among enlisted men, primarily the poorer and less educated, while college students and, until recently, graduate students as well, were "deferred." In many cases these deferments have extended past the age at which students would be subject to the draft; in any event, for a war of hopefully limited duration, deferment may be sufficient to permit avoidance of military service and certainty of service under combat conditions.

While eliminating some of the gross inequities, the lottery system would still suffer the same defects as the Selective Service System we have currently. Again, an undue burden would be put on the young; again, those who serve would incur a hidden tax of enormous proportions. We would suffer the same losses of efficiency consequent upon the drafting of men who may have superior contributions to make in civilian service and inferior contributions to make in military service. We would suffer the same loss incumbent upon the uncertainty of just who would be drafted, which prevents people from starting on useful careers until they know their number had been passed. There would be the same loss in repeated training of servicemen who refused to re-enlist for a poorly paying job not of their own choosing. We would have the same waste of resources in the armed forces because of failure to correctly count the cost of manpower.

Many observers have recommended patchwork remedies for the obvious biases for or against the rich, the poor, the well-educated the ignorant, the black, the white. These well-meant remedies will not succeed because they skim over the root inequity—the forced impressment of a minority of our citizens.

The one equitable and efficient means for recruiting our armed forces, it becomes increasingly clear, is to do so on a volunteer basis. Such a system would be fully consistent with our best traditions and, remarkably, would avoid virtually all the pitfalls we have discussed thus far. Most of the objections to a volunteer system can be shown to be spurious or lacking in weight, and it has certain particular advantages.

#### AN ARMY OF VOLUNTEERS

One objection is that an all-volunteer army would be an all-black army, or that it would be an army largely composed of persons from the lower strata of society. There is first a question of fact. Blacks currently constitute about 9 per cent of the armed forces, compared with about 11 per cent of the nation's population. Blacks do make up a disproportionate share of combat forces—15 per cent—largely because their low socioeconomic backgrounds make them less fit for more skilled branches of service, and because of their higher re-enlistment rate—45.1 per cent compared to 17.1 per cent for whites. But it is impossible for the army to become all black. There are approximately 1,700,000

black men between the ages of eighteen and twenty-six. Suppose all of these volunteer for the army, and suppose that the rejection rate among blacks continues at its current level of 50 percent. This means that, even under these most unrealistic of assumptions, only 650,000 black men would be qualified for military service. If a reasonable size for a volunteer army is 2.65 million men, blacks could at most constitute only 24 per cent.

In part, the increasing technical sophistication of modern warfare may automatically keep the proportion of blacks and the poor relatively low. A modern army that needs persons with high technical skills would not hire the unskilled. If it were desired to maintain a given racial or social balance in the armed forces, this could be easily accomplished by refusing to hire volunteers after the "quotas" had been filled.

Finally, for those who are really concerned about the fate of the poor, and especially of the poor who are black, the volunteer army should appear attractive. It is an inescapable conclusion, recently supported by the Kerner report, that blacks are the victims of discrimination in civilian employment. The armed forces have been one of the few avenues open to the black by which he can improve his economic and social position; this is confirmed by blacks' high re-enlistment rate. Civilian opportunities should certainly be improved, and the availability of opportunity in the armed forces should not be used as an excuse to avoid increasing civilian opportunity. But mistreatment in the civilian economy should not be a reason to deny blacks the chances for economic and social advancement within the armed forces. If blacks and the poor generally are going to serve in the armed forces, they should at least be paid adequately for the job they are doing.

One argument against the volunteer concept that troubles me is the possibility that the public would decide that well-paying armed forces would be a sufficient solution to the critical problem of poverty and the associated problem of racial discrimination. We must not fall into the trap of concluding that the problem of making decent civilian jobs available for all willing and desirous of work is solved merely because adequately paying military jobs are available. The armed forces should be in a position of bidding for the services of young men who are part of a society that equips all for useful, remunerative civilian jobs and hence gives all a free choice between military and nonmilitary work.

It may be that we continue the draft because we are concerned about the quality of the men who would enlist under a voluntary system. It is a fact, however, that 49 per cent of our current armed forces are true volunteers: they were not drafted, nor did they enlist out of fear of the draft. In Defense Department parlance, they are not "reluctant volunteers." Our experience over the years has given no indication that volunteers are less capable, less brave, or less dedicated than conscripts. On the contrary, the experience of a career serviceman and the opportunity to train him more intensively are apt to improve his effectiveness.

Another danger that one may see in a volunteer army, one that troubles me deeply, relates to its very efficiency and the consequent possibility that our government will have at its disposal, at relatively little cost to the broad body politic, an instrument of potential danger as well as potential usefulness. I happen to believe that it is not desirable to have American armed forces act as world policemen, dispatched anywhere over the world to intervene in other peoples' affairs, however well-intentioned our interventions may be. One inhibition upon such intervention, no doubt greater than ever after our disastrous experience in Vietnam, is the reluctance we must all have to see our youth

drafted into such expeditions against their will. But if, out of our large and able population, a small, efficient volunteer force can be obtained who for one reason or another is not loath to fight all over the world in other peoples' wars, may not this potential restraint on any unwise government leaders be lost?

This danger is one that I cannot forego. There is in principle a chance that out of a large population we may find a small class, happy to be paid for violence, who will lend themselves easily to policies and acts in our name, which we will carelessly allow to be pursued because we are not personally involved. If this were to happen the world would be scarred and the good name and reputation and interests of the United States would suffer immeasurably. Our country's only brake against such a syndrome would be—in some measure as it is now—a vigorous and watchful civilian control over our military.

Probably the most usual objective to the idea of a volunteer army is that if we did not draft soldiers we could not get them to serve, but this argument hardly bears scrutiny. The peace-time draft is indeed new to this country, not having been instituted until 1940; until then our armed forces in peacetime had always been recruited on a voluntary basis. Indeed, with the exception of the Civil War, there was no recourse to the draft in any war until World War One. And contrary to some popular impression, the bulk of those actually serving in the Civil War were volunteers. The Civil War draft drew great opposition and little in the way of positive results. Hence, it is clear that it has been possible to man our armed forces without the draft through most of our history. And, it may be added, a number of other countries, particularly Britain and Canada, closest to us in outlook and political institutions, have generally and do currently maintain their armed forces without conscription.

As we have seen, the average nineteen-year-old draftee pays about \$2,000 per year for the privilege of serving—older draftees, who would be earning more at their civilian jobs, pay even more—but this cost appears nowhere in the budget. A voluntary system would require that the full manpower cost of the armed services be included in the Defense Department budget and appropriation, and that we face up to what our military establishment is costing us. A voluntary system would be more economical and more efficient than the draft for several reasons.

First, it would save on training costs. At present, more than 90 per cent of those who enter the services do not reenlist. This necessitates putting a man through expensive training procedures, receiving the benefit of his skills for one or two years, and then losing him. A new recruit must be trained to take his place. Not only is this procedure intrinsically costly, but it also means that a significant proportion of our most highly skilled military men, men who have chosen the armed forces as a career, must be tied up as instructors. Under a voluntary system in which the average length of service would be considerably longer than the present two or three years, training expenses would be greatly reduced.

Second, an all-volunteer army would be less expensive because it could be smaller. The men would be more experienced and better motivated; hence, they would be more capable and efficient. Fewer of them would be needed and we would have a more effective fighting force.

Third, once the cost of military manpower is placed on the table, the military would be forced to use its people in a more efficient way than under the present system. No longer would we see a highly skilled individual

ber 9, 1969, indicates the nature of the problem which still exists in the industry and the reasons why the revised Philadelphia plan is an important and necessary step which must be taken if we are successfully to remedy once and for all the problem of insuring equal employment opportunity in this vital segment of the economy.

I ask unanimous consent that the article be printed in the RECORD at the conclusion of my remarks.

I have also expressed my sentiments in support of the Secretary of Labor's decision to go ahead with the plan, notwithstanding the Comptroller General's ruling, in a letter to the Secretary in which 11 of my colleagues in the Senate have joined. I ask unanimous consent that the letter, which was dated August 13, 1969, also be printed in the RECORD.

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

UNITED STATES PRESSES BUILDING-UNION  
DRIVE

(By Lyn Shepard)

WASHINGTON.—The Nixon administration is undergoing a rugged test of its resolve to end job bias in the building trades.

If it holds its ground and eventually wins, it will amount to a great bread-and-butter victory for black craftsmen, as well as other excluded minority workers.

For nowhere in America are the patterns of prejudice more stubborn—as this reporter has seen during a three-month nationwide study of job-discrimination trends—than in the craft-union hiring halls.

It is toward this target that Secretary of Labor George P. Shultz aims his revised "Philadelphia plan."

A month ago, Mr. Shultz vowed to carry out this controversial plan over the objections of the comptroller general.

The plan sets "numerical goals" for minority hiring on federal-aid construction projects costing more than \$500,000. Contractors must agree to these goals in writing before winning a contract.

#### WIDER USE SIGHTED

Conservatives in Congress still advance the comptroller general's legal argument. They contend that "numerical goals" are in fact racial quotas. Title VII of the Civil Rights Act of 1964 expressly forbids such quotas.

Yet the plan remains in effect. Soon it may extend to other cities besides Philadelphia where the building trades have systematically closed their doors to minorities.

In the meantime, both the plan's advocates in the civil-rights field and its critics among contractors and unionists are following every Labor Department move for signs of a letup in pressure.

"We're being watched by those who want us to succeed and by those who want us to fail," says Assistant Secretary of Labor Arthur A. Fletcher.

Mr. Fletcher, who sometimes greets newsmen in work khakis, has been placed in charge of the government's new contract-compliance crackdown.

"I think the ball game can be won or lost before a contract is ever awarded," he told me before the Philadelphia plan was revived July 18. "The preaward conference [during which "numerical goals" are set] is the proper time to get commitments from contractors to correct hiring deficiencies."

#### TIMING STRESSED

"The pattern has been to get this [minority exclusion] corrected in the contractors' affirmative-action plans after the award. Actually, this should have been settled in

the preaward stage. If you drive for a commitment then, you'll get instant results."

It was this logic—bulwarked by Attorney General John N. Mitchell's approval of the Philadelphia plan's legal aspects—which caused Mr. Shultz to dismiss the comptroller general's opinion.

Actually some federal officials have held informal preaward conferences in St. Louis, Cleveland, and other cities for several years. The Philadelphia plan lends new impetus to their efforts.

Mr. Fletcher has directed the Office of Federal Contract Compliance's area coordinators to zero in on seven "critical crafts": iron workers, plumbers, steamfitters, sheet-metal workers, electricians, roofers (and water-proofs), and elevator-construction workers.

In these high-paying skills, Negroes, Puerto Ricans, and Mexican-Americans have only recently attained journeyman status in many AFL-CIO locals. And even today, these inroads barely meet the level of tokenism.

#### NAACP STARTS ACTIONS

Just recently the National Association for the Advancement of Colored People announced a series of legal actions aimed at stopping work on federally financed construction unless qualified blacks were employed on the projects.

In announcing the move, Roy M. Wilkins Jr., NAACP executive director, described the building-trades unions as the "last bastion against employment of Negro workers as a policy."

Often union politics plays an important part in the timing of federal antibias decrees. Government agents try to avoid aiding white-backlash campaigns for union office. As a rule of thumb, they have learned not to apply pressure on the locals during the electioneering period.

"Sometimes I'll have to tell Washington, 'No, let's wait a week before pushing on this one,'" one federal official in a Northern city explains.

"I have to weigh whether the pressure I apply to the union president may weaken his position with the rank and file to the point that a rival will play on the 'soft-on-the-niggers' issue enough to beat him. Very often an election is decided on 'which one of us hates the niggers worse.'"

If a Negro has finally gained entry into the local, federal sources say, such blatant shows of racism will not occur so openly. But in subtler ways, in opportune moments, smaller groups within the membership will congregate and rehash the issue in much the same way.

"It may be in the corridors, in the shower rooms, in the parking lots," one astute observer of union activity says, "but it's the same old story."

#### TINDERBOX SITUATION RECALLED

In two major industrial cities, Chicago and Pittsburgh, the black-white confrontation on building sites today threatens to erupt in a violent racial clash.

These crises recall a similar tinderbox situation three years ago at a federal-building project in East St. Louis, Ill. Civil-rights groups picketed because the building trades were completely white. Angered by the protesters, the unions threatened to counter-picket.

When the project excavation got underway, racial hostility in the 70 percent black city had built up to an explosive level. At this point, a showdown session occurred between the prime contractor, his subcontractors, and Robert Harlan, a Washington spokesman for the General Services Administration (GSA).

"Harlan didn't mince words," an on-the-spot witness recalled. "He gave the prime contractor a clear ultimatum. 'Sir, you will have Negroes in every craft union involved on the project within 10 days or lose the contract.'"

#### CRASH PROGRAM PUT THROUGH

A crash program to meet the GSA envoy's terms took form immediately. One of its participants told me of those hectic days in 1966.

"We worked day and night for two weeks," he said. "By day we set up joint apprenticeship committees for each of the unions. In the evening, we recruited Negroes for the program. We screened applicants late into the night. Somehow we met Harlan's goal because none of us wanted to see bloodshed. We felt it was a matter of survival."

On occasion, tough negotiators like Mr. Harlan can reform an entire city's building-trades hiring patterns—and do it almost overnight.

More often, though, as in Boston, the federal compliance program has proved a sham. Critics there describe the process as "a cruel joke." Paper work documenting biased hiring patterns has grown voluminous over the years. Still, nothing seems to come of the stacks of reports once they reach Washington.

In the Labor Department, Assistant Secretary Fletcher says he does not expect to force change easily or even as quickly as he would like.

But in the Philadelphia plan, he figures Washington has a vigorous national strategy to conquer bigotry in the building trades—if it's allowed to use it.

#### U.S. SENATE, COMMITTEE ON LABOR

##### AND PUBLIC WELFARE,

Washington, D.C., August 13, 1969.

HON. GEORGE P. SHULTZ,

Secretary of Labor.

Washington, D.C.

DEAR SECRETARY SHULTZ: We commend your decision to implement the Revised Philadelphia Plan and join you in the expectation that the Plan will be successful in assuring equal employment opportunity in the building and construction industry. The Plan presents legal issues of fundamental importance to the success of the equal employment opportunity program under Executive Order 11246, and the recent ruling of the Comptroller General concerning the Plan would, if given effect, undermine the entire executive order program. Congress did not give the Comptroller General the authority to administer and interpret Executive Order 11246 or the Civil Rights Act of 1964; rather, it placed that authority in the Justice Department, which has approved the Plan, and, ultimately, the courts. Any issues concerning the legality of the Plan under the Civil Rights Act of 1964 should, therefore, be resolved by the courts, which have the requisite authority and knowledge to interpret the Act and the Executive Order, and not by the Comptroller General.

On our part, we shall certainly oppose any effort to enact legislation which would prohibit the Department of Labor from proceeding to implement the Revised Philadelphia Plan or to block a court test of the legality of the Plan.

With best wishes,

Sincerely,

EDWARD W. BROOKE, JACOB K. JAVITS,  
ROBERT P. GRIFFIN, FRED R. HARRIS,  
BIRCH BAYH, PHILIP A. HART, CLIFFORD  
P. CASE, VANCE HARTKE, WALTER F.  
MONDALE, CHARLES E. GOODELL, EDWARD  
M. KENNEDY, U.S. Senators.

#### DR. MARY CALDERONE LATEST TARGET OF JOHN BIRCH SOCIETY

Mr. JAVITS, Mr. President, the latest target of the John Birch Society appears to be the Sex Information and Education Council of the United States—an organization founded to publish sex educa-

tion study guides for teachers and advise schools and agencies how to set up such programs.

SIECUS, a nonprofit organization, was founded 5 years ago by a distinguished New Yorker, Dr. Mary Calderone. Its board of directors includes physicians, educators, and clergymen.

I am particularly disturbed that the Birch Society attack has focused, in a personal way, on Dr. Calderone. The daughter of Edward Steichen, the photographer, and the niece of Carl Sandburg, she has had a distinguished career as a physician and for some years was medical director of the Planned Parenthood Federation. Dr. Calderone has received awards for her work from the National Council of Women of the United States, the editors of *Who's Who of American Women*, and the University of Rochester. This year, *Vogue* magazine honored her as one of America's outstanding women.

In order that the public and the Congress may have the full story on SIECUS and Dr. Calderone, I ask unanimous consent that an article from the New York Times of September 14, and an article from *Look* magazine of September 9 be printed in the RECORD. Both articles detail the propaganda campaign against SIECUS and identify its source.

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

[From the New York Times, Sept. 14, 1969]  
SEX EDUCATION BATTLES SPLITTING MANY COMMUNITIES ACROSS THE UNITED STATES

(By Douglas Robinson)

RACINE, Wis.—“The thing that hurt the most,” said Richard B. Bliss, “was the letters from old friends that began, ‘Dear Dick, I know you don’t realize you’re being used by the Communists, but . . .’”

Mr. Bliss is the science consultant to the Racine Unified School District 1 and the letters were only part of a campaign of harassment in a bitter fight over sex education in the public schools.

The battle in Racine was not unusual. In recent months, cities and towns across the nation have been torn by dissension over the issue. The battles have left a residue of suspicion, mistrust and hatred on streets where good neighbors once lived.

The dispute in Racine, a medium-size city on Lake Michigan, followed a pattern now familiar in many communities. Besides the letters, there were the telephone calls.

“You’re nothing but a dirty Communist traitor,” the anonymous callers would say, and the conversation went downhill from there,” said Mr. Bliss, who considers himself a conservative.

The fight against a program about sex and family life in Racine was successful; the Board of Education voted to delay any action on the matter “until misinformation and misunderstanding are corrected.”

In this area, too, Racine was not unusual, because such groups of the John Birch Society and the Christian Crusade have caused school officials and elected leaders to give way before the onslaught.

#### LEGISLATIVE PROGRAMS

Congress and 19 state legislatures have before them measures to prohibit, control or curtail sex education in the public schools. Other legislatures have already acted.

“There are 10 states—Maine, New Hampshire, Vermont, Rhode Island, Alabama, Mississippi, Arkansas, Montana, North and South Dakota—that we haven’t heard from

yet,” said Paul E. Putnam, assistant secretary for special studies of the Professional Rights and Responsibility Commission of the National Education Association. He said he assumed that those 10 “have no sex education programs planned or now functioning.”

In the furor stirred up in many communities, more moderate criticism has been drowned out in the flurry of charges and counter-charges and in the wide distribution of literature that attempts to portray school officials as purveyors of filth and pornography.

#### LIES AND DISTORTIONS

“I’ve never seen a more successful propaganda campaign,” Mr. Bliss said in Racine. “They used lies and distortions to try to prove their contention that sex education is a Communist plot and that such a program would undermine the morals of their children.”

“The extremists were really bothered by the use of the word ‘sex,’” he continued. “They were convinced we were going to teach sexual intercourse. They had no understanding of such matters as hygiene, disease prevention, care of a child, family responsibility or mature values.”

“It really made no difference to them,” he added. “The venereal disease and divorce rates keep rising and these people refuse to understand. It’s as if they were saying, ‘There’s an epidemic of polio, but we’re not going to let you do anything about it.’”

“Now, even after the fight, former friends are distant with me,” Mr. Bliss said. “I’m sure that if my standing in the conservative community here were not so solid, I’d have more enemies.”

#### READY-MADE CONTROVERSY

The issue of sex education in the schools has given the Birchers and their ideological counterparts a ready-made controversy that rivals disputes over religion in intensity.

Opponents of sex instruction in Minneapolis, for example, have been on the offensive for some time. They have yet to suffer a setback and there is no sex education course in the city’s schools, despite a set of guidelines drawn by a group of educators three years ago.

Last week, Mrs. Elsie Zimmerman, the leader of those opposed to sex education courses in Minneapolis, said that a sex study program was “garbage.”

#### MASTER PLAN CITED

Her supporters, Mrs. Zimmerman warned, will use “every weapon,” including court injunctions, to block sex education. There is, she said, a “master plan” for a “controlled, one-world society.” Her followers, mostly women, applauded warmly when she added:

“We will no longer be old ladies in tennis shoes; we will be Paul Revere in combat boots.”

Two weeks ago, Gov. Ronald Reagan of California signed a measure that prohibits school districts from requiring students to attend sex education classes. The law allows parents to keep their children from such classes if they so choose.

There is no doubt that opposition to sex education comes from a small minority. A Gallup Poll showed that 71 per cent of all adult Americans want schools to offer such courses. By unofficial estimates, about two-thirds of the nation’s school districts offer sex education in some form.

#### COURSES BEGAN IN 1930’S

But this has been true for some time, according to Dr. Edward Milleff, consultant in health and safety education to the American Association for Health, Physical Education and Recreation.

“This demand for sex education is merely the formal outgrowth of courses that have been in the curriculum since the mid-30’s,” Dr. Milleff said. “In other years, it was usually

presented under such euphemisms as senior problems, marriage and family or hygiene.”

The new sex education courses, which are endorsed by a preponderance of educators, church groups and medical societies, go further than previous efforts in that they are designed to teach students about themselves as sexual human beings and inform them of the sexual responsibilities of adults. In short, children are taught that sexual feelings and attitudes are not forbidden mysteries, but facets of a normal life.

“Because moral judgments are bound to creep in to such courses,” Dr. Milleff said, “we have worked out these courses with parental cooperation. We try never to go beyond the needs of individual communities.”

Dr. Milleff said he was not worried by the opposition to formal sex education courses and professed surprise that there has not been more hostility.

Despite the criticism, he predicted that “the overwhelming problems emerging in our urban society will mandate a responsibility for sex education.”

“The crisis nature of society will create such a program,” he added.

#### ATTACKS BEGAN IN 1968

Mr. Putnam said opposition to sex education began late last summer, when the Christian Crusade, a right-wing organization based in Oklahoma and headed by the Rev. Billy James Hargis, published a book entitled “Blackboard Power—N.E.A. Threat to America” by Dr. Gordon V. Drake. The Christian Crusade also printed another attack by the same author, a pamphlet titled “Is the Schoolhouse the Proper Place to Teach Raw Sex?”

“The sudden attacks on sex education programs took the John Birch Society unawares,” Mr. Putnam said in a speech this summer. “It took one of the most vocal organizations opposing Communists in our society six months to decide that sex education is a Communist plot.”

In the January, 1969, issue of the John Birch Society Bulletin, however, Robert Welch wrote that what was needed was an organized, nationwide, intensive, angry, determined opposition to the now mushrooming program of so-called sex education in the public schools.

#### SUBVERSIVE MONSTROSITY

“Various stages of the program,” he continued, have already been imposed on some 5 to 10 per cent of the schools. Deep-laid plans have been carefully initiated to spread this subversive monstrosity over the whole American educational system, from kindergarten to high school.

“But a preponderant majority of the American people are not yet even aware of this filthy Communist plot . . .”

Birch people and other right-wing forces then sprang to the attack and MOTOREDE Committees, an ad hoc Birch Group whose name was drawn from Movement to Restore Decency, were formed in several communities.

Birchers also heeded Mr. Welch’s call to organize front groups to bring the message home. Thus local groups with other names—usually acronyms such as MOMS, for Mothers Organized for Moral Stability, or POSE, for Parents Opposed to Sex Education—sprouted like mushrooms after a rain.

#### THE INNOCENTS DEFILED

The society also put out a \$30 film strip with sound entitled “The Innocents Defiled,” in which the sex education program is depicted as a plot to confront American school children with pornography.

Birch members are particularly incensed over a slide film series entitled “How Babies Are Made,” produced by Creative Scope. The rights to the series were purchased by Time & Life, which also put out a book and a film strip.

“How Babies Are Made,” aimed at men-



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